

**Clean Air Act  
Risk Management Program  
Proposed Rule**  
*Safer Communities by Chemical Accident Prevention*

September 2022

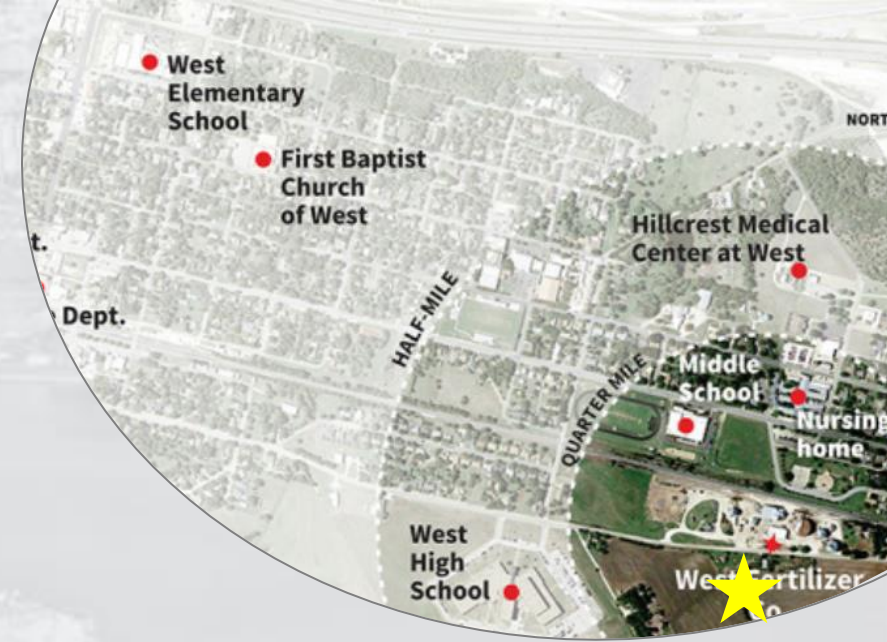


# Agenda

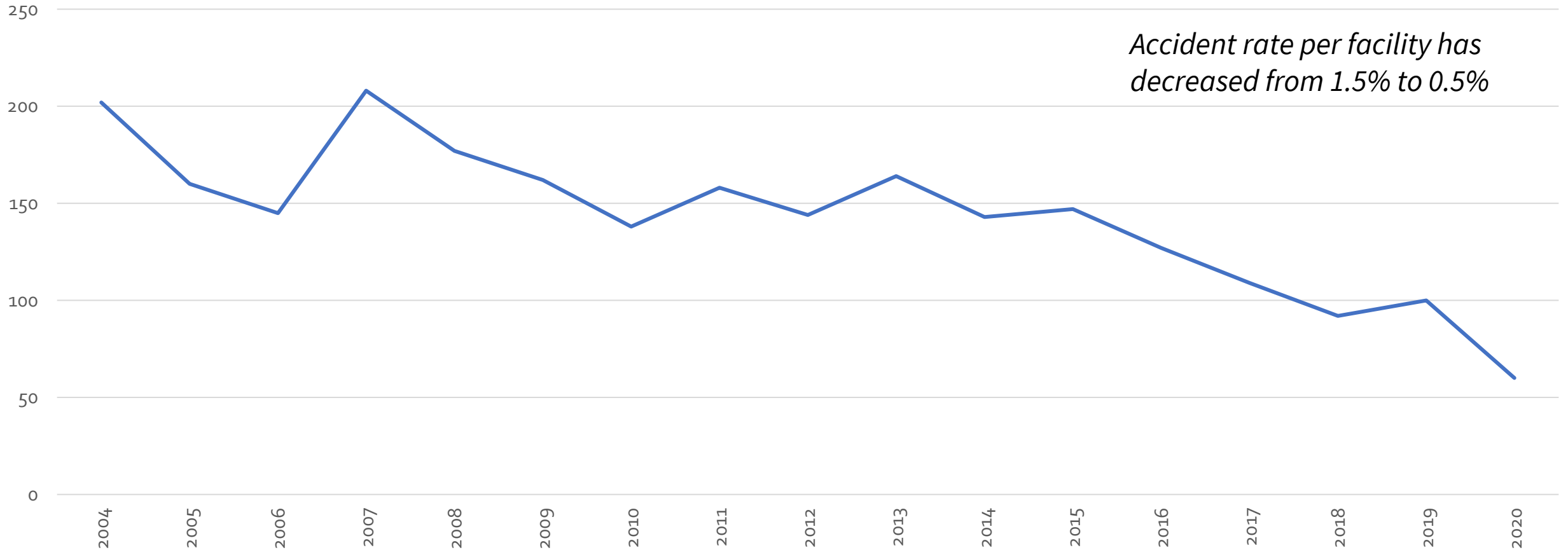
- Background
- Risk Management Program (RMP) accident trends
- Socioeconomics of communities living in proximity to RMP facilities
- RMP rule milestones
- Proposed provisions
- Impacts
- Next steps

# Background

- Clean Air Act Section 112(r)(7) / 40 CFR Part 68
- Promulgated 1996 / Compliance 1999
- Chemical accident prevention regulation
  - Identify potential effects of a chemical accident
  - Identify steps facility is taking to prevent an accident
  - Provide an overview of emergency response procedures should an accident occur
- 140 regulated toxic or flammable substances
- 11,740 current regulated facilities nationwide

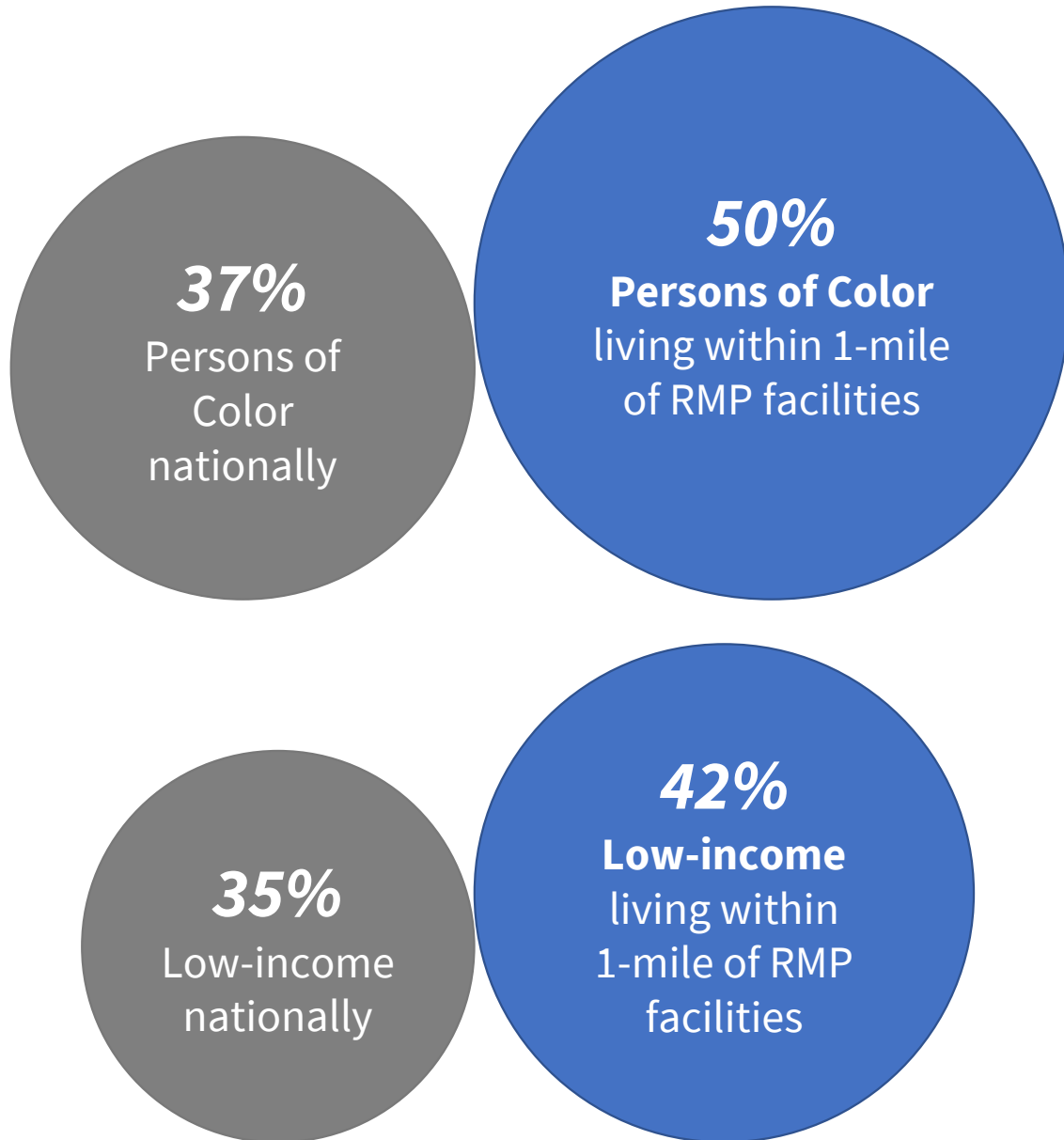


# RMP Accident Trends



- **97% of all RMP facilities had no RMP reportable accidents.**
- **Most RMP reportable accidents occurred at facilities with complex processes.**

# Socioeconomic Characteristics of Communities Living in Proximity to RMP Facilities



- RMP facility accidents occur more frequently in predominately minority communities.
- Many of these communities live near multiple RMP facilities.
- Populations living near RMP-regulated facilities may be exposed to accidental releases at an RMP facility occurs.

***Proposed changes would require RMP regulated facilities to better consider surrounding communities and the consequences of potential chemical accidents.***

# Recent RMP Rule Milestones

- **January 2017 RMP Amendments Rule**
  - Added prevention program, emergency response and information availability provisions
- **December 2019 RMP Reconsideration Rule**
  - Rescinded prevention program and information availability provisions
  - Kept emergency response provisions with modifications
- **RMP Safer Communities by Chemical Accident Prevention Rule**
  - January 2021 – Executive Order 13990
  - June/July 2021 – Public Listening Sessions
  - August 2022 – Proposed Rule

# RMP Proposed Provisions

- Natural hazards and power loss evaluation emphasized
- Facility siting evaluation emphasized
- Safer technologies and alternatives analysis (STAA)
- Root cause analysis incident investigation
- Third party compliance audits
- Enhanced employee participation
- Enhanced community notification of chemical releases
- Enhanced information availability of chemical information

## Rule Impacts

- Reduction of the frequency and magnitude of consequences from chemical releases, particularly in communities with environmental justice concerns.
- Total average annual costs: \$76-\$77 million.
  - Safer technology and alternatives analysis the costliest provision at \$52 million.



# Next Steps

Dates	Actions
August 19, 2022	Prepublication version of the proposed rule is posted on EPA's website.
August 31, 2022	Proposed rule is published in the Federal Register. The public comment period is 60 days (closes October 31, 2022).
September 26, 2022 September 27, 2022 September 28, 2022	Virtual Public Hearings
Planned for August 2023	Final Rule

# Questions