



PARatus

Region 8 Emergency Preparedness

Volume VI No.1 Quarterly Newsletter 2016

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The historic international agreement on climate change goals and Gina McCarthy's comments.



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EXECUTIVE ORDER 13650



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Global Climate Agreement

Comments from Gina McCarthy, EPA Administrator

On December 12, 2015, the UN Conference on Climate Change wrapped up in Paris and the world turned the corner on one of the greatest challenges of our time. Nearly 200 countries came together to adopt the most ambitious climate change agreement in history.

The Paris Agreement is historic. It sets a goal of keeping warming well below 2 degrees Celsius and, for the first time, agrees to pursue efforts to limit the increase in temperatures to 1.5 degrees Celsius.

The Agreement directs all countries to set ambitious national climate targets for themselves and to communicate their climate targets every 5 years, beginning in 2020. Each target will reflect progress from the prior one, ensuring the highest possible ambition each country can achieve. And key transparency measures in the agreement will hold all countries accountable to the targets they set.

The framework for increasing ambition every five years sends a clear market signal that a low-carbon future is inevitable. It gives investors and innovators a clear picture of what the world will be demanding going forward—and that is clean, efficient, low-carbon technologies across sectors of industry.

The Paris Agreement is a tribute to U.S. leadership on climate. And EPA has been essential to this effort at every step of the way. Whether it's through our actions on fuel efficiency, methane, hydrofluorocarbons, or our historic Clean Power Plan, EPA has continued to prove that we can act on climate in ways that protect human health and grow the economy at the same time.

The Paris Agreement is not a finish line, but a starting point. There's a lot more work to do. At EPA, we're rolling up our sleeves to implement the Clean Power Plan and deliver on a number of other measures that will help the U.S. achieve our goals.



Gina McCarthy

**TOGETHER WE'RE TAKING
GLOBAL ACTION AGAINST
CLIMATE CHANGE.**



 EPA

#COP21

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Colorado Chemical Safety Workshops

In partnership with the non-profit Colorado Emergency Preparedness Partnership (CEPP), the Colorado Emergency Planning Commission (CEPC), OSHA, and DHS, the EPA held seven chemical safety workshops around Colorado, including sessions in Colorado Springs, Denver, Brighton, Grand Junction, and Fort Collins/Loveland. There were over 450 attendees, representing more than 200 organizations. Designed as a high-level overview of federal chemical safety programs and regulations, these three-hour workshops covered specific chemical and oil safety and prevention programs.

The CEPP organized the workshops and invited facilities from around Colorado. The CEPC shared a summary of the state's plans as well as LEPC contacts for the facilities in attendance. Local LEPC members introduced themselves, describing their LEPC activities. Industry participation with their LEPC was encouraged to enhance partnerships and coordination.

EPA staff presented on the Emergency Planning and Community Right-to-Know Act (EPCRA); Risk Management Program (RMP) for chemical facilities; Spill Prevention, Control, and Countermeasure (SPCC) program for oil facilities; Facility Response Plans (FRP) for large oil facilities (over one million gallons); and Government Initiated Unannounced Exercises (GIUE).

Additionally, DHS presented on their Chemical Facility Anti-Terrorism Standard and OSHA presented on the Process Safety Management (PSM) Program.

The workshops included time for questions and provided participants with direct lines of communication to federal partners, furthering the goals of EO 13650 and strengthening Region 8's relationship with industry. Additionally, for those unable to attend the in-person sessions, the EPA will host a webinar of the same material on January 25th, 2016, 9am to noon.

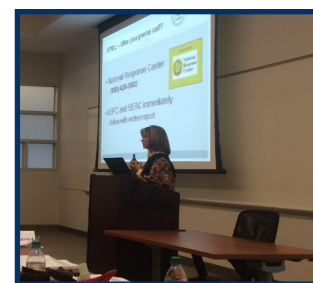
Chemical Safety Workshop

Call-in information: [1-866-299-9141](tel:1-866-299-9141)

Participant Code: 21583153#

To join the meeting

<http://epawebconferencing.acms.com/chemworkshop/>



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Lessons Learned and Applied Silvertip and Bridger Responses

Silvertip

At midnight on Friday, July 2, 2011, a 10" crude oil transmission pipeline severed by debris-laden floodwaters discharged over 1,500 barrels of sour asphaltic crude oil into the Yellowstone River upstream of Billings, Montana. The local emergency manager initiated widespread evacuations to prevent exposure to volatile constituents of the crude oil. Notifications were made to downstream water users, including the Billings Water Treatment Plant serving over 400,000 residents. Oil industry response teams in the area mobilized crews to determine the source of the discharge and initiate appropriate response actions.



The spill occurred during peak runoff on a holiday weekend in a part of the country without a robust community of clean-up contractors. As a result, the spilled crude oil was carried over 80 miles downstream and dispersed into upland vegetation long before the nearest qualified contractor arrived with spill response and clean-up resources.



In the months of shoreline clean-up that followed the spill, local elected officials, state and federal government agencies and industry leaders began to discuss and evaluate what measures could be implemented to address these vulnerabilities. Among the ideas was the creation of a comprehensive geographic response plan or Sub-Area Contingency Plan for the Yellowstone watershed that included pre-planned control point locations for stopping the spread of oil downstream.

One of the positive outcomes of the Silvertip spill was the responsible party financing of a Supplementary Environmental Project (SEP). This SEP provided funding for a comprehensive training program for local emergency responders that included basic and advanced oil spill response tactics, including the deployment of boom into a river. The SEP funds provided equipment for first responders and the development of a region-wide centralized inventory of equipment needed for oil spill response.

Bridger Pipeline

When the Bridger Pipeline release occurred four years later in 2015, an inventory of where to find oil boom, vacuum trucks and other needed equipment had already been developed and was readily available, which was one of the goals of the Sub-Area Contingency Plan.

The Bridger Pipeline release, although similar in volume to Silvertip, occurred during the harsh winter months when temperatures reached a low of -5° F and ice covered the river 5-feet thick. Here, ice prevented the oil from coating the riparian corridor as it had in Silvertip and also made the sheen difficult to track by site or smell.

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Silvertip and Bridger Responses continued

Of primary concern in the Bridger incident was that the Glendive water treatment plant was 6.5 miles downstream. As part of the Sub-Area Contingency Plan, Montana Department of Environmental Quality was notified and they implemented down-stream communications protocol, alerting the water treatment facility staff. Through earlier strategic planning, control points for the water treatment plant were already identified and were readily available to first responders.



The day following the breach, Glendive began receiving taste and odor complaints, but there was no sheen or odor at the treatment plant. Though the drinking water intake was 14-feet below the surface of the river and should not have been impacted by the oil, EPA sampled the clearwell (a holding tank prior to municipal distribution) and analyses showed elevated levels of hydrocarbons.

A “do not consume” advisory was issued and free bottled water was made available for area residents. Work began to flush the treatment plant’s distribution system. Instructions were sent out to area residents on how to flush individual area homes. Sections were isolated, drained and clean water pushed out. The entire distribution system flush took about 36 hours.



In the first few weeks, crews worked on the ice tethered to air boats that skated on the frozen surface, auguring holes in cracks or in uneven areas where oil gathered, squeegeeing and collecting what could be extracted (about 60 barrels).

Within a few weeks ambient temperatures soared and the ice became too thin to safely support work crews, terminating that phase of the project. With all of the oil that had been trapped in cracks in the ice and in uneven ice layers, a surge of off-gassing from the oil was expected at the water treatment plant when the ice

break-up occurred. On March 14, after several 50-degree days, the ice broke and, as expected, concentrations of volatile organic carbons (VOCs) spiked, going from non-detect to more than 200 ppb. The ice had trapped much of the oil and had not allowed the typical off-gassing that normally would occur in a release. The treatment facility was notified ahead of time and the water intake valves were shut off, averting a second public safety issue.

Strategic Response Planning A New Approach Using Watershed Areas

Exploration and drilling in the Bakken and Niobrara Shale formations has pushed North Dakota, Wyoming and Colorado into the top 10 oil producing states. A significant percentage of the nation's oil production -- thousands of miles of interstate pipeline, truck and rail transport-- is represented in EPA Region 8 and includes not only the vast Rocky Mountains but also some of the country's largest tracts of pristine wilderness areas including major rivers and countless tributaries. More than a dozen oil refineries and approximately 183 storage facilities, with storage capacities in excess of a million gallons of oil, dot the Region 8 landscape.



Oil Spill Potential Near Watersheds

Because of the growth in the oil and gas industry, the potential for large-volume oil spills into watersheds has increased exponentially. The Oil Pollution Act of 1990 specifically addressed the effects of major oil spills into the waters of the United States requiring each EPA region to develop strategic response plans.

Region 8 has created a response plan by dividing the region into ten watershed areas. The watershed approach is more inclusive and applies to all downstream users regardless of

jurisdictional boundary. This approach substantially enhances partnerships with federal land management agencies (trustees), tribal authorities, state and local emergency responders, other relevant stakeholders, and industry.

In the process of creating a comprehensive geographic response plan, the first step is to identify likely locations where oil could be spilled into flowing water. This threat assessment involves looking at transportation corridors, including pipelines, highways and railroads, where spills would be likely to originate. Once these locations are identified, the planning distance associated with a worst case discharge is determined. This planning distance helps to identify the potential impact of a spill from fixed facilities or tankers in transit and identify where control points might be the most effective. The potential impacts and control points would identify the stakeholders that need to be included in planning efforts.

The criteria for selecting control points within each of the watersheds includes finding locations that are readily accessible for the deployment of response equipment and the recovery of spilled oil at any time of year, day or night. These locations include boat ramps, fishing access points, and highway bridge crossings over rivers.



Identifying Control Access Points

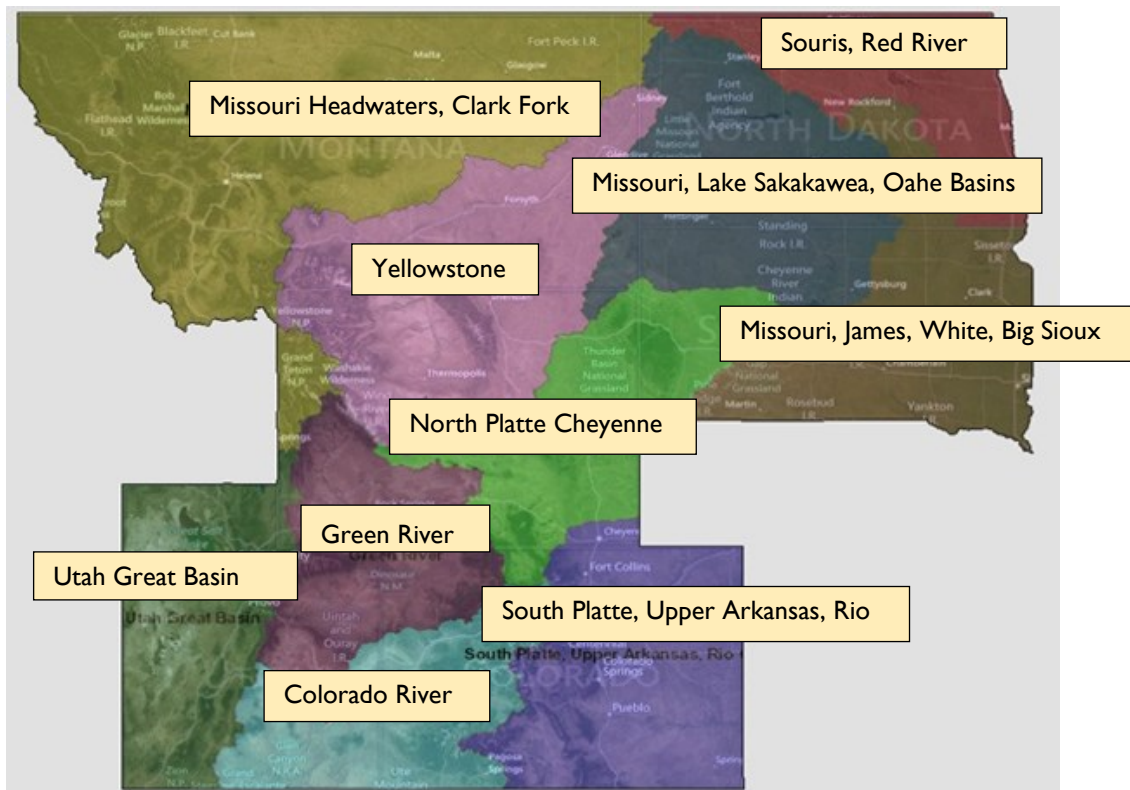
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Strategic Response Planning - continued

Control point locations may also include head gates for irrigation ditches and canals or water intakes for municipal water plants. Once the locations have been identified, a detailed tactical plan is developed to protect critical infrastructure, including intakes, deflect oil away from sensitive environments or other resources, or to contain and recover spilled oil.

Included in the planning process is an interactive, web-based GIS software application 'The Emergency Response Application' (TERA). TERA is an important tool in the initial stages of a response and provides readily-accessible information to EPA's On-Scene Coordinators (OSCs), trustees, and state and local emergency responders. It integrates real-time information from numerous databases including facilities and pipelines, water bodies, water intakes, sensitive areas that are prioritized for protection in the event of a spill, land status, and pre-planned response strategies and control points as they are developed.

Also integrated into TERA are inland locations for Oil Spill Response Organizations (OSROs), identified when the U.S. Coast Guard revamped their classification system in 2013. Each OSRO is visited by the EPA to ensure the facility's readiness for a spill response. EPA has been working collaboratively with industry partners to develop spill cooperatives and map out response resources and detailed geographic response plans for hundreds of control points. These geographic response plans are designed to help first responders and OSROs identify viable control points downstream of spill locations and implement containment and recovery efficiently.



Ten Watershed Areas in Region 8

Overview of 2015 UST Regulation Changes

In the July 15, 2015 [Federal Register](#), EPA published the 2015 underground storage tank regulation and the 2015 state program approval regulation. The revisions strengthen the 1988 federal underground storage tank (UST) regulations by increasing emphasis on properly operating and maintaining UST equipment. The revisions will help prevent and detect UST releases, which are a leading source of groundwater contamination. The revisions will also help ensure all USTs in the United States meet the same minimum standards. This is the first major revision to the federal UST regulations since 1988.



The 2015 UST regulation changes certain portions of the 1988 underground storage tank technical regulation in 40 CFR part 280. The changes establish federal requirements that are similar to key portions of the Energy Policy Act of 2005. In addition, EPA added new operation and maintenance requirements and addressed UST systems deferred in the 1988 UST regulation.

The changes include:

- Adding secondary containment requirements for new and replaced tanks and piping
- Adding operator training requirements
- Adding periodic operation and maintenance requirements for UST systems
- Adding requirements to ensure UST system compatibility before storing certain biofuel blends
- Removing past deferrals for emergency generator tanks, airport hydrant systems, and field-constructed tanks
- Updating codes of practice
- Making editorial and technical corrections.

With respect to the SPCC rule, cut-and-cover tanks are considered aboveground storage tanks (ASTs) and are regulated by **both** the SPCC rule and UST regulations — to protect navigable waters and groundwater, respectively.



Three documents on the OUST [website](#) provide additional information:

- "[MUSTs for USTs](#)" provides a broad understanding of the recent changes made to the UST regulations as well as some helpful tips to ensure compliance with these requirements
- "[UST System Compatibility With Biofuels](#)" provides a detailed overview explaining the 2015 compatibility requirements
- The implementation brochure outlines the federal regulation and the dates that owners and operators must comply with the requirements.

Questions regarding the regulations should be directed to Liz McDermott (OUST) at mcdermott.elizabeth@epa.gov.

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EPA Tier II FAQs

Can the Tier II form serve as a list of hazardous chemicals for Section 311?

Section 311 of EPCRA requires facilities to submit copies of Safety Data Sheets (SDSs) or a list of hazardous chemicals grouped by hazard category for those chemicals present above an applicable threshold. The language "grouped by hazardous category" in the regulations means that the facility needs to submit a list of hazardous chemicals with each of the hazard categories identified. Since the Tier II form would certainly contain at least as much information as a list of hazardous chemicals grouped by hazard category it would be an acceptable submission for a list of SDS chemicals under Section 311. Since the Section 312 report is due by March 1 for information from the previous calendar year, some facilities may submit their report between January 1 and March 1.

In a guidance published on July 13, 2010 (75 FR 39852) EPA provided that States may allow facilities to submit a section 312 report for hazardous chemicals that they acquire between October 1 and December 31 of any given calendar year. In order to be in compliance with section 311 reporting requirements, facilities are required to submit their section 312 report three months after acquiring a new hazardous chemical above the reporting threshold.

How are mixtures handled for Sections 311 and 312 reporting?

The owner or operator of a facility may meet the requirements of Sections 311 and 312 by choosing one of two options:

- Providing the required information on each component that is a hazardous chemical within the mixture. In this case, the concentration of the hazardous chemical in weight percent must be multiplied by the mass (in pounds) of the mixture to determine the quantity of the hazardous chemical in the mixture. No SDS has to be submitted for hazardous components in a mixture with quantities in concentrations under 0.1 percent for carcinogens and 1 percent for all other hazardous components of the total weight of the mixture.
- Providing the required information on the mixture as a whole, using the total quantity of the mixture.

When the composition of a mixture is unknown, facilities should report on the mixture as a whole, using the total quantity of the mixture. Whichever option the owner or operator decides to use, the reporting of mixtures must be consistent for Sections 311 and 312, where practical.

Two threshold planning quantities (TPQs) listed in 40CFR Part 355?

EHSs that are in solid form are subject to one of two different TPQs. A facility should use the lower TPQ if the solid is in powdered form and has a particle size less than 100 microns; is in solution; is in molten form; or meets the criteria for a National Fire Protection Association rating of 2, 3 or 4 for reactivity (§355.15(a)). If the solid does not meet one of these criteria, then the TPQ is 10,000 pounds (§355.15(b)).

A facility would only apply the 10,000 pound TPQ for an EHS when complying with the EPCRA Section 302 emergency planning notification requirements. For the purposes of EPCRA Section 311 or 312 reporting requirements (for example, Tier II reporting), a facility would use the threshold of 500 pounds or the designated TPQ in Part 355, Appendix A, whichever one is lower (§370.10(a)(1)).

[Click here for more FAQs for Tier II](#)

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Speaking with LEPCs

A Conversation with David King, Campbell County

Campbell County is located in northeastern Wyoming. With a population of almost 50,000 residents, it is one of the more populous counties in Wyoming. The county is just under 5000 square miles but contains the ten largest coal mines in North America; their production provides approximately



17% of the nation's electrical power generated by coal. The county is also home to over 50,000 methane gas wells, crude oil production, uranium solution mining, and two mine-mouth air-cooled electric power plant complexes.

The LEPC, with an all-hazards focus, is a wide-ranging group including emergency management, first responders, volunteer organizations, health services, the National Guard, ranchers, an attorney, Burlington Northern and water and power plants.

Logistically, the LEPC meets every month and David King, County Emergency Management Coordinator and LEPC Secretary/Treasurer, believes this is part of its success. Members stay 'dialed-in' and don't get too far behind if they miss a meeting. Also, the meetings are punctual—typically held within the lunch hour—so members can reliably plan their day. Recently, they started meeting at LEPC members' facilities, keeping things interesting by learning what others are doing.



King endeavors to have the meetings meaningful as well as interesting. That means having special presentations, such as a pipeline safety briefing or a briefing by the Adjutant General of the Wyoming National Guard, and then publicizing the agenda in advance. He also works to get all the members involved in the LEPC activities rather than just a core group. He strives to make the meetings educational, such as explaining details of the LEPC's responsibilities or providing a demonstration of chemicals that are prevalent in the county and dangers that could occur from accidental releases. The LEPC also uses email to stay in touch and cover immediate needs during the month. This keeps the LEPC moving forward.



Going forward, David sees the LEPC and emergency management placing more emphasis on public and private partnerships. "Industry doesn't like surprises, and can bring tremendous assets to the party. And they have a wealth of knowledge."

The LEPC helped organize an annual 'Household Hazardous Materials Collection' day at the county landfill, in cooperation with the City Sanitation department. However, that ceased being necessary when the landfill was able to receive those materials on a daily basis. "Our LEPC felt that was one of our successes, in that we worked ourselves out of a job!"



EO 13650 Update



Catastrophic chemical facility incidents prompted President Obama to issue Executive Order (EO) 13650 to enhance the safety and security of chemical facilities and reduce risks associated with hazardous chemicals to owners and operators, workers, and communities

The EO directed federal departments and agencies to identify ways to:

- Improve operational coordination with, and support to, state and local partners;
- Enhance federal agency coordination and information sharing;
- Modernize policies, regulations, and standards; and
- Work with stakeholders to identify best practices.

Region 8 EO 13650 projects have recently included:

- Region 8 EO 13650 website
- Western Region Conference for SERC information sharing February 4-5, 2016
- One-page fact sheets (EPCRA, RMP, SPCC, FRP/GIUE, CFATs, and PSM)
- EPA/OSHA/DHS coordinated inspections and shared outcomes
- TERA enhancement adding Emergency Response Plan information from RMPs and OSHA PSM data
- Tutorial for Tier2 Submit created and posted on EPA website
- Case studies, FAQs and best practices in Paratus newsletter and on EO 13650 website
- OSHA/EPA rulemaking on PSM and RMP coverage in Paratus newsletter
- Overarching Standard Operating Procedures (SOP) to support EO 13650.

EPA Announcements

Superfund's 35th Year

Since 1980, EPA's Superfund program has helped protect human health and the environment by managing the cleanup of the nation's worst hazardous waste sites and responding to local and nationally significant environmental emergencies.



The EPA has provided a virtual walk through of this program's 35 year history and some of its key milestones and accomplishments. On the [Superfund 35th Anniversary website](#) you will find stories of the actions that were taken to ensure clean land, surface water and groundwater in communities across the country.

Name Change from Office of Solid Waste and Emergency Response

The EPA is issuing a final rule to change the name of the Office of Solid Waste and Emergency Response (OSWER) to the Office of Land and Emergency Management (OLEM). This action is being taken to more accurately reflect the nature of the work that this office does to protect human health and the environment. In addition, technical corrections are made to more accurately state the laws implemented previously by OSWER (now OLEM), and to reflect prior organizational changes.

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Region 8 Training

EPCRA Section 312 Tier II Reporting

Tier2 Submit Tutorial

Region 8 has created a webinar for new users of Tier2 Submit. This tutorial provides a primer on how to fill out a Tier II form using EPA's Tier2 Submit software. It provides preparation requirements for filling out Tier II forms as well as a page by page guide to the Tier2 Submit software. It can be accessed at this [link](#) or on the EPA EPCRA [website](#) or on the Tier2 Submit software for 2015 [web page](#).

Introduction to EPCRA Training Online

The EPA has announced "EPCRA Training for States, Tribes, LEPCs, Local Planners and Responders (non-Section 313)"—an online training course covering the Emergency Preparedness and Community Right-to-Know Act. The course is comprehensive and covers history, state requirements, industry requirements and release reporting requirements. It does not cover EPCRA Section 313.



2016 Training and Classes

- Sampling for Hazardous Materials - Train the Trainer course, March 22-24 Salt Lake City
- Chemistry for Environmental Professionals, March 28-31 – Salt Lake City
- Tentative – 40 Hr. Hazwoper Course, June 6-10 – Wyoming Office of Emergency Management

Information about the classes and registration directions are at www.trainex.org.

Revising the REOC Approach

EPA Region 8 IMT/RSC Revision and Update – 2016

During 2015, Region 8 reviewed our incident responses involving standing up our Regional Emergency Operations Center (REOC) and our Incident Management Team (IMT). We developed a goal to update our Standard Operating Procedures for activation, response and deployment. Each key leadership position (KLP) was contacted and interviewed.

The questions asked of the KLPs ranged from what went well in a response, what training and tools are needed, ordering resources,... to what improvements could be made to help in future deployments? From those interviews, specific SOPs for each KLP are being developed. In addition, SOPs will be developed for the REOC/Incident Command Post (ICP)/IMT. Finally, Region 8 will hold a Functional Exercise (FE) within our REOC in September 2016 to verify the new approach, and will incorporate any discoveries during the FE into the final SOPs.

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Region 8 Preparedness Unit Mission Statement

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.

Region 8 SERC Contact Information

Colorado

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Wyoming

Mr. Don Huber, SERC Chair
Phone: 307-777-4900
Kim Lee: kim.lee@wyo.gov

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@epacdx.net.

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

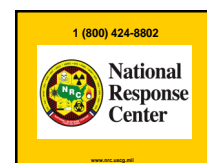
Compliance and Enforcement: <http://www2.epa.gov/enforcement>

[Lists of Lists](#)

Questions? Call the Superfund, TRI, EPCRA, RMP, and Oil Information Center at (800) 424-9346 (TDD 800-553-7672) Mon-Thurs 10:00 am to 3:00 pm.

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

U.S. EPA Region 8
1595 Wynkoop Street (8EPR-ER)
Denver, CO 80202-1129
800-227-8917



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.

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