



REGION 8 PREPAREDNESS

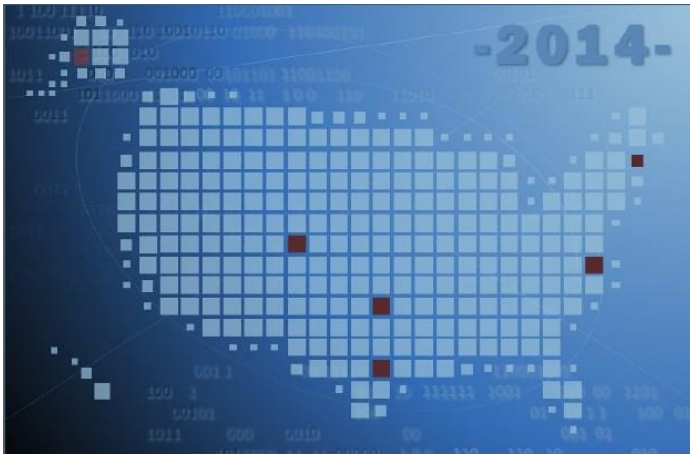
PARatus

Volume IV No. 4 Quarterly Newsletter 2014

2014 National Preparedness Report Now Available

The Federal Emergency Management Agency (FEMA) has released the 2014 [National Preparedness Report \(NPR\)](#). The NPR is an annual status report on the nation's progress toward reaching the National Preparedness Goal of a secure and resilient nation established in the [Presidential Policy Directive 8: National Preparedness](#).

The NPR identifies areas of sustainment and progress made across 31 core capabilities towards building a secure and resilient nation while identifying opportunities for improvement. Key overarching findings from the 2014 NPR include:



Embracing a new approach to disaster recovery: Major events, such as Hurricane Sandy and the severe 2012-2013 drought, have served as catalysts for change in national preparedness programs, drawing clearer links between post-disaster recovery and pre-disaster mitigation activities.

Launching major national initiatives: The Federal Government has initiated several national-level policy and planning initiatives that bring unity of effort to preparedness areas, including critical infrastructure security and resilience, cybersecurity, recovery capabilities, and climate change.

Managing resource uncertainties: Budget uncertainties have created preparedness challenges at state and local levels of government, resulting in increased ingenuity, emphasis on preparedness innovations, and whole community engagement.

Partnering with tribal nations: Tribal partners are now more systematically integrated into preparedness activities. However, opportunities remain for Federal agencies and tribal nations to increase engagement and expand training opportunities on relevant policies.

National Preparedness Report

March 30, 2014



Homeland Security

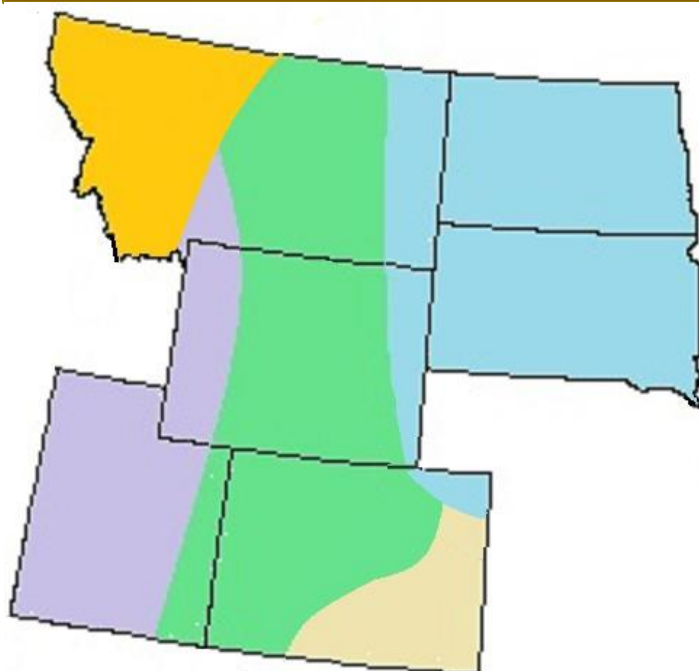
To obtain a complete copy of the full report go to: www.fema.gov/national-preparedness-report.

As this NPR indicates, as a nation we can continue to become better prepared. One way to do this is by registering for the [America's PrepareAthon!](#) campaign and participating on September 30 — **National PrepareAthon! Day**. Learn more about everything going on for America's **PrepareAthon!** at www.ready.gov/prepare.

Contents

- **Page 2: Winter Weather Outlook**
- **Page 3: Coast Guard Bulletin on Crude Oil Shipments**
- **Page 5: \$1,000,000 Oil Spill Settlement**
- **Page 6: Oil Spill Threatens Wildlife Area**
- **Page 7: New EPA Enforcement Office in North Dakota**
- **Page 8: Rail Shipment of Crude Generates Controversy and Regulatory Attention**
- **Page 10: Upcoming Training**
- **Page 11: Current Meetings and Information**

Winter Weather Outlook



	Well above normal temperatures and very dry.
	Above normal temperatures and dry.
	Average temperatures and precipitation.
	Well below normal temperatures and average precipitation.
	Well below normal temperatures and above average precipitation.

Early 2014-15 Winter Forecast
By Matthew Holliday
FirstHand Weather

Please understand that this winter forecast is subject to change, but at this time, I am fairly confident in my current predictions for this upcoming winter. Only time will tell if my predictions verify, and if any changes need to be made, I will do so in my final winter forecast which will be coming out in October. (Click on <http://firsthandweather.com/> for updates as they become available.)

Two of the points that I made in my preliminary winter forecast (issued on 20 July 2014) was that the strength of the El Nino matters and the placement of the above-average sea surface temperatures across the equatorial Pacific matters. That's why you can't come out with one of those "this is your typical weak El Nino winter maps" and call it a winter forecast. It simply won't work. Also, there are other factors that will be big drivers of this upcoming winter because we will likely only be in a weak to weakly moderate El Nino. The warmer waters in the northern Pacific over the Gulf of Alaska could again be partially responsible for another cold winter in the central and eastern United States, while the West has above-average temperatures.

The warmest waters still remain over the eastern equatorial Pacific, while the central Pacific waters have cooled quite dramatically. I'm not too concerned about this because we'll likely see those waters across the central Pacific really start to warm back up, while the eastern Pacific will start to see a drop-off in sea surface temperatures in the coming weeks. This is going to have to occur for the El Nino to kick in, which I have been predicting for some time now. Once those cooler waters start to surface across the eastern Pacific and the waters begin to warm back up across the central Pacific, the atmosphere will likely react in a way that drives further warmer across the central Pacific, due to a larger sea-surface temperature gradient. Many of those who were calling for the unprecedented super El Nino event to develop later this year are now trying to say that nothing could happen at all. They'll most likely be wrong both times.

If you didn't see my preliminary 2014-15 winter forecast, be sure to read it later by clicking [here](#). I go into detail as to why I'm predicting what I'm predicting, but just to warn you, it is quite lengthy!

U.S. Coast Guard: Gulf Strike Team Bulletin on Crude Oil Shipments

Growth of North American Petroleum Production

North American crude petroleum production has rapidly risen over the past years. This growth is, in part, a result of nontraditional drilling techniques used to access shale and bitumen oil reserves. The main formations currently being tapped include Canadian Tar Sand formations, the Bakken Shale formation located in North Dakota, and the Eagle Ford Shale formation located in southwestern Texas. Additional areas of exploration include northeastern Colorado, central Florida, and the Pennsylvania region.

This petroleum production growth has outpaced the carrying capacity of the nation's current fixed infrastructure and pipelines. As a result, additional transportation capacity needs are being met by rail cars, tanker trucks, and barges to move these crude products to coastal refineries and distilleries. Areas seeing significant increases in commerce and maritime traffic include the Columbia River System, the Hudson River, and the Mississippi River and associated navigable waterways.



Unlike traditional crude oil reserves, these formations produce petroleum with varying physical properties and hazards. For example, Canadian Tar Sand Oil is so viscous that petroleum diluents are added to decrease the product's viscosity for easier transport. In some cases, rail cars laden with Tar Sand Oil must be heated until the product reaches a temperature at which it can be efficiently pumped. Conversely, oil from the Bakken Shale Formation is observed to behave like gasoline with a low viscosity, high volatility, high flammability and similar benzene, toluene, ethyl benzene, xylene (BTEX) levels. Despite these generalizations, it is widely known that a single formation can produce oil with significantly varying characteristics based solely on geographic locations within that formation, and overgeneralization can lead to inaccurate product data.

As this oil production continues to rise and more formations are identified through further exploration, pollution incidents involving these products may increase and consequently pose threats to responders and the environment. Area Committees and response organizations should be aware of these products, especially those that move through their areas of responsibility. The Gulf Strike Team (GST) recently responded to multiple train derailments and a barge collision involving some of these products which produced valuable lessons learned to be shared amongst the response community.

Safety Data Sheets

Companies generate and maintain copies of Safety Data Sheets (SDS) for the crude oil they are transporting or refining. **Responders should pay particular attention to SDS values that may have been estimated instead of measured.** Oil produced in formations can vary greatly from one geographic location to the next. Companies may also use generalized SDS for their products and may not be required to analyze the physical characteristics for each shipment of crude oil they are transporting. Physical properties within each load, regardless of formation 'generalities' may vary and pose their own unique hazards to responders. In one SDS reviewed for Bakken Crude Oil, physical properties such as the lower and upper explosive limits, auto-ignition temperature and vapor density were estimated. The hazard classification section was also broad in nature. However, a SDS for Eagle Ford Shale Oil listed specific physical property values and presented a robust and detailed discussion on the hazard classification. Treat each response uniquely and carefully review the product's SDS.

Hazard Awareness *The following hazards are situation specific and may not represent similar events or trends for responses in the future.*

Canadian Tar Sand Oil

Diluents, a fluid used to lower viscosity, are added to bitumen based oils (Tar Sand Oil) in large enough quantities to make the original product easier to pump and transport. A diluent frequently used in large

U.S. Coast Guard: Gulf Strike Team Bulletin on Crude Oil Shipments (cont.)

volume is Natural Gas Condensate. Natural Gas Condensate consists of many short-chain hydrocarbons, which include various alkanes, alkenes, BTEX, and longer single chain chemical variants. Natural Gas Condensate can have a proper shipping name of Petroleum Distillates, N.O.S. (Not Otherwise Specified), which is classified as a dangerous good under the IMDG Code. Some of the hazards include: flammability; easily ignited by heat, sparks or flames; vapors forming explosive mixtures with air; toxicity through various routes of exposure; and being volatile at room temperature. Once the diluent is separated from the product, the original physical properties of the bitumen return which emulate characteristics of roofing tar. In a marine or aquatic environment, and under the right conditions, this dense product could sink to the bottom of the impacted waterway making recovery efforts far more challenging and time consuming than traditional recovery techniques.

Bakken Crude Oil

The GST recently responded to a spill of Bakken Crude Oil into the Mississippi River after a tank barge was breached during a collision. In this particular case the product was very volatile. Even under cool atmospheric conditions (approximately 45°F), air monitoring conducted around the damaged barge were registering Volatile Organic Compounds (VOCs) consistently at 200+ ppm. Benzene was detected directly adjacent to the floating oil within containment boom and measured at 40.2 parts per million, which significantly exceeded OSHA's Short Term Exposure Limit (STEL) and Ceiling of 5.0 ppm and the American Council of Government Industrial Hygienist's (ACGIH's) Threshold Limit



Value of 0.5 ppm, which is the occupational exposure limit for Coast Guard personnel. These atmospheric hazards were detected by the GST upon arrival approximately 12 hours after the incident occurred, and elevated levels of benzene persisted for several days into the response. In addition to physical measurements, subsequent laboratory analysis of the Bakken Crude Oil found naphthalene, a highly toxic polycyclic aromatic hydrocarbon, to be at 2000 ppm.

Steps to Protect Responders

VOCs, including BTEX, can pose a direct hazard to the health of responders. Each type of oil presented above is acknowledged to contain these compounds, which during a response, present at a minimum an inhalation hazard to responders. One way to mitigate this hazard is to have the appropriate detection capabilities deployed to properly identify and quantify the hazard prior to impacting response personnel. Once quantified, appropriate personnel protective strategies can be implemented, such as the wearing of an air purifying respirator or self-contained breathing apparatus. ***It is important to note that the gas monitors currently issued to Coast Guard Pollution Incident Responders - the BW Technologies GasAlert Quattro Multigas Monitors - do NOT directly measure for BTEX.*** Special air monitoring equipment may be required to properly identify BTEX hazards. Should a response event involve any of the above discussed oils, ensure that appropriate equipment is a part of the planning phase of a deployment to alert responders to a potential hazard.

Recommendations

Cautiously consider the product, its hazardous properties and values; recognize that hazard variations may exist. Do not ascribe to any generalization for a product; fully understand the data provided through the product's SDS. Properly detect, identify, and quantify hazards before taking action; use appropriate air monitoring equipment. Develop effective protection strategies and mitigate hazards through safety protocols.

\$1,000,000 Settlement for Oil Spill in Carbon County, Wyoming

EPA's Criminal Investigation Division (CID) recently announced a \$1,000,000 settlement with Nadel and Gussman Rockies, LLC, (NGR) for a spill of 4,700 gallons of oil from a tank battery owned and operated by NGR that spilled into Emigrant Creek, a tributary to the North Platte River, near Rawlins, Wyoming. NGR is an oil and gas production company based in Tulsa, Oklahoma, with operations throughout the Rocky Mountain region.



In April 2011, a contract pumper left a tank valve open at a production facility in Carbon County, Wyoming, resulting in the discharge of the oil to the creek. The pumper, with management approval, had been in the practice of draining arsenic-containing production water from the tank battery directly onto the ground because the snow was too deep for a tanker truck to access the site and haul the production water away. It was estimated that approximately 375,000 gallons of production water was disposed of in this manner. The Bureau of Land Management (BLM) learned of the oil spill after a citizen smelled oil and saw it in the streambed. The BLM attempted to work with NGR and its contractors to conduct proper containment and

collection activities, but the response actions taken were slow and ineffective. The BLM then requested assistance from EPA Region 8 in Denver.

In November 2013, NGR pled guilty to negligently discharging oil into the creek, a misdemeanor violation under the Clean Water Act (CWA). The company paid a \$357,000 criminal fine, \$200,000 to the oil Spill Liability Trust Fund, \$230,500 in restitution for cleanup costs, and \$212,000 in community service payments.

The restitution funds were divided equally among three conservation districts (Little Snake River, Saratoga-Encampment-Rawlins, and Medicine Bow Conservation Districts) and \$80,500 for the purchase of oil spill clean-up equipment for Carbon County. The community service funds were split equally between the Yellowstone Park Foundation and the Grand Teton National Park Foundation. In February 2014, the production manager pled guilty to false statement charges for lying to EPA and BLM, as well as a CWA false statement violation. The production manager was sentenced to serve a three-year term of supervised probation, to pay a \$10,000 fine, and to complete 250 hours of community service. NGR is also required to implement a new compliance program to ensure future compliance with all environmental laws and regulations applicable to oil and gas companies that lease land from the Federal government.

The investigation that resulted in the criminal complaint against NGR was conducted jointly by EPA's Criminal Investigation Division (CID) and the BLM's Special Investigation Group (SIG). During the investigation it was determined that the contractor had reported the spill to NGR, but the company's production manager failed to report the spill to the National Response Center (800-424-8802) as required by law.

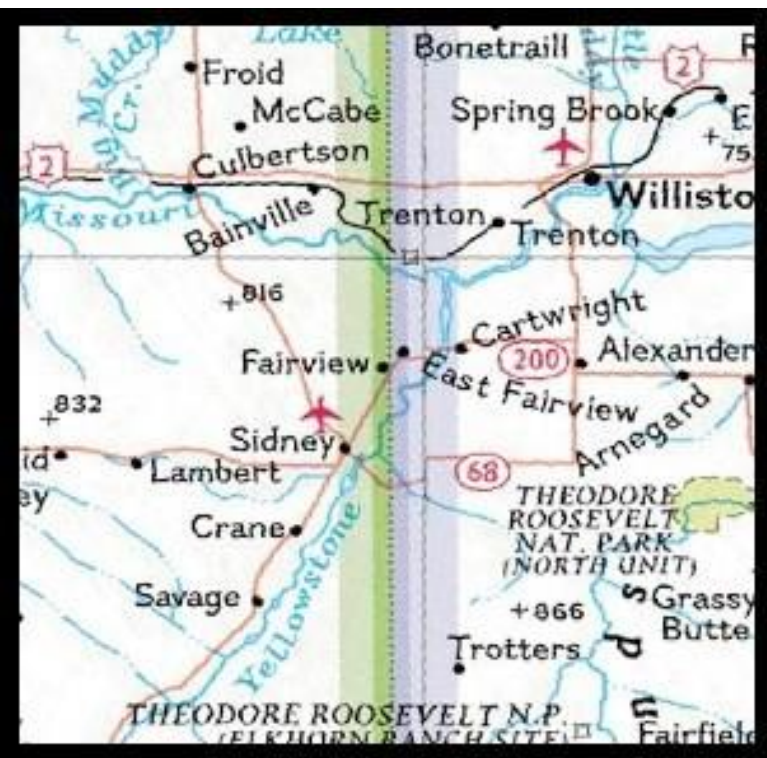
For additional information, see: <http://www.environmental-expert.com/water-wastewater/oil-spills/news/keyword-oil-spill-response-systems-17615>

Oil Spill Threatens Wildlife Area

By Joyel Dhieux, Emergency Response and Preparedness Program, Region 8, EPA

Early March ice dams on the Yellowstone River near its confluence with the Missouri River at the Montana/North Dakota border caused localized flooding and damaged a well pad that sent 178 barrels of Madison crude oil into the swollen waters and threatened a downstream wildlife area, home to the endangered pallid sturgeon, piping plover and least tern.

Rising water on March 13 inundated a well pad owned by Zavanna, LLC, a Denver-based oil and gas company, lifting a tank, breaking a valve, and destroying connected piping. The well (known as "Private Frazier") was located between the two rivers and had 10 to 12-foot berms, which were originally thought to have contained the oil. Later it was discovered that one of the berms had failed, releasing the oil and sending a plume of petroleum downstream towards the Big Oxbow wildlife management area.



At first it was unknown whether access to the site could be made because of the frigid temperatures, ranging into the single digits, and heavy snow. But, Federal responders, accompanied by state environmental representatives, traveled to the site after purchasing additional Personal Protective Equipment (PPE). The Big Oxbow was only accessible by boat, so response personnel had to circumnavigate floating icebergs while stiff winds and frigid temperatures caused spray from the boat to freeze on contact. Motorized vehicles were not allowed on the island wildlife area; the entire response had to be conducted by boat or on foot.

One of the biggest concerns was to complete the cleanup before the pallid sturgeon spawning began and prior to the birds returning to the Big Oxbow for nesting. The area hosts a paddlefish tournament in early May, and we wanted it all cleaned up for them too.

Containment boom was deployed, heavily stained vegetation removed, a "bathtub ring" of crude oil was cleaned from the Big Oxbow embankments,

and additional barrels of oil were recovered downstream before the cleanup was complete on May 9.

Responders had established an Incident Command post at Confluence Park and helped to coordinate communications and various agency efforts. North Dakota's Fish & Wildlife, Department of Health, Department of Industry, the EPA and Bureau of Land Management all were part of the response.

EPA Opens Environmental Crimes Office in North Dakota

By Patrick C. Miller, August 27, 2014

The EPA Criminal Investigations Division (CID) has opened an office in Bismarck that puts it closer to the oil and gas boom in the Bakken.

The office opened in July and isn't permanently staffed. However, Jeff Martinez, special agent in charge of the EPA criminal investigations office in Denver, said, "My long-term hope is that we can put agents out there on permanent basis." Martinez said the office was opened in response to an increase in the number of reports the EPA has received about complaints and violations in the Bakken.



The EPA Criminal Investigations Division successfully prosecuted this case of illegal asbestos dumping in Colorado.
PHOTO: US ENVIRONMENTAL PROTECTION AGENCY

CID operates out of EPA's Region 8 headquarters in Denver, but also has regional offices in Helena, Mont., and Salt Lake City, Utah. The criminal enforcement division has about 200 agents across the country. According to the EPA website, this branch investigates and assists in the prosecution of deliberate or egregious violations of environmental laws or regulations and any associated violation of the U.S. criminal code.

Criminal actions are usually reserved for the most serious violations, such as those willfully or knowingly committed. A court conviction can result in the imposition of jail time, fines, restitution or probation. "We're looking at the worst of the worst," Martinez said.

Having an office in Bismarck closer to activity in the Bakken provides several advantages. "We can gather evidence, process it, have an evidence room nearby where agents can log it into evidence in a secure location to preserve the chain of custody," Martinez said.

Someone who wants to report a violation can come to office and meet with EPA agents in private. "Just getting to North Dakota and having a permanent place to write reports, interview witnesses or interrogate suspects, it's going to be very helpful," Martinez said. The office works with the U.S. Department of Justice and other federal agencies. Martinez offered the hypothetical example of working with Department of Transportation to investigate the illegal dumping of improperly marked hazardous materials.

The type of cases CID will be investigating "depends on what comes in the door and the witnesses that we're interviewing," Martinez said.

David Glatt, chief of the Environmental Health Section of the North Dakota Department of Health, said, "By having an office in Bismarck, we're hopeful that the lines of communication will be a little bit better. They'll have better access to us and us to them. I see that as a positive and really not stepping on anybody's toes."

Glatt said that although the health department and CID have different functions, they work together at times. "Our paths do cross because if we see a violation, we seek civil penalties, but some cases may rise to the criminal level," Glatt said. "We provide that information to the EPA enforcement folks and then they run with it. They also follow up on some leads that they get independently from us. We typically don't hear too much about that until they get close to the end of their investigation."

Glatt said he is not aware of what the CID might be investigating.

"There's no specific activity, other than there's a lot of activity up in the Bakken," he said. "They have been spending some time up there."

Rail Shipping of Crude Oil Continues to Generate Controversy and Regulatory Attention

by Telisport W. Putsavage, Leonard A. Miller, and Van P. Hilderbrand, Jr.
Sullivan and Worcester LLP (<http://www.sandw.com>)

National, state and local developments concerning the shipment of oil by rail tank car continue at a rapid pace. The issue has received increasing national and international attention since the Lac-Mégantic disaster in Quebec, Canada in 2013 which killed 47 people, as well as several fiery U.S. derailments in the last year. The attention has resulted in:

- A constant drumbeat of news stories and pronouncements by public officials;
- Public realization that rail tank car shipments of oil have increased 42 fold in the last five years to over 400,000 in 2013;
- Proposed tightening of rail tank car and oil train requirements by the Pipeline and Hazardous Materials Safety Administration (PHMSA) of the U.S. Department of Transportation (DOT);
- Litigation against the New York State Department of Environmental Conservation by environmental organizations and potentially-impacted residents living near the Port of Albany; and
- Disagreements in New York, California, and Maine over the local regulation of rail shipments of hazardous materials and related train information.



This advisory is part of a series on this subject. For earlier background, please see [Significant Impacts of Major Accidents of Crude Oil Rail Shipments Prompt Broad International Public and Regulatory Attention on Safety](#).

U.S. National Developments

Following the National Transportation Safety Board (NTSB) fact-gathering railroad safety forum in April 2014 and the implementation of voluntary immediate actions to improve railway transport of crude oil, PHMSA on July 23, 2014 proposed a set of rule amendments intended to increase both the safety of individual rail tank cars and oil trains generally. The rule proposal estimates that without any increased standards there would be at least one train disaster each year with costs exceeding \$5 billion. The proposed rule envisions the following actions:

1. High-hazard flammable train (HHFT): Proposes a definition of HHFT as a train carrying 20 or more tank carloads of flammable liquids including crude oil and ethanol.

2. Enhanced standards for both new and existing tank cars: Proposes (1) new standards with respect to thermal, top fittings, and bottom outlet protection; and (2) tank head and shell puncture resistance for rail tank cars constructed after October 1, 2015 and which are used to transport flammable liquids as part of a HHFT. The proposal requests comment on three options for enhanced rail tank car standard requirements:

- Tank car option 1 would have 9/16 inch steel, would be outfitted with electronically controlled pneumatic (ECP) brakes, and would be equipped with rollover protection.
- Tank car option 2 would also have 9/16 inch steel, but would not require ECP brakes or rollover protection.
- Tank car option 3 is based on a 2011 industry standard which has 7/16 inch steel, and does not require ECP brakes or rollover protection.

The proposed rule requires existing rail tank cars that are used to transport flammable liquids as part of a HHFT be retrofitted to meet the selected option for performance requirements or retired, repurposed, or operated under speed restrictions for up to five years.

Rail Shipping of Crude Oil Continues to Generate Controversy and Regulatory Attention (cont.)

3. Notification to State Emergency Response Commissions: Proposes to codify DOT's May 2014 emergency order that required trains containing one million gallons of Bakken crude oil to notify State Emergency Response Commissions (SERCs) or other appropriate state delegated entities about the operation of these trains through their States.

4. Reduced operating speeds: Requests comment on three speed restriction options for HHFTs that contain any rail tank cars not meeting the enhanced tank car standards proposed by this rule:

- a 40 miles per hour (mph) maximum speed restriction in all areas;
- a 40-mph speed restriction in high threat urban areas; and
- a 40-mph speed restriction in areas with a 100K+ population.

If rail tank cars in the HHFT meet specifications finalized in the enhanced tank car section of this rule, speed would be limited to 50-mph in all areas (rather than 40-mph). PHMSA also will evaluate a 30-mph speed restriction for HHFTs that do not comply with enhanced braking requirements.

5. Enhanced braking: Proposes to require that all HHFTs be equipped with alternative brake signal propagation systems. Depending on the outcome of the rail tank car standard proposal and implementation timing, all HHFTs would be operated with either electronically controlled pneumatic (ECP) brakes, a two-way end of train device (EOT), or distributed power (DP).

6. Better classification and characterization of mined gases and liquids: Proposes development and implementation of a written sampling and testing program for all mined gases and liquids, such as crude oil, and proposes that shippers offering oil for transport be required to certify that a sampling and testing program is in place, document the testing and sampling program, and make program information available to DOT personnel, upon request.

7. Rail routing risk assessment: Proposes that carriers be required to perform a routing analysis for a HHFT that would consider 27 safety and security factors and select a route based on findings of the route analysis.

Before the proposed rule was released, the White House held numerous meetings with oil producers, renewable fuel producers, chemical companies, refineries, and railroads to hear their positions. The varied opinions expressed at these meetings further highlight the significant disagreement and uncertainty by all parties in regards to the proposed rules, and to efforts to reform the transport of hazardous and flammable cargo in general.

Rail car owners and ethanol shippers are particularly opposed to requirements for tank car modifications. For example, BNSF Railway Co. proposed that the current fleet of some DOT-111 tank cars be phased out completely, and more stringent standards be implemented for the newer CPC-1232 tank cars. There are approximately 80,000 pre-2011 DOT-111 cars and approximately 10,000 post-2011 CPC-1232 cars in service. Another 12,500 CPC-1232 cars are on order for 2015.

However, some industry participants have pointed out that making rail tank cars heavier and possibly reducing car volume will result in a need for additional trains to carry the same volume of oil. They argue that increased rail tank cars could intensify the problem. On the other hand, other industry participants recommended an approach that evaluated each liquid on its own unique characteristics instead of a blanket approach. Rail equipment producers, who simply sell equipment, are of course eager to see the fastest phase-out and most extensive retrofit requirements, which will provide them with work for years to come.

The increased volume of oil trains, including many so-called "unit trains" consisting of 100 or more oil tank cars, has increased concerns about security. Following the issuance of the rule proposal, the Department of Homeland Security's Transportation Safety Administration convened a meeting of Interested Parties on July 11, 2014 to address these concerns.

Rail Shipping of Crude Oil Continues to Generate Controversy and Regulatory Attention (cont.)

Canadian National Developments

Earlier this year, Transport Canada imposed similar requirements on Canada's major railroads. On July 1, 2014, broader requirements were announced by Transport Canada, including measures applicable to so-called "local railroads" normally regulated by the provinces. Among the operating requirements are that all trains carrying one or more rail tank cars must never be left unattended and must be operated by at least two qualified employees.

Private Activities

Although there is far from unanimity in the industry, some parties are not waiting for regulations to compel action. Both BNSF and Union Pacific Corp. have publicly supported stronger rail car standards, with BNSF going a step further and ordering 5,000 cars that will meet the anticipated new Federal standards. Shippers and other market participants have expressed displeasure with the railroads, pointing out that the railroads caused the accidents and that the Lac-Megantic fire would not have been prevented by stronger rail tank cars. Given that even the least stringent of the three PHMSA proposals would cost in the billions of dollars, the players are all jockeying to limit their share of those retrofit and replacement costs.

About the authors:

Mr. Putsavage is Counsel to the Environment, Energy & Natural Resources Group and the International Group in the Washington, D.C., office of Sullivan & Worchester. He has more than 30 years of experience in environmental law and regulation.

Mr. Miller is Senior Counsel in the Environment, Energy & Natural Resources Group and the International Group in the Washington, D.C., office of Sullivan & Worchester. As one of the first environmental lawyers in the U.S. government, he worked for the National Air Pollution Control Administration and then as part of the federal employee group that started the U.S. EPA.

Mr. Hilderbrand is an Associate in the Environment, Energy & Natural Resources Group and the International Group in the Washington, D.C., office of Sullivan & Worchester. His practice focuses on regulatory compliance issues, environmental litigation, permitting, water resource development and renewable energy.

© 2014 Globe Business Publishing Ltd. Used with permission.

Upcoming Training



Region 8 is in the process of creating an annual 2014 Training and Exercise Plan (TEP) to address our current priorities and methodologies in training and exercise (T&E) activities. A schedule listing of our regional trainings and exercises is developed for each year showing the type of T&E, location, time, sponsor, participants and regional priorities being addressed. Our 2014 TEP will be presented in the next quarterly newsletter.

We are always open to assist and participate in exercises that relate to or have a component of our Emergency Support Function (ESF) 10 responsibilities including: chemical, biological, radiological, nuclear or explosive (CBRNE) events, as well as oil and other hazardous materi-

als incidents.

Please contact Luke Chavez, Exercise Coordinator, at 303-312-6512 or chavez.luke@epa.gov if you have any questions regarding EPA Region 8 T&E or have an exercise with which you would like our assistance or participation.

A new training course— **Local Volunteer and Donation Management**—is now available on CO.TRAIN, Colorado's Learning Management System. For information on this or other courses, please see www.co.train.org.

National Response Team Worker Safety and Health Conference



2014
WORKER
SAFETY AND HEALTH
TECHNICAL CONFERENCE

Register Today
www.wsh.nrt.org

October 28, 2014
8:00am - 5:00pm

October 29, 2014
8:00am - 12:00pm



The National Response Team (NRT) Worker Safety and Health Subcommittee is pleased to announce the 2014 NRT Worker Safety and Health Technical Conference. The conference will be held on October 28 and 29, 2014, in Washington, D.C. Additional information regarding the Technical Conference can be found at www.wsh.nrt.org. Safety officers, first responders, occupational health professionals, disaster planners, and other emergency management decision-makers, in local, state, federal, or tribal governments, as well as non-government organizations are welcome

to attend. This is a free event, registration is required, and space is limited.

AMTRAK Railroad Incidents for First Responders

AMTRAK Presents: ***Information and Challenges in Railroad Incidents for First Responders***

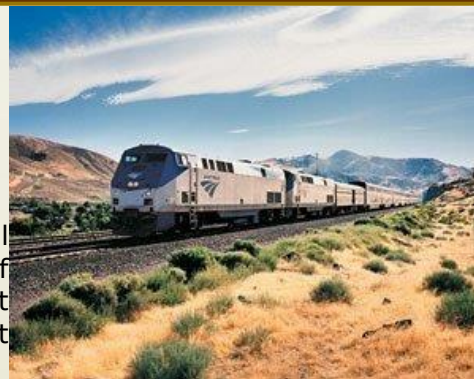
Cultural Events Center

102 East Parmenter Street, Lamar, Colorado, 81052

Wednesday October 29th, 2014

6:00 to 9:00 p.m.

This informative class will cover numerous topics of interest to all levels of first responders including fire, EMS and law enforcement. If you have a railroad running through your jurisdiction you can benefit from the program. This course includes topics that involve freight trains as well. It covers a great deal more than just passenger trains.



Please call Chief Marshall Cook at the Lamar Fire Department (719-336-4321) for further information .

Executive Order 13650: Improving Chemical Facility Safety and Security Public Comments Due by October 29, 2014

The Risk Management Program (RMP) Request for Information (RFI) has been published in the Federal Register. The RFI seeks comment on potential revisions to EPA's RMP regulations and related programs to modernize its regulations, guidance, and policies as required under Executive Order (EO) 13650: *Improving Chemical Facility Safety and Security*. Public comments are due on or before October 29, 2014. For public comments to be considered by EPA, they must be posted to the public docket number [EPA-HQ-OEM-2014-0328](http://www.epa.gov/epa-hq-oem-2014-0328), not submitted via social media.

New EPCRA / E-Plan Video by State of Montana Now Available



www.deq.mt.gov/Tier2.mcp

The State of Montana uses the University of Texas at Dallas reporting system called E-Plan to handle the Tier II data in the state, making the data readily available to first responders. Montana has recently produced a video on their use of E-Plan which is available at <http://>



Preparedness Unit Mission Statement:

We will increase EPA Region 8 preparedness through:

- Planning, Training, Exercising, 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, RMP, etc.
- Working with facilities to reduce accidents and spills through education, inspections and enforcement. **To view our programs, or contact a member of our team:**

[\(Click here for Org Chart\)](#)

Acronyms BTEX—Benzene,

Toluene, Ethyl-benzene, Xylene
 CID—Criminal Investigation Division (of U.S. EPA)
 FEMA—Federal Emergency Management Agency
 GST—Gulf Strike Team (of United States Coast Guard)
 HHFT—High Hazard Flammable Train
 NTSB—National Transportation Safety Board
 PHMSA—Pipeline and Hazardous Materials Safety Administration (of U.S. Department of Transportation)
 SDS—Safety Data Sheet
 SERC—State Emergency Response Commission



Need More info on the Risk Management Program (RMP)?

RMP Hotline: (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 4:30 p.m., Monday through Friday, for questions on the Risk Management Plan program: (703) 227-7650 or

RMPRC@epa.dcx.net

Chemical Emergency Preparedness & Prevention Office (CEPPO) <http://www.epa.gov/ocem>

Compliance and Enforcement: <http://www2.epa.gov/enforcement>

Compliance Assistance: <http://www.epa.gov/ocem/erth/assistance/index.html>



Call our hotline, the Superfund, TRI, EPCRA, RMP, and Oil Information Center (800) 424-9346 or (703) 412-9810 TDD (800) 553-7672 or (703) 412-3323 Mon-Thurs 10:00 am to 3:00 pm ET (except Federal Holidays) or see

www.epa.gov/superfund/contacts/informationcenter/

You can also call or write to:
 U.S. EPA Region 8
 1595 Wynkoop Street (8EPR-ER)
 Denver, CO 80202-1129
 800-227-8917
 CO, MT, ND, SD, UT, and WY

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

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 EPCRA, and 40 CFR Part 112.2 for SPCC/FRP.