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EPA Region 8 Emergency Preparedness Newsletter

Volume XI No. 1 January 2021 Quarterly Newsletter

Welcome to the EPA Region 8 Preparedness Newsletter.
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BLACK HILLS PLATING AND POLISHING, LLC

On September 6, 2019 the South Dakota Department of Environment and Natural Resources (DENR) requested the U.S. EPA Removal Program to address plating shop chemical wastes discovered on residential property. DENR requested EPA to assess, cleanup and dispose of the stockpiled chemical waste and equipment due to concerns that some had visible signs of leaking and water intrusion, presenting an immediate risk to nearby residents and the environment.

Black Hills Plating and Polishing, LLC ceased operations in 2014. The business owner moved equipment and chemical waste to a storage garage on a residential property in the Ashland Heights neighborhood approximately six miles outside of Rapid City. This neighborhood consists of mixed residential, commercial and agricultural properties, and has a population of approximately 800 people. Young children were observed actively playing on adjacent properties, within 100 feet of items of concern (process tanks). The chemical waste was stored in containers of various sizes and conditions since 2015 in one of two garages located on the 2.5-acre site. Additionally, there were numerous process tanks ranging in size from 200 – 1000 gallons stored outside and behind the garages, exposed to the elements. The tanks were indicated to be empty but, after inspection, most were found to contain standing water and process residues.

Two EPA Region 8 On-Scene Coordinators (OSCs) mobilized to the site on September 16, 2019, along with START and ERRS contractors. The EPA team and contractors met on site with the property and waste owners to walk the site and discuss the plan and logistics. The EPA team and contractors went on to perform assessment, characterization and stabilization of the chemical waste. Waste chemicals from the assessment included: sulfuric acid (93% solution), sodium cyanide, sodium hydroxide, hydrochloric acid, hexavalent chromate solutions and many unknowns. These compounds present significant and serious health risks to both humans and animals, and routes of exposure include respiratory, ingestion or direct contact.

All chemical wastes in the 69 waste drums and containers were stabilized and secured in a temporary staging area on site. EPA arranged for the off-site disposal of the containers by the end of October 2019. Liquids from the 13 electroplating tanks were filtered for on-site treatment. The process tanks were sent off-site for disposal.

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BLACK HILLS PLATING AND POLISHING, LLC cont'd.

OSC Valeriy Bizyayev, who was with the project for the duration says, "The project was a great example of how EPA can quickly address threats and work with states to accomplish our shared mission of protection of human health and the environment."

OSC Todd DeGarmo added "I take a lot of pride and get a good deal of personal satisfaction to have a job where we can quickly remedy a situation that presents health hazards to families and wildlife and walk away knowing you made a big difference."

America's Water Infrastructure Act, Section 2018

On December 2, 2020, staff from the EPA Region 8 Drinking Water Program and Emergency Preparedness Program in conjunction with EPA Headquarters' Water Security Division (WSD) hosted an all-day workshop on release reporting requirements and chemical data availability to protect drinking water supplies. The virtual workshop provided an opportunity to discuss the implementation of the America's Water Infrastructure Act (AWIA) Section 2018 amendments to the Emergency Planning and Community Right-to-Know Act (EPCRA) and their impacts on emergency release notifications and hazardous chemical data availability for Community Water Systems (CWS). In addition to presentations on the new regulation, there was an opportunity to hold state-specific break-out groups and roundtable discussions on how implementation might look in the various states. Participants included Region 8 State Emergency Response Commissions, Tribal Emergency Response Commissions, Tier II implementation staff from various states, and Region 8 drinking water program directors. For more information, please contact Bre Bockstahler at bockstahler.breann@epa.gov or Kyle St. Clair in the Drinking Water Program at stclair.kyle@epa.gov.

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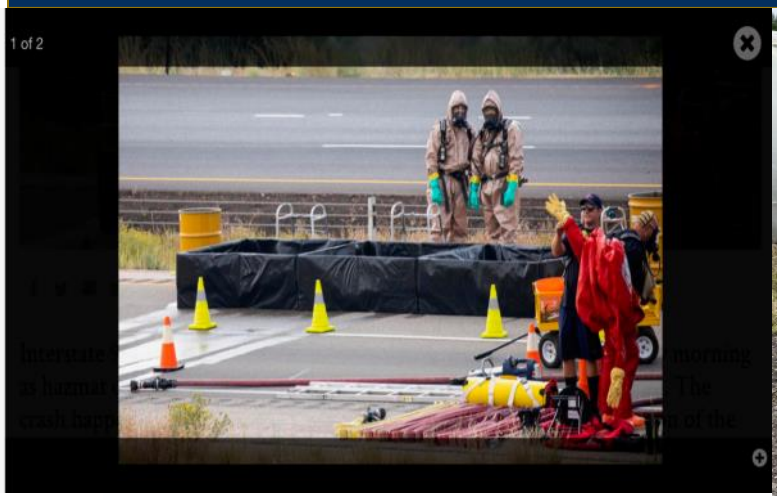
Local Haz Mat Response Campbell County Wyoming



When a semi with enclosed trailer tipped over on I-90 in Campbell County on August 23rd of 2020, Wyoming Regional Emergency Response Team (RERT) #1 was activated and spent 12 hours on scene with multiple Level A and B suit entries. The truck was carrying 20,736 lbs of hazardous materials, a mixed load containing hydrochloric acid, phosphoric acid, sodium hydroxide, hydrogen peroxide, heptane, potassium carbonate, sodium metasilicate, and various other chemicals. A section of I-90 was closed for over 24 hours to facilitate the response and cleanup efforts. Ambient air temperature in 90's made suit entries even more difficult for responders.

In a separate incident on October 26, 2020, an R717 ammonia (A refrigerant grade ammonia (NH3) used in low and medium temperature refrigeration) leak occurred at an indoor ice arena at a multi-events center. The ammonia is used in the refrigeration process to keep the ice frozen. Campbell County Fire Department Haz-Mat Team conducted a Level A suit entry to ventilate the mechanical room and isolate the leak. A failed rubber seal is believed to be the cause of the leak. Over 1,500 ppm of ammonia was reported on arrival of first units.

Anhydrous ammonia is used as a refrigerant in mechanical compression systems at a large number of industrial facilities and is a toxic gas under ambient conditions. Many parts of a refrigeration system contain ammonia liquefied under pressure. Releases of ammonia have the potential for harmful effects on workers and the public. If the ammonia is under pressure, risk of exposure increases since larger quantities of the refrigerant have the potential for rapid release into the air.

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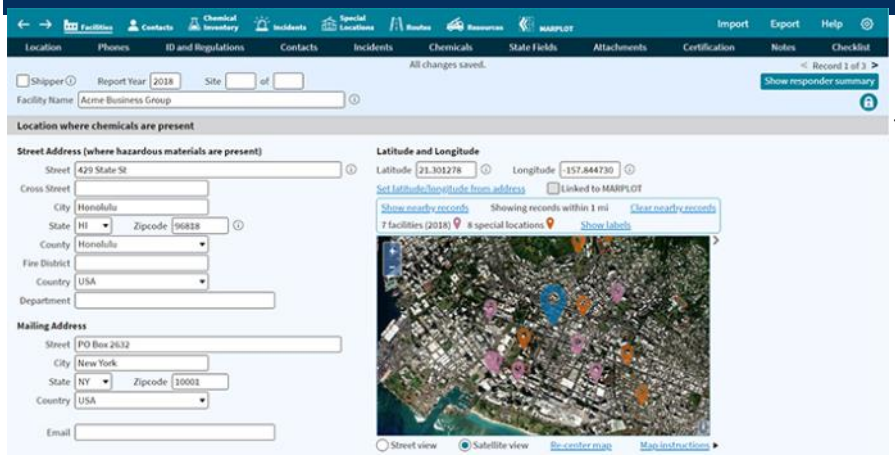
CAMEO Update



In mid-December 2020, the EPA and NOAA jointly released Tier2 Submit 2020 and CAMEO Data Manager, a desktop program for managing data about chemicals stored or transported in communities, especially data required under the Emergency Planning and Community Right-to-Know Act (EPCRA).

CAMEO Data Manager replaces CAMEOfm, a software tool designed and maintained in partnership with EPA since the early 2000s. For decades, emergency responders and planners have used CAMEOfm and the other programs in the CAMEO software suite to understand and manage hazardous chemical information. State and local agencies across the nation use CAMEO suite tools to help plan for and avoid chemical accidents, and mitigate the risks from hazardous chemicals when accidents do occur.

The totally redesigned CAMEO Data Manager tool offers many new features, such as:

- A redesigned navigation, which mirrors Tier2 Submit
- A map to visualize a record's location
- The ability to visualize special locations and other points of interest in proximity to your Tier II facilities
- A responder-friendly view for emergency response
- The ability to compare Tier II reports across report years in order to see what's changed or if reports are missing
- A contact CSV reports to aid in email and phone outreach
- A chemical CSV reports to aid in data analysis
- The ability to edit records as a group
- The ability to export files divided by field values
- The ability to export PDF files sorted by fields
- Updated help topics, explaining how to navigate the program and use the new features

CAMEO Data Manager will still accept files created in Tier2 Submit, CAMEOfm, and CAMEO Data Manager. Encourage your reporters to download Tier2 Submit 2020 (check out the tutorial if they need guidance on filling out their Tier II forms) and get an early start on their Tier II reporting, and download CAMEO Data Manager yourself!

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Use of Chemical Countermeasures

The first line of defense in cleaning up oil spills on surface waters consists of mechanical countermeasures such as booms and skimmers. However, when the limitations of mechanical measures are met and oil threatens the public welfare or the environment, other response techniques and technologies, such as chemical or biological countermeasures, including dispersants, may be considered.

Use of chemical and biological countermeasures in navigable waterways must get site-specific approval, per the requirements under the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). In most cases, the Federal On-Scene Coordinator (OSC) must first obtain concurrence of the incident-specific EPA representative to the Regional Response Team (RRT) and, as appropriate, the RRT representatives from the state(s) with jurisdiction over the navigable waters threatened by the release or discharge, and as practicable, in consultation with the Department of Commerce and Department of the Interior, as natural resource trustees.

The listing of a product on the NCP Product Schedule indicates only that the technical product data submission requirements have been satisfied. It does not indicate that a product is recommended or endorsed by EPA or the NRT for use on an oil spill, nor does it indicate that a product is approved for use on any given spill. Use of these products without appropriate approvals may place a responder or response organization at risk.

Decisions on public safety issues are typically under the purview of the local lead public emergency response agency. Under the safety exception, fire departments and hazardous materials teams have the authority to treat a spill using a chemical countermeasure if they determine that the spilled oil could cause an explosion and/or threaten human health. If a chemical countermeasure is used, responders should make every attempt to contain the fuel/chemical mixture (runoff) and prevent it from entering storm drains or other environments where 100 percent product/oil recovery is not possible. However, if local responders use firefighting foam or "dispersants/surface washing agents," which are defined in Subpart J and listed on the NCP Product Schedule, in situations where they may be discharged into a navigable waterway, OSC authorization and RRT concurrence must be obtained.

The OSC may authorize the use of any chemical or biological countermeasure, including products not listed on the NCP Product Schedule, without obtaining the concurrence of the incident-specific RRT when the OSC believes that use of the product is necessary to substantially reduce a hazard to human life.

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Chemical Countermeasures Cont'd.

When the OSC authorizes the use of a product under the safety exception, the OSC must inform the EPA representative to the RRT, the RRT representatives from the state(s) with jurisdiction, and the natural resource trustees as soon as possible. Once the threat to human life has subsided, the continued use of additional products must follow the standard approval process described above.

Failure to obtain proper authorization for the use of chemical countermeasures is a violation of the Clean Water Act (CWA). Violations of the CWA for misuse consist of up to $55,800 per day per violation in civil fines, and failure to report a discharge is a Title 18 (Criminal Act) violation . For most response scenarios, the Region 8 RRT does not support use of chemical countermeasures. The majority of surface water in Region 8 consists of smaller and fast-moving water channels where mechanical removal techniques are better suited for collection of spilled hydrocarbons.

In-Situ Burning

The primary goal of an in-situ burn (ISB) is to minimize the oil's impact on the environment by rapidly reducing the quantity of spilled oil through burning. Responders should evaluate operational conditions including spill location, oil type and condition (i.e., thickness, emulsification, degree of weathering), current and forecasted weather, wave height, and the presence and condition of vegetation (moisture level and time of year). Response conditions must include sufficient oil thickness, ignitable hydrocarbon vapor concentrations, and an ignition source in order to sustain combustion of the oil through ISB. In certain instances, ISB might provide the only means of quickly and safely eliminating large amounts of oil.

The major issues for in-situ burning of inland spills are proximity to human populations (burning must take place at least three miles away from population at risk), soil type, water level, erosion potential, vegetation species and condition, and wildlife species presence. Burning may actually allow oil to penetrate further into some soils and sediments. Because it releases pollutants into the air, in-situ burning requires careful air quality monitoring. Devices are pre-deployed near populations to measure particulate levels. If air quality standards are exceeded, the burn will be terminated. Because in-situ burning uses intense heat sources, it poses additional danger to response personnel. Igniting an oil slick requires a device that can deliver an intense heat source to the oil.

In the United States, the use of ISB as an oil spill response tool is regulated by both federal and state laws. Regional Response Teams, made up of federal and state agencies, have developed guidelines that provide a common decision-making process to evaluate the appropriateness of using ISB during a spill response. The basic framework for this response management structure is a unified command system that brings together the functions of the federal and the state government and the responsible party (i.e., the spiller) to achieve an effective and efficient response, where the Federal On-Scene Coordinator (FOSC) retains authority. Responders must also obtain an air permit from the state for in-situ burn activities.
Liability is a major deterrent to the use of in-situ fire and must include a substantial evaluation of the risks from escaped fire.

If you have questions about chemical countermeasures or would like more information, please contact the R8 OSC Duty Officer at 303-293-1788.

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U.S. EPA NATIONAL APPROACH TO DISASTER MITIGATION AND RECOVERY

PURPOSE.

The purpose for issuing Order 2074 is to reaffirm the U.S. Environmental Protection Agency's role in leveraging Agency programs and resources in support of disaster mitigation and recovery activities and to provide a structure for how regional offices and national programs will coordinate to support states, tribes, territories, and local communities preparing for or recovering from disasters.

BACKGROUND.

Disaster mitigation efforts reduce the loss of life and property by lessening the impact of disasters to people, the community, infrastructure, and the environment. Disaster recovery involves the use of federal resources to support state, tribal, territorial, and locally led efforts to rebuild communities for long-term success and resilience. With the right planning and community engagement, new mitigation and recovery investments have the potential not only to strengthen resilience to disasters, but also to protect human health and the environment. For both mitigation and recovery, EPA coordinates with other federal, state, tribal, territorial, and non-governmental partners to maximize investments; provides critical expertise for building resilience to disasters; and provides support through financial and technical assistance programs, guidance, and tools.

This order complements Order 2071 National Approach to Response, which defines roles and responsibilities of Agency leadership and staff responsible for managing disaster response efforts in headquarters and regional offices. Additionally, the Agency's emergency support function mission activities also play a critical role alongside other federal agencies in supporting disaster mitigation and recovery. With increasing frequency and severity of natural disasters, it is important that the Agency ensure roles and responsibilities are clear at all levels in headquarters and regional offices so the Agency can be effective and efficient in providing support for mitigation and recovery efforts.

POLICY.

In compliance with all applicable authorities and directives, the Office of Homeland Security shall provide coordination across the Agency related to disaster mitigation and recovery through the responsibilities highlighted below. This order does not prescribe how each EPA headquarters program or region will conduct disaster mitigation and recovery work. Each disaster is unique, and the appropriate EPA expertise and support will depend on the nature of the impacts to different populations, ecosystems and infrastructure.

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U.S. EPA NATIONAL APPROACH TO DISASTER MITIGATION AND RECOVERY Cont'd.

As such, within 120 days of the issuance of this order each EPA national program and region will develop a set of standard operating procedures addressing the assignment of staff to fulfill the responsibilities for supporting disaster mitigation and recovery efforts outlined in Section 6 below.

After a disaster, if the impacted region(s) need(s) national EPA expertise, additional field personnel, or other EPA resources to supplement the region's capabilities and recovery support operations, the region(s) will work with OHS, national program offices, and other regions to obtain the necessary personnel and resources. If requested, EPA national program offices and other regions will support impacted region(s), as appropriate.

SCOPE AND APPLICABILITY.
This order provides guidance on how EPA will support disaster mitigation and recovery efforts within the Agency's existing authorities and formalizes a structure for how the Agency will coordinate work on disaster mitigation and recovery across headquarters and regions and with other agencies. The directive was developed based on processes and procedures successfully used by EPA in supporting federal, state, tribal, territorial, and community past efforts. It outlines EPA's internal coordination through EPA's Executive Policy Coordinating Committee (PCC) and other mechanisms as well as EPA's external coordination through the National Mitigation Framework (NMF) and National Disaster Recovery Framework (NDRF). These national frameworks help to structure EPA's support for mitigation and recovery actions. The NMF and the NDRF work in conjunction with the National Response Framework (NRF) and with EPA's National Approach to Response. The NMF provides the context for how a community works together on risk and resiliency efforts to be better prepared for disasters and how mitigation efforts relate to all other parts of national preparedness. It is one of the five documents in the suite of National Planning Frameworks. The NMF describes seven core capabilities and lists critical tasks for each one. These are:

- Threats and Hazard Identification
- Risk and Disaster Resilience Assessment
- Planning
- Community Resilience
- Public Information and Warning
- Long-Term Vulnerability Reduction and
- Operational Coordination

EPA's core programs support all seven NMF core capabilities through efforts in response and recovery, as well as through mitigation efforts not specific to a disaster event.

While most mitigation activities and investments come from the local and regional level, federal agencies, including EPA, play a critical role in supporting and incentivizing these actions using federal resources.

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U.S. EPA NATIONAL APPROACH TO DISASTER MITIGATION AND RECOVERY Cont'd.

Coordination among EPA programs and other federal agencies is necessary to successfully support communities, to effectively leverage federal funds to further EPA's mission, and to track how funds are used. Close coordination with state, tribal, territorial, and local agencies is also critical to ensure that communities are well served before and after disasters.

As defined in the NMF, mitigation supports protection and prevention activities, eases response, and speeds recovery to create better prepared and more resilient communities. Mitigation efforts can come well before a disaster occurs, but they may also be used as part of recovery to break the cycle of disaster damage, reconstruction, and repeated damage. Embedding mitigation activities in the recovery process assures that every opportunity is taken to rebuild in a smarter way that increases the resilience of communities and supports the Agency's mission to protect human health and the environment.

Following a Presidential Disaster Declaration, FEMA may activate the NDRF to provide federal support to state and local recovery efforts by activating one or more Recovery Support Functions (RSFs). Federal support is coordinated by the corresponding FEMA region with the impacted state(s), territory(ies), tribe(s), and/or communities. EPA recovery support may be requested by FEMA and/or the state. For example, FEMA may request EPA to provide a Sustainability Advisor to advise the Federal Coordinating Officer (FCO), RSF teams, state partners, and local officials on sustainable communities, climate adaptation, resiliency, green and energy efficient growth, and materials and products for recovery planning and construction. The Sustainability Advisor is one of many recovery roles or resources that may be requested of EPA. The impacted EPA region is responsible for deciding how this type of staffing would happen, in consultation with and support from OHS and other headquarters programs.

The NDRF identifies key recovery principles, as well as the roles and coordinating structures that organize national recovery efforts. Federal agencies use the protocols outlined in the NDRF to coordinate recovery activities for a wide array of disasters. Under the NDRF, RSFs are the structures in which key functional recovery assistance is provided. RSFs support local governments by facilitating problem solving, improving access to resources, and by fostering coordination among state and federal agencies, nongovernmental partners, and stakeholders. The six Recovery Support Functions are:

1. Community Planning and Capacity Building (CPCB) RSF
2. Economic RSF
3. Health and Social Services RSF
4. Housing RSF
5. Infrastructure Systems RSF
6. Natural and Cultural Resources RSF

For each RSF, there are coordinating, primary, and supporting agencies. EPA is a primary agency for Health and Social Services and Natural and Cultural Resources RSFs and a supporting agency for the remaining RSFs. In addition, the Recovery Support Function Leadership Groups (RSFLG) engages national leadership from the corresponding RSF agencies to enhance coordination and collaboration and facilitate outcome-driven recovery across the federal government.

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RMP Enforcement Actions: Big West Oil LLC

Big West Oil, LLC resolves chemical risk management violations at North Salt Lake facility

Company corrects Clean Air Act deficiencies to reduce risk of accidental release of flammable mixtures and hydrofluoric acid (01/14/2021)

SALT LAKE CITY – The U.S. Environmental Protection Agency (EPA) today announced a Clean Air Act settlement in which Big West Oil, LLC (Big West Oil) has agreed to pay a $344,364 penalty and address violations of Risk Management Plan requirements at its petroleum refining facility in North Salt Lake, Utah. The company has been cooperative in correcting all identified deficiencies and has also agreed to improve the maintenance of process equipment to reduce the possibility of an accidental release of hazardous chemicals at the facility.

The settlement, filed as a Consent Agreement on January 13, 2021, resulted from a 2016, EPA inspection at the Big West Oil facility that revealed several Clean Air Act Risk Management Plan violations related to the management of flammable mixtures and hydrofluoric acid; including deficiencies associated with process safety information, hazard analysis, mechanical integrity, and operating procedures.

Entire Press Release Administrative Order

RMP Enforcement Actions: 2D, Inc., Colorado Premium Cold Storage

2D, Inc., Colorado Premium Cold Storage resolves chemical risk management violations at Denver facility (09/15/2020)

Company corrects Clean Air Act deficiencies to reduce risk of accidental release of anhydrous ammonia

DENVER - The U.S. Environmental Protection Agency (EPA) today announced a Clean Air Act settlement in which Colorado-based K2D, Inc., Colorado Premium Cold Storage (Colorado Premium) has agreed to pay a $156,081 penalty and address violations of risk management requirements at its cold storage facility in northeast Denver. The company has corrected all identified deficiencies and has also agreed to improve the maintenance of process equipment to reduce the possibility of an accidental release of hazardous chemicals at the facility.

This case is part of EPA's National Compliance Initiative to reduce risks from chemical accidents, and it addresses compliance within an industrial sector– ammonia refrigeration – which can pose serious risks from such accidents. The settlement, filed as a Consent Agreement signed on Sept. 3, 2020, resulted from a 2018 EPA inspection at the Colorado Premium facility that revealed several Clean Air Act Risk Management Program violations related to the management of anhydrous ammonia, including deficiencies associated with safety and emergency contact information, hazard analysis, mechanical integrity, operating procedures, and compliance audits.

Entire Press Release: Administrative Order

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Training Programs

National Association of SARA Title III Program Officials

NASTTPO plans to host a monthly webinar/workshop/training session that is of interest to our membership. The current plan is to host on the 3rd Tuesday of each month at noon Eastern for a 1 or 2-hour session. We plan to continue using the Go to Webinar platform. Those wishing to attend the workshops can access through the NASTTPO website as before, and the presentations will be recorded and made available on the website.

Tuesday, January 19, 2021

10:00 AM MST (12:00PM EST)

HMEP Grants Workshop

Registration:
https://attendee.gotowebinar.com/register/5829004131867420428
Webinar ID: 202-607-339

Tuesday, February 16, 2021

10:00 AM MST (12:00PM EST)

CAMEO Data Manager Software

Registration:
https://attendee.gotowebinar.com/register/2448244470479715340
Webinar ID: 387-921-899

The Utah Pipeline Association invites you to attend an upcoming virtual 2021 Pipeline Emergency Response Meeting. These free educational meetings are designed to provide emergency responders and public officials with important information to assist in managing a potential pipeline emergency. The hour-long presentation will discuss the use of the National Pipeline Mapping System, walk through an emergency scenario and have pipeline operators available to answer questions.

Tuesday, January 19, 2021
6 – 7 p.m.
Register here

Wednesday, January 20, 2021
Noon – 1p.m.
Register here

Please visit our website for additional information about the Utah Pipeline Association
UPA.pipelineawareness.org

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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
Mr. Greg Stasinos, Co-Chair
Phone: 303-692-3023
greg.stasinos@state.co.us

Mr. Mike Willis, Co-Chair
Phone: 720-852-6694
mike.willis@state.co.us

North Dakota
Mr. Cody Schulz, Chair
Phone: 701-328-8100
nddes@nd.gov

Montana
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Phone: 406-324-4777
dbruno@mt.gov

South Dakota
Mr. Dustin Willett, Chair
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Kelsey.Newling@state.sd.us

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Mr. Alan Matheson, Co-Chair
Phone: 801-536-440
amatheson@utah.gov

Mr. Jess Anderson Co-Chair
Phone: 801-965-4062
jessanderson@utah.gov

Wyoming
Mr. Dale Heggem, Chair
Phone: 307-777-7321
dale.heggem@wyo.gov

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 August 2020)

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.

U.S. EPA Region 8
1595 Wynkoop Street (8SEM-EM)
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

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