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EPA Region 8 Emergency Preparedness Newsletter

Volume XIII No. II Second Quarter 2023 Newsletter

Welcome to the EPA Region 8 Preparedness Newsletter.
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Ten years after West, Texas

Ten years after the West, Texas incident-have we learned anything?

It is hard to believe that 10 years have passed since the West, Texas explosion that killed 15 people, injured 260, caused millions of dollars in damage, registered a 2.1 earthquake and propagated many federal initiatives into better emergency planning. After such a nightmare scenario, we need to ask ourselves if we are in a better place to handle another incident. The unfortunate truth is that chemical spills and incidents will continue to occur no matter how much we prepare ourselves and community. Sometimes it's human error, an emergency scenario, a weather disaster or sometimes some plain bad luck. However, our work in emergency preparedness is never done. While memories of these incidents fade over time, we still need to remain vigilant for the next event and keep planning accordingly.



If you are a local emergency manager or LEPC chair, there are many things to consider:

- Do you know if all the chemical facilities in your jurisdiction are accounted for and submitting their Tier II reports as required?
- Are you actually reading the Tier II reports? Are you ensuring these chemicals have been considered when drafting your emergency response or all-hazards plan?
- Also consider other chemicals that may not be regulated. The chemicals on EPA's List of Lists are just a snapshot or what could be out there. Partnering with facilities can better inform what you need to know about.



Do you have an active LEPC? If not, then why not? Starting up or reinvigorating a group can be challenging, but this is where your SERC and EPA can assist you. Your LEPC can be a vital lifeline in your community. Invite chemical facilities to be a partner in your LEPC. Every incident begins and ends locally, so ensure you have the correct members as a part of your team.

Ten years after West, Texas, cont'd

If you are a chemical facility you also have responsibilities to your local area:

- Have you reached out to the LEPC where your facility is located? Are you a partner with their group?
- Are you a responding or non-responding facility and is your LEPC aware of this? As turnover occurs over time, those previously on your speed dial may have changed.
- Do you know who to call in the event of a spill? Is it as easy as dialing 911? Do you call the NRC or EPA? Do you call your LEPC or SERC and whom might you notify if there is a spill that could affect a drinking water source? Each state can be a little different, so be sure you know before you need to know!



You can consult [EPA's EPCRA website](#) which has been revamped and updated to help better serve what you may need to find. If you have more questions within Region 8, you can contact Bre Bockstahler (bockstahler.breann@epa.gov) or Ben Sharaf (sharaf.benjamin@epa.gov).

Click [here](#) for the multi-media article from USA Today regarding the 10th anniversary of the West Texas incident.

The final report from the Chemical Safety Board along with the video titled "Dangerously Close: Explosion in West, Texas" can be found [here](#).



Western Regions SERC/TERC Conference Date Change

In case you have not seen the announcement, there has been a date change to the Western Regions SERC/TERC conference for 2024. This conference will be in-person in Clark County, Nevada but the new date will be: **Wednesday February 21st and Thursday February 22nd.** We will keep you posted with more information soon!

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CSB Reports and Video Releases

U.S. Chemical Safety Board Releases Final Report into 2020 Toxic Gas Release and Chemical Fire at Bio-Lab Facility in Westlake, LA

The U.S. Chemical Safety and Hazard Investigation Board (CSB) released its [final investigation report](#) into a chemical fire and toxic gas release at the Bio-Lab facility in Westlake, Louisiana, in August 2020 following extreme weather during Hurricane Laura. In addition to recommending steps that the company and Louisiana state officials should take to prevent chemical releases during future hurricanes, the CSB's report calls on federal regulators to increase their oversight of hazards associated with reactive chemicals.

Investigation Update into 2022 Fatal Naphtha Release and Fire at BP-Husky Refinery in Ohio

The CSB released an [update](#) into its ongoing investigation of the chemical release and fire at the BP-Husky Refinery located in Oregon, Ohio that resulted in two fatalities and substantial property damage to the facility. The update gives details about the investigation including a summary of the process upset that led to the incident, background on the refinery, and an outline of the CSB's activities moving forward.

CSB Final Report into Fatal Chemical Release at Wacker Polysilicon Facility in Tennessee

The CSB released its [final report](#) into the November 2020 hydrogen chloride (HCl) release that occurred during maintenance activities at the Wacker Polysilicon North American facility in Charleston, Tennessee where a worker was fatally injured in the incident.

In its final report, the CSB found that at the time of the incident there were multiple contract workers present on the fifth-floor of an equipment access platform at the facility. The contract workers were from two different firms, conducting different work, and were wearing different levels of Personal Protective Equipment (PPE). One of the workers applied excessive torque to flange bolts on a heat exchanger outlet pipe containing HCl, causing the pipe to crack and release the hazardous chemical in the vicinity of the workers.

CSB Safety Video on Explosion and Fire at the Husky Superior Refinery

The CSB released a [new safety video](#) on its investigation into the April 2018 explosion and fire at the Husky Superior Refinery in Superior, Wisconsin. The incident injured 36 workers, caused roughly \$550 million in damage to the facility and released 39,000 pounds of flammable hydrocarbon vapor into the air. Over 2,500 residents of the City of Superior were evacuated from their homes, and the City of Duluth, Minnesota, issued a shelter in place order.

CISA Announcements

ChemLock: Introduction to Chemical Security Training Course

This course provides an introduction to identifying, assessing, evaluating, and mitigating chemical security risks. This easy-to-understand overview identifies key components and best practices of chemical security awareness and planning to help kickstart chemical security discussions at a facility. This course runs 1-2 hours in length and is appropriate for all personnel regardless of their level of involvement with dangerous chemicals.

[Register for October 17, 2023 – 10 am-noon ET](#)

ChemLock: Secure Your Chemicals Security Planning Training Course

This course walks through how to create a tailored, scalable security plan that meets the business model and unique circumstances of a facility. Participants will learn the key elements of a chemical security plan and benefit from examples, lessons learned, and best practices. The course runs 2-3 hours in length and is designed to help leadership, facility security personnel, and other applicable personnel understand, develop, and implement a facility security plan.

[Register for August 10, 2023 – 1-4 pm ET](#)

[Register for November 14, 2023 – 10 am - 1 pm ET](#)

Please share this course information with relevant chemical security stakeholders in your area. To request a special offering of either course for a facility or organization, please fill out the [ChemLock Services Request Form](#). If you have questions about the ChemLock program, please email ChemLock@cisa.dhs.gov.

Save the Date for the 2023 Chemical Security Summit, August 29-31, 2023, Virtual and Northern VA

Join participants from across the chemical and interconnected sectors—including energy, communications, transportation, and water—to hear the latest program and regulatory updates, share perspectives and lessons learned, and engage in dialogue regarding chemical security.

When: August 29-31, 2023

Where: Northern Virginia and Microsoft Teams

Venue will be announced with registration in coming weeks

Links for virtual attendees will be sent out closer to the Summit date

Who should attend:

Chemical and related industry stakeholders

Corporate and facility security officers

Environment, health, and safety professionals

Please note there is no fee to attend this event.

Registration, provisional agenda, and further information will be available in the coming weeks on the [2023 Chemical Security Summit webpage](#). For more information, please email us at ChemicalSummitReg@hq.dhs.gov.

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EPA Updates

National Survey of State Emergency Response Commissions

In April 2023, the long awaited report on the National Survey of State Emergency Response Commissions was issued by EPA. The agency conducted this survey to learn how well the Emergency Planning and Community Right-to-Know Act is being implemented at the state and local levels, which included collecting information on current practices, challenges, gaps, successes, and best practices. EPA is distributing this report so that State and Tribal Emergency Response Commissions can learn from the experiences of others and build a robust program.

For more information, see the [2023 National Survey of State Emergency Response Commissions](#).

Launch of New EPA EPCRA Website

The EPA's EPCRA websites have been streamlined and updated to help make information easier to find. The two main pages to bookmark are [EPCRA Home](#) and the [EPCRA Site Map](#). The redesign centralized the EPCRA non-313 program resources under [About EPCRA](#), provides a single webpage for all state and federal [EPCRA contacts](#), and organized the remaining content by statute functions ([Emergency Planning](#), [Emergency Release Notifications](#), [Hazardous Chemical Inventory Reporting](#), [Toxics Release Inventory](#), and [EPCRA Trade Secrets](#)). The website also provides links to the [CAMEO Software Suite](#). Please take a few moments to familiarize yourself with the new site layout, if you don't see the information you're seeking in the [EPCRA Site Map](#), please check the [Frequent Questions](#). For comments, questions, and concerns please contact barre.jennifer@epa.gov.

EPA Finalizes Revisions to Subpart J of the National Contingency Plan; Product Listing and Authorization of Use

The U.S. Environmental Protection Agency (EPA) recently finalized amendments to Subpart J of the National Contingency Plan (NCP). Subpart J governs the listing and use of dispersants and other chemical and biological agents when responding to oil discharges into waters of the United States and adjoining shorelines. The final rule amends the Subpart J provisions for listing agent products on the NCP Product Schedule, including updating the product testing protocols and revising the authorization of use provisions of these agent products.

The amended and new provisions in the final rule are intended to improve the safety and effectiveness of spill mitigating product use, ensure emergency responders have sufficient information to make better decisions about product use, and better target the use of these products to reduce the risks from oil discharges and response technologies.

If you have any questions, please visit <https://www.epa.gov/emergency-response/revisions-subpart-j-national-contingency-plan-product-listing-and-authorization>. To access the press release, visit: <https://www.epa.gov/newsreleases/epa-announces-stronger-standards-improve-oil-spill-responses>.

Tribal Training Opportunities

Save the Date: 2023 Tribal Lands and Environment Forum (TLEF), August 14-17, 2023, Syracuse, NY

Now accepting proposals for sessions at the Tribal Lands and Environment Forum!

[Visit the 2023 TLEF website](#) to learn more about this year's forum.

If you would like to submit a proposal, click on the "Call for Proposals" in the menu at the top of the page.

Registration will open soon, with a direct link to our host hotel so you can make lodging reservations at a special reduced rate.

Tribal Oil Spill Prevention and Chemical Emergency Preparedness Webinars

Overview of Spill Prevention, Control and Countermeasure and Computer-Aided Management of Emergency Operations (CAMEO) Software Suite Webinar for Tribal Partners

August 24, September 7 and 22, 2023

This hour and a half, EPA-hosted session will provide a basic overview of the Spill Prevention, Control and Countermeasure oil spill prevention program and how the Computer-Aided Management of Emergency Operations ([CAMEO](#)) software suite can be used to help communities prepare for and respond to chemical and oil spills. The session will also include a question-and-answer segment where participants can interact with the Spill Prevention, Control and Countermeasure national program manager and the Emergency Planning and Community Right-to-Know Act program coordinator.

Visit [this link](#) for more information and to register

Tank Talk: Spill Prevention, Control and Countermeasure Overview Webinar for Tribal Partners

August 31 and September 21, 2023

This 4-hour session will provide an in-depth overview of the oil program, regulatory requirements, program implementation (inspections), and federal oil spill reporting requirements. This webinar will assist tribes with Spill Prevention, Control and Countermeasure compliance and the opportunity to view EPA inspector photographs showing common violations observed in the field.

Visit [this link](#) for more information and to register

National TRI Conference

The Toxics Release Inventory National Conference is a unique opportunity for EPA along with researchers and representatives from industry, local governments, and public and private organizations to demonstrate the application of toxic chemical data while discussing strategies for using these data to better protect human health and the environment. The conference will be October 24-25, 2023 in Arlington, VA or virtually. Contact Jewell Johnson (Johnson.Jewell@epa.gov) or Steve Devito (Devito.Steve@epa.gov) for more information.

CAMEO Training/Updates

Virtual CAMEO for Planning Classes

Understand the hazardous material threat in your jurisdiction. Experienced instructors will train you how to use the CAMEO® Suite software to facilitate planning for hazardous material incidents. This training includes CAMEO Data Manager (DM). This month-long class includes: online classroom with 24/7 access to weekly lessons, videos & activities; weekly, scheduled live Q&A webinars; 1-hour Zoom call on the first day of class; and four, 2-hour webinars on the remaining 4 days. Two remaining sessions in 2023:

Session 3: Oct. 25 – Nov. 29 (Wed. webinars – skip Thanksgiving week)

All Zoom Calls begin at 8am PT/9 MT/10 CT/11 ET

[Click here](#) for more information and to register.

There is often a beta version of Tier2 Submit available each fall, so that states and territories that use Tier2 Submit can ensure the new version works well for their filers. Last year's beta testers will be invited again as testers automatically, as will any EPCRA Tier II Program Manager who requests "State Field" changes for report year 2023. Additionally, you can email Brianne.Connolly@noaa.gov if you'd like to be added to the beta tester list.

EPA RCRA Guidance on Lithium-Ion Batteries

In June 2023, EPA determined that lithium-ion (Li-Ion) batteries, widely used in electric vehicles (EVs) and household appliances, are most likely to be "hazardous waste" under the Resource Conservation and Recovery Act (RCRA) and is subjecting them to a series of different waste law requirements during the disposal and recycling processes.

In a frequently asked questions (FAQ) document attached to the memo, certain recycling activities, such as storage of batteries and their materials are subject to RCRA Part B permit requirements, though other recycling steps, such as battery shredding and removal of batteries from devices are exempt from regulation.

For now, the agency is subjecting the batteries to its existing universal waste requirements for batteries, though "given the number of fires from lithium batteries, EPA is evaluating the universal waste battery management standards."

You can read the memo and accompanying FAQ document [here](#).

FEMA Announcements

FEMA Updates “Engaging Faith-Based and Community Organizations: Planning Considerations for Emergency Managers”

FEMA and the DHS Center for Faith-Based and Neighborhood Partnerships are updating “Engaging Faith-Based and Community Organizations: Planning Considerations for Emergency Managers.” Originally published in June 2018, this document outlines best practices for engaging faith-based and community organizations before, during, and after disasters to help jurisdictions improve their resilience and emergency management capabilities. These organizations can also be significant force multipliers, particularly in reaching high-risk and historically underserved community members.

The update to “Engaging Faith-Based and Community Organizations: Planning Considerations for Emergency Managers” will include lessons learned from real-world events, updates to FEMA programs, additional resources and recommendations from the public and key stakeholders. FEMA will host several 60-minute listening sessions to provide an overview of the existing 2018 document and include a facilitated discussion to gather feedback on areas to improve the guide. To learn more about the update effort and listening sessions, please visit [FEMA.gov](https://www.fema.gov).

Colorado Preparedness and Response Network

The Colorado Preparedness and Response Network (CPRN) is a 501(c)(4) nonprofit member-owned oil and gas industry-driven organization to promote best management practices, share resources, expertise, and training with an emphasis on responding to oil and gas emergencies. The CPRN is primarily focused in Northern Colorado’s Denver-Julesburg (DJ) basin, but has compiled a host of resources that other industry entities within our region may find useful. You can consult their website at www.coloradoresponse.org for a general overview of their organization and resources.

This group has also posted their own testing of large and small scale non-PFAS fire foams on oil tank batteries and tank battery cooling tests with non-PFAS foam capabilities. You can find these videos on [CPRN’s YouTube channel](#). More videos are to follow!



Region 8 Training Opportunities

EPA Region 8 is currently in the process of trying to identify training and exercise needs. If you are in our region and work for a public agency, take a look at the possible training options below and identify which courses you find to be the most needed within your organization:

Emergency Response Plan Exercise Evaluation

Duration: 4-Hour Course

- Stakeholders from the community will participate in a scenario to exercise chemical emergency plans and protocols. EPA Region 8 will evaluate the response efforts. This exercise can also be conducted as a tabletop exercise.
- This exercise is intended for communities interested in identifying vulnerabilities in their Emergency Response Plans.

Computer Mapping Applications (CAMEO, MARPLOT, and ALOHA Training)

Duration: 2-Hour Course

- This course is intended to teach participants how to evaluate information critical for developing Emergency Response Plans using the CAMEO Suite Software.
- This course is intended for emergency managers who are unfamiliar with the free software suite of CAMEO.

Mercury Spill Training

Duration: 2-Hour Course

- This course informs participants of the dangers of mercury and the proper procedures for handling its disposal.
- This course was developed for both responders to mercury spills and also citizens who handle mercury on a daily basis.

Enforcement Tools to Utilize

Duration: 2-Hour Course

- This course is intended to teach various methods on how to ensure industry is properly following the laws under the Emergency Planning and Community Right To Know Act.
- This course is intended for Local Emergency Planning Committees and Local Government Agencies.

Our office is also developing field-based classes that we will begin to advertise in the coming weeks. We will send out communications in order to collect your requests and identify the largest training and exercise needs in our region, then evaluate which courses we can provide to Region 8 with no cost to our constituents! We understand that there can be many gaps within communities to prepare for chemical facility releases and we want to do our best to ensure that you can fill them. We are still in the beginning phases of this initiative, but we look forward to bringing some of our skillsets to all of you.

If you have any questions, feel free to contact Ben Sharaf at: sharaf.benjamin@epa.gov.

TRI Toxics Tracker

The Toxics Release Inventory came into affect back in 1986 in Section 313 of EPCRA. This ensured information such as industrial facility chemical releases could be accessed by the public. For the past 30+ years anyone can find out the TRI facilities near their location, where and how much a specific TRI facility was polluting, the pollution prevention activities in place for a TRI Facility, which facilities are reducing chemical releases, and even the health impacts linked to the chemical releases. However, accessing this information has never been easier than it is today!

The EPA's TRI Toxics Tracker allows you to look up any location in the country and identify the TRI facilities nearby. It will break down the facility releases into bar graphs by air, water, and land and even make a pie chart of all the dangerous chemicals that are being released. This is information from over 20,000 facilities! By looking at the column on the left of the screen you will have the opportunity to dive into all of the information you could ask for on a TRI facility or a location in minutes!

While the TRI Toxics Tracker can help Emergency Managers and community members protect themselves and their constituents, it is important to keep in mind that not all facilities are reported under the Toxics Release Inventory. Please visit this [link](#) to identify the reporting requirements that owners and operators must adhere to. This new system may not give you all the necessary information to protect your community, but it is a great starting point for evaluating potential impacts to human health and the environment.

Risk Management Program Compliance Dates

Are you an RMP facility? There are a number of emergency response and planning requirements coming up soon. [Contact us](#) or consult <https://www.epa.gov/rmp/general-rmp-guidance-chapter-8-emergency-response-program> for details.

Compliance Dates: [December 2019 Final Rule Effective Date]

What	Due Date
Public Meetings	Within 90 days of any qualifying accident that occurs after March 15, 2021
Develop Emergency Response Programs	Within three years of owner or operator determining that facility is subject to the provisions
Develop exercise plans and schedules	December 2023
Conduct first notification drill	December 2024
Conduct first tabletop exercise	December 2026
Conduct first field exercise	According to the exercise schedule established by the owner or operator in coordination with local response agencies
Submit RMP with new information elements	The owner or operator would provide new information elements with any initial RMP or RMP resubmission made after December 2024.
Comply with new emergency coordination requirements	Already in effect as of September 21, 2018
Comply with remaining minor accident prevention provisions	Already in effect as of September 21, 2018

Chemical Emergency Preparedness and Prevention Documents

EPCRA Requirements: <http://www.epa.gov/epcra>

NRT Hazardous Materials Emergency Planning Guidance: [https://www.nrt.org/Main/Resources.aspx?ResourceType=Hazards%20\(Oil,%20Chemical,%20Radiological,%20etc\)&ResourceSection=2](https://www.nrt.org/Main/Resources.aspx?ResourceType=Hazards%20(Oil,%20Chemical,%20Radiological,%20etc)&ResourceSection=2)

Actions to Improve Chemical Facility Safety and Security – A Shared Commitment: <https://www.osha.gov/chemicalexecutiveorder/index.html>

EPCRA On-Line Training: <https://www.epa.gov/epcra/epcra-non-section-313-online-training-states-tribes-lepcs-local-planners-and-responders>

EPCRA Fact Sheets: <https://www.epa.gov/epcra/epcra-fact-sheets>

EPCRA Regional Contacts: <https://www.epa.gov/epcra/epcra-regional-contacts>

EPCRA, RMP & Oil Information Center: <https://www.epa.gov/epcra/forms/contact-us-about-emergency-planning-and-community-right-know-act-epcra>

TIER2 Submit: <https://www.epa.gov/epcra/tier2-submit-software>

LEPC/TEPC Handbook: <https://www.epa.gov/epcra/national-lepc-tepc-handbook#full>

EPA Region 8 Preparedness Program

We will increase EPA Region 8 preparedness through:

- Planning, training, and developing outreach relations with federal agencies, states, tribes, local organizations, and the regulated community.
- Assisting in the development of EPA Region 8 preparedness planning and response capabilities through the RSC, IMT, RRT, OPA, and RMP.
- Working with facilities to reduce accidents and spills through education, inspections, and enforcement.



To contact a member of our Region 8 EPA Preparedness Unit team, review our programs or view our organization chart, click this [link](#).

Region 8 SERC Contact Information

Colorado

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Wyoming

Mr. Dale Heggem, Chair
Phone: 307-777-7321
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RMP Region 8 Reading Room: (303) 312-6345

RMP Reporting Center: The Reporting Center can answer questions about software or installation problems. The RMP Reporting Center is available from 8:00 a.m. to 5:30 p.m., Monday - Friday: (703) 227-7650 or email RMPRC@epacdx.net.

RMP: <https://www.epa.gov/rmp> **EPCRA:** <https://www.epa.gov/epcra>

Emergency Response: <https://www.epa.gov/emergency-response>

[Lists of Lists](#) (Updated December 2022)

Questions? Call the Superfund, TRI, EPCRA, RMP, and Oil Information Center at (800) 424-9346 (Monday-Thursday).

To report an oil or chemical spill, call the National Response Center at (800) 424-8802.



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This newsletter provides information on the EPA Risk Management Program, EPCRA, SPCC/FRP (Facility Response Plan) and other issues relating to Accidental Release Prevention Requirements. The information should be used as a reference tool, not as a definitive source of compliance information. Compliance regulations are published in 40 CFR Part 68 for CAA section 112(r) Risk Management Program, 40 CFR Part 355/370 for

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