

PURPOSE

Summary of coordination correspondence and activity requirements between risk management program (RMP) facilities and local emergency response agencies.

BACKGROUND

Under the RMP rule, 40 Code of Federal Registration Part 68, Chemical Accident Prevention Provisions, facilities that use toxic or flammable extremely hazardous substances above threshold quantities are required to coordinate emergency response activities with local responders. These facilities develop a Plans which:

- Identifies the potential effects of a chemical accident,
- Identifies steps the facility is taking to prevent an accident, and
- Spells out emergency response procedures should an accident occur.

These plans provide valuable information to local fire, police, and emergency response personnel to prepare for and respond to chemical emergencies in their communities. Facilities are required to coordinate and provide information to address the facility's inclusion in the community emergency response plan.

EMERGENCY COORDINATION

The upcoming RMP rule deadlines will require additional coordination between facilities and local emergency planning. Requirements differ for non-responding versus responding facilities. Facilities must provide local responders the chemical information, quantities, process risks, emergency contact information and their resource capabilities to respond to an accidental release.

Responding Facility: A facility with trained staff based on OSHA HAZWOPER that has the equipment and means to respond to a chemical accident. These facilities are required to coordinate with local emergency responders on:

- A facility emergency response plan (ERP)
- Schedules and plans for field and tabletop exercises

Non-Responding Facility: A facility whose employees will not respond to accidental releases of regulated substances. These facilities are included in community emergency response plans for toxic chemicals or for flammable chemicals, plans are in place



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Alamance County Exercise with a leaking tanker and pool fire inside tank farm contaminated area, August 2021.

with the local fire department. Mechanisms are in place to notify emergency responders when there is a response need. Facilities are responsible for evacuating and accounting their personnel, determining who will operate critical functions, and have trained staff to perform medical and rescue duties.

RMP Rule Deadlines

2018, March 14: Coordinate response needs annually

2021, March 15: Public Meetings will be required within 90 days for RMP reportable accidents with offsite consequences

2023, December 19: Plans must be prepared by facilities for conducting emergency response exercises

2024, December 19: Emergency Response Program and Exercise information must be reported

2026, December 21: Table Top Exercises must be conducted prior, and at a minimum at least once every three years afterwards

2027, March 14: Field Exercise must be conducted prior, and at a minimum at least once every ten years afterwards

2027, May 10: Public Notification Procedures the facility maintains and partners with responders on procedures for informing the public and the appropriate local, state, and federal emergency response agencies about accidental releases

EMERGENCY RESPONSE EXERCISE

Exercises are simulated accidental release of toxic substance or a regulated flammable substance involving a fire and/or explosion. The exercises involve facility emergency response personnel and, as appropriate,



EMERGENCY RESPONSE COORDINATION UNDER THE 112r RISK MANAGEMENT PROGRAM



emergency response contractors. When planning exercises, the facility must coordinate with local public emergency response officials for schedule frequency and invite them to participate in the exercise. Facilities must maintain the date of the most recent coordination with the local emergency response organization(s).

Facilities must maintain dates of the most recent exercises completed for notification, field or tabletop and complete an evaluation report within 90 days of each field and tabletop exercise. The report must include:

- An evaluation of exercise results including lessons learned
- Recommendations for improvement or revisions to the emergency response exercise program and emergency response program
- A schedule to promptly address and resolve recommendations

Field Exercises

The facility ERP, deployment of emergency response personnel and equipment will be tested by field exercises, which should include testing:

- Procedures to notify the public and the appropriate Federal, state and local agencies
- Procedures and measures for ER actions
- Evacuations and medical treatment
- Communications systems
- Mobilization of facility ER personnel
- Coordination with local emergency responders
- Emergency response equipment deployment
- Any other action identified in the ER program

Tabletop Exercises

The tabletop exercise frequency is to be determined through coordination with local emergency response officials. At minimum they are to be conducted once every three years. The tabletop exercise should discuss:

- The facility ERP
- Procedures to notify the public and the appropriate Federal, state, and local ER agencies
- Procedures and measures for ER including evacuations and medical treatment
- Identification of facility ER personnel and their responsibilities
- Coordination with local emergency responders
- Procedures for ER equipment deployment
- Any other action identified in the ER plan

Notification Exercises

Facilities may perform the notification exercise as part of the tabletop and field exercises. The notification

exercise must test procedures to notify the public and the appropriate Federal, state, and local emergency response agencies about an accidental release.

PUBLIC MEETINGS

Within 90 days of an accidental release with any known offsite impact that occurs after March 15, 2021, facilities are required to hold a public meeting. Local emergency planning and response organizations may assist facilities if requested with public meetings. The meeting information will include:

- Date, time and approximate duration of release
- Chemicals(s) released
- Estimated quantity released in pounds
- The type of release event and its source
- Weather conditions, if known
- On-site impacts
- Known offsite impacts
- Initiating event and contributing factors
- Whether offsite responders were notified
- Operational or process changes that resulted from release investigation that have been made

RECOMMENDATIONS

Facilities are required to document coordination with local authorities, including: the names of individuals involved and their contact information (phone number, email address, and organizational affiliations); dates of coordination activities; and nature of coordination activities. Local emergency planners can expect the following from RMP facilities:

- Annual requests to document coordination and notification exercises; responding facilities must coordinate emergency response exercises
- Before **December 19, 2024**, annual emergency response notification exercises
- Before **December 21, 2026**, tabletop exercises, then every three years
- Before **March 15, 2027**, field exercise, then every ten years

When facilities include local emergency responders in exercises, it is beneficial for local responders to provide an exercise summary with lessons learned and to thank the facility for including local responders in the exercise.

REFERENCES

40 CFR Part 68
84 FR 69914, Dec. 19, 2019
42 U.S.C. 11003