



# SAFER COMMUNITIES BY CHEMICAL ACCIDENT PREVENTION RMP RULE UPDATE

**M-A5**

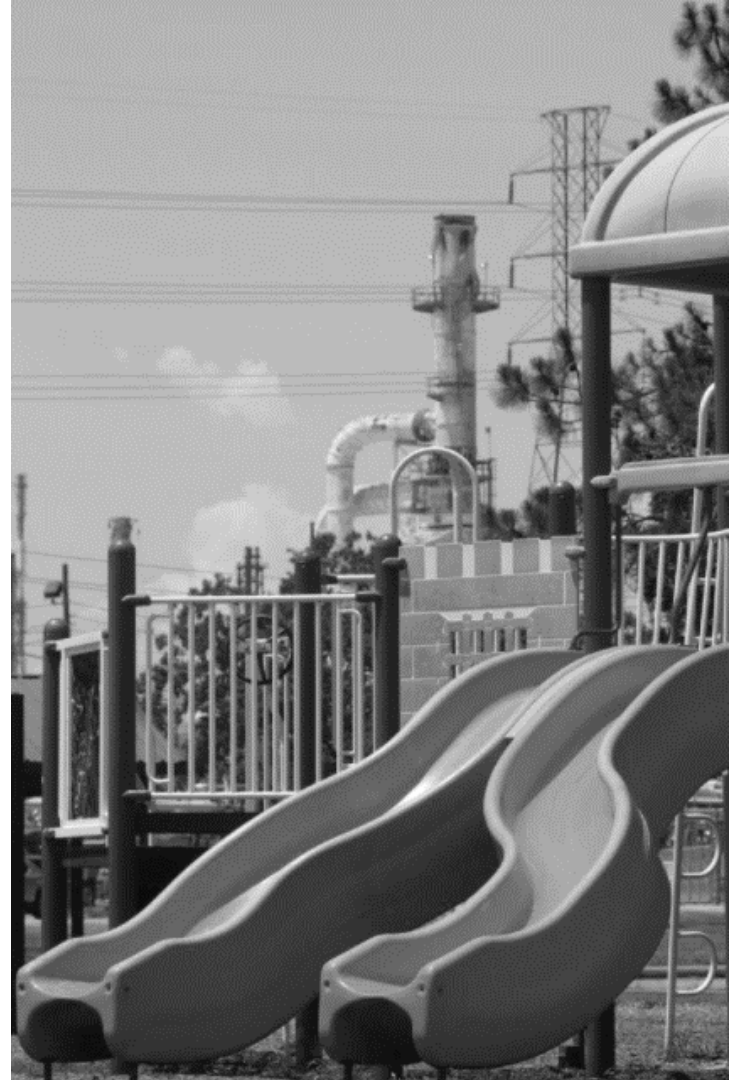
**Jack Becker  
Condor Earth  
March 24, 2025**

**27th California Unified Program  
Annual Training Conference  
March 24-27, 2025**



# Agenda

- Background on RMP history and facility
- Recent RMP rule milestones
- Final rule provisions
- Compliance dates



# Background

- Clean Air Act Section 112(r)(7), 40 CFR Part 68 – Risk Management Program (RMP)
- Promulgated 1996; Compliance 1999
- Chemical accident prevention regulation
  - Identify potential effects of a chemical accident
  - Identify steps facility should take to prevent an accident
  - Provide an overview of emergency response procedures should an accident occur

# Background

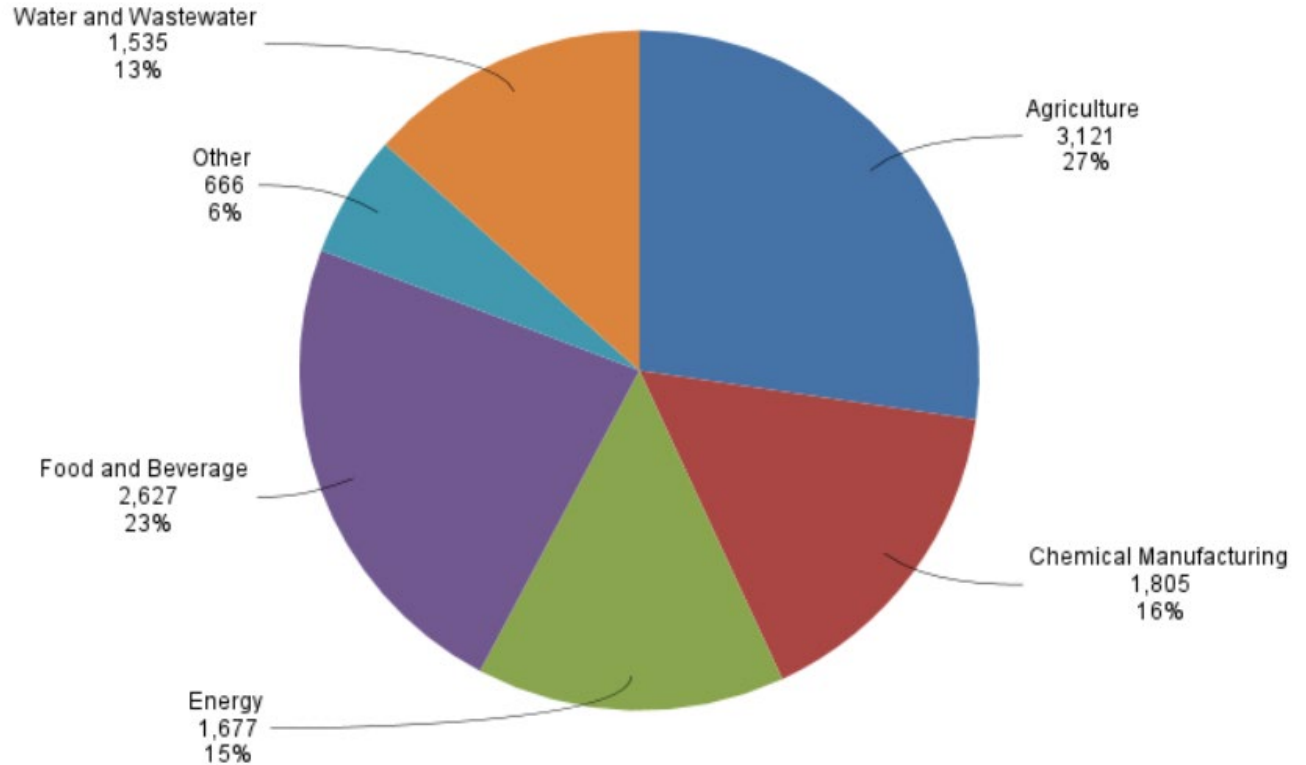
- 140 RMP-regulated toxic or flammable substances
- 11,431 current RMP-regulated facilities nationwide
- RMPs available to government
- Limited public access at Federal Reading Rooms

# RMP Facilities

- Program Level 1 (**P1**): Worst-case scenario does not reach public receptors and that had no accidents with offsite effects within the last five years.  
**706 facilities (6%)**
  - Program Level 2 (**P2**): Processes not subject to Programs 1 or 3.  
**3,858 facilities (34%)**
  - Program Level 3 (**P3**): Facilities with complex processes & manufacturing operations. Process is subject to the OSHA process safety management standard, 29 CFR 1910.119.  
**6,867 facilities (60%)**
- Total: **11,431 facilities**

# RMP Facilities

National Facilities by Industry

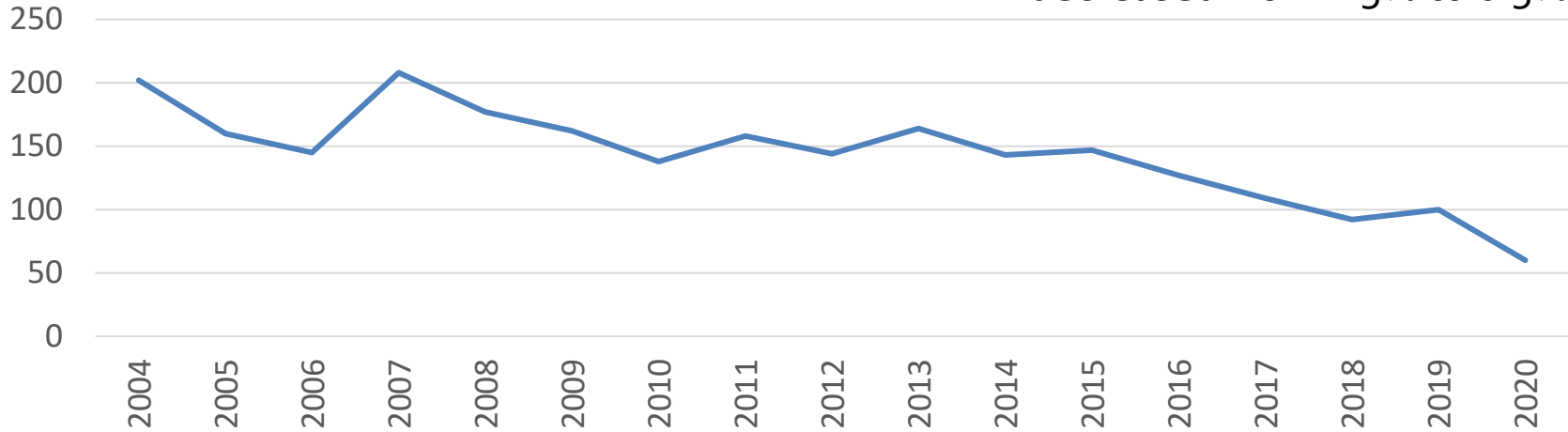


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# RMP Accident Trends

Accident rate per facility has decreased from 1.5% to 0.5%



## Analyses of recent RMP accident data (2016-2020):

- 97% of all RMP facilities had no RMP reportable accidents.
- Most RMP reportable accidents occurred in Program Level 3 processes (83%).

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# RMP Accidents

- Accidents and chemical releases from RMP facilities still occur every year
- Such accidents impose substantial costs (\$540 million/year):
  - Fatalities
  - Injuries
  - Property damage
  - Hospitalizations
  - Medical treatment
  - Sheltering in place
  - Evacuations





# RMP Accidents

- Accidents also impose costs that are
- harder to quantify:
  - Health risks from toxic chemical exposure
  - Lost productivity at affected facilities
  - Emergency response costs
  - Transaction costs from potential subsequent legal battles
  - Property values losses in nearby neighborhoods
  - Environmental damage
  - Costs of evacuation and sheltering in place



# Recent RMP Rule Milestones

## 2017 RMP Amendments Rule

- Added prevention program, emergency response and information availability provisions

## 2019 RMP Reconsideration Rule

- Rescinded prevention program and information availability provisions
- Kept emergency response provisions with modifications

# Recent RMP Rule Milestones

## 2024 RMP Safer Communities by Chemical Accident Prevention Rule (SCCAP)

- January 2021 – Executive Order 13990
- June 16, July 8, 2021 – Virtual public listening sessions
- August 31, 2022 – Proposed rule published
- September 26, 27, 28, 2022 – Virtual public hearings
- October 31, 2022 – Comment period closed
- February 27, 2024 – EPA Administrator signature
- May 10, 2024 – Rule became effective

# Recent RMP Rule Milestones



## New Rulemaking in 2026?

### New RMP Rulemaking

8. As the Court is aware, a new administration took office on January 20, 2025.
9. In light of the new administration's priorities, EPA intends to initiate a new rulemaking to reconsider the current RMP requirements, pursuant to the CAA, which would include a public notice and comment process with respect to the proposed action.
10. The new rulemaking may obviate the need for judicial resolution of some or all of the disputed issues in this case.

<https://earthjustice.org/wp-content/uploads/2025/03/epa-unopposed-mot.-to-hold-rmp-cases-in-abeyance-march-6-2025.pdf>

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# Recent RMP Rule Milestones

## Industry Request:

Specifically, we ask that EPA:

1. Immediately shut down and remove the Risk Management Public Data Tool from EPA's website.
2. Meet with us to discuss how best to initiate a rulemaking to correct the following provisions of the Biden EPA rule:
  - a. Safer Technologies and Alternatives Assessment provisions, including the practicability assessment requirements
  - b. Information Availability of sensitive chemical hazard information
  - c. Third-Party Audit Requirements
  - d. Process safety information requirements
  - e. Declined recommendations documentation and disclosure requirements

<https://earthjustice.org/wp-content/uploads/2025/03/industry-letter-to-zeldin-re-sccap-rollback-jan.-2025.pdf>

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# Purpose of the 2024 SCCAP Rule

- Improve safety at facilities
- Protect human health and the environment through process safety advancement without undue burden
- Better identify and further regulate risky facilities to prevent accidental releases
- Rule-based, prevention-focused approach rather than a post-incident, compliance-driven approach

# Overview of the 2024 SCCAP Rule Revisions

- Changes and amplifications to the accident prevention program requirements
- Enhancements to the emergency preparedness requirements
- Improvements to the public availability of chemical hazard information
- Changes to regulatory definitions or points of clarification

# RMP SCCAP Final Rule Provisions

- Power loss
- Natural hazards
- Facility siting evaluation

P2 Hazard Review & P3 PHA

- Safer technologies and alternatives analysis (STAA)

Select P3

- Employee participation
- Third-party compliance audits
- Root cause analysis incident investigation
- Emergency Response Program
- Public Information
- Technical clarification

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# Audience Question

What aspect of the RMP updates would you like to learn most about?



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# Process Hazard Analysis (PHA) & Hazard Review

## 2017 Arkema Inc. Chemical Plant Fire Summary:

- Flooding resulted in loss of refrigeration;
- Organic peroxides decomposed and burned;
- 200 people evacuated; and
- 21 people evacuated due to exposure to toxic fumes.

# Audience Question

What types of natural hazards should be addressed in a PHA or Hazard Review?



# Process Hazard Analysis (PHA) & Hazard Review

## Natural Hazards

Language added to hazard evaluation regulatory text to amplify evaluation of  
*“natural hazards”*

...shall address **natural hazards** that could cause or exacerbate an accidental release.

**Natural hazard** means meteorological, climatological, environmental or geological phenomena that have the potential for negative impact, accounting for impacts due to climate change.

Examples of such hazards include, but are not limited to, avalanche, coastal flooding, cold wave, drought, earthquake, hail, heat wave, hurricane, ice storm, landslide, lightning, riverine flooding, strong wind, tornado, tsunami, volcanic activity, wildfire, and winter weather.

# Process Hazard Analysis (PHA) & Hazard Review

## Natural Hazards

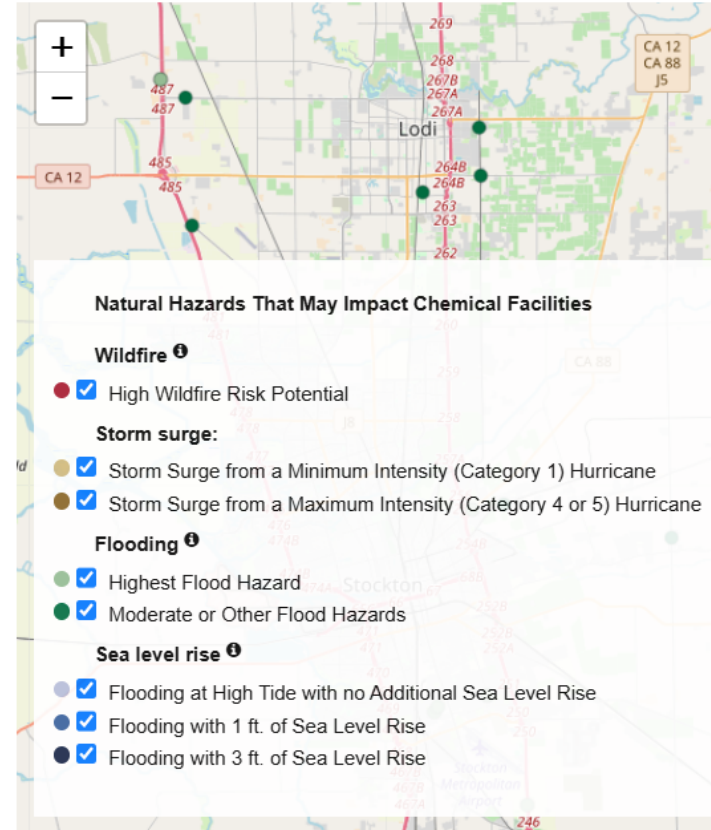
### Resources

#### [GAO Chemical Facilities and Climate Change](#)

Dots on the map represent 10,420 facilities we analyzed where the public would be affected by a hazardous chemical release.

#### [California Tsunami Maps](#)

California Tsunami Hazard Area Maps and Data are prepared to assist in identifying their tsunami hazard



# Process Hazard Analysis (PHA) & Hazard Review

## Natural Hazards

### Resources

[FEMA National Risk Index Map](#)  
& [Technical Data](#)

#### NATIONAL RISK INDEX HAZARD TYPES

1. Avalanche	6. Hail	11. Lightning	16. Volcanic Activity
2. Coastal Flooding	7. Heat Wave	12. Riverine Flooding	17. Wildfire
3. Cold Wave	8. Hurricane	13. Strong Wind	18. Winter Weather
4. Drought	9. Ice Storm	14. Tornado	
5. Earthquake	10. Landslide	15. Tsunami	



Wildfire

**Very High**

Score **99.8**

[CCPS Monograph: Assessment of and Planning for Natural Hazards](#)

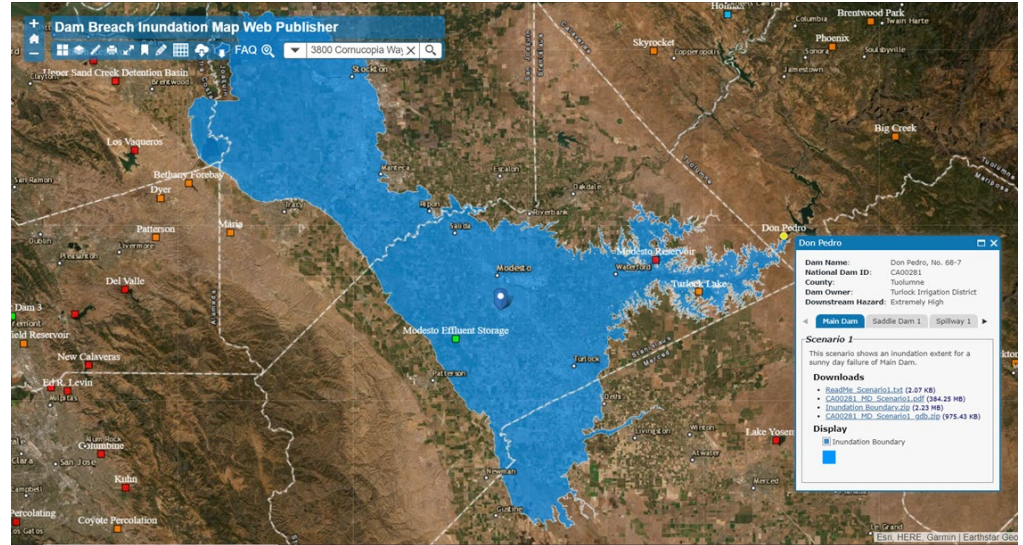
- Gather data & evaluate design criteria
- Assess risk, close gaps, and develop response planning

# Process Hazard Analysis (PHA) & Hazard Review Natural Hazards

## Resources

[FEMA Flood Maps](#)

[DSOD Dam Inundation Map](#)



[Contra Costa County Appendix J Process Hazard Analysis External Events Checklist](#)

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# Process Hazard Analysis (PHA) & Hazard Review

## Power Loss

- Language added to hazard evaluation regulatory text to **amplify evaluation of standby or emergency power systems.**
- Require **standby or backup power for air pollution control or monitoring equipment.**
- Require **operating procedures** to include **documentation of removal of monitoring equipment during natural disasters.**



# Process Hazard Analysis (PHA) & Hazard Review Power Loss (P2)

## § 68.50(a) The Hazard Review shall address:

(3) The safeguards used or needed to control the hazards or prevent equipment malfunction or human error ***including standby or emergency power systems; the owner or operator shall ensure monitoring equipment associated with prevention and detection of accidental releases from covered processes has standby or backup power to provide continuous operation;***

# Process Hazard Analysis (PHA) & Hazard Review Power Loss (P3)

## § 68.67(c) The PHA shall address:

(3) Engineering and administrative controls applicable to the hazards and their interrelationships such as appropriate application of detection methodologies to provide early warning of releases ***and standby or emergency power systems.*** (Acceptable detection methods might include process monitoring and control instrumentation with alarms, and detection hardware such as hydrocarbon sensors.) ***The owner or operator shall ensure monitoring equipment associated with prevention and detection of accidental releases from covered processes has standby or backup power to provide continuous operation;***

# Process Hazard Analysis (PHA) & Hazard Review

## Power Loss

### Guidance

- Consider the appropriateness of backup power and explain reason to decline
- Continual monitoring to measure potential during and following a natural disaster
- Backup power is not required for the entire process
- Assess critical needs to prevent process safety issues

# Process Hazard Analysis (PHA) & Hazard Review Facility Siting

Language added to hazard evaluation regulatory text to amplify evaluation of stationary source siting.

*“stationary source siting, including the placement of processes, equipment, and buildings within the facility, and hazards posed by proximate stationary sources, and accidental release consequences posed by proximity to the public and public receptors.”*

# Process Hazard Analysis (PHA) & Hazard Review Facility Siting (P2)

## **§ 68.50(a) The hazard review shall address:**

***(6) Stationary source siting, including the placement of processes, equipment, and buildings within the facility, and hazards posed by proximate stationary sources, and accidental release consequences posed by proximity to the public and public receptors;***

# Process Hazard Analysis (PHA) & Hazard Review Facility Siting (P3)

## § 68.67(c) The PHA shall address:

(5) Stationary source siting, *including the placement of processes, equipment, and buildings within the facility, and hazards posed by proximate stationary sources, and accidental release consequences posed by proximity to the public and public receptors;*

# Process Hazard Analysis (PHA) & Hazard Review Facility Siting

## Resources

[Copy of EJScreen for Community Landmarks](#)

Locate offsite receptors and population

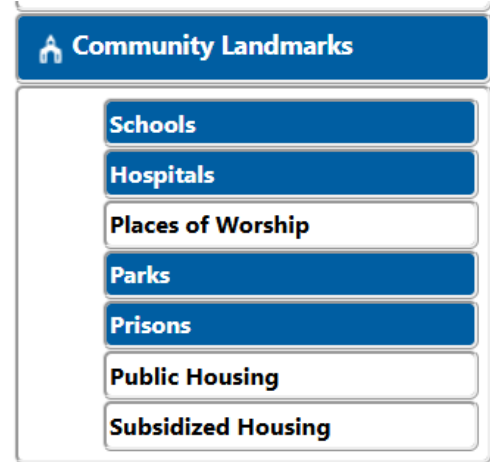
[EPA Vulnerable Zone Indicator System](#) &

[CalEPA Regulated Site Portal](#)

Locate nearby facilities

[Contra Costa County Appendix J PHA Facility Siting Checklist](#)

Document results



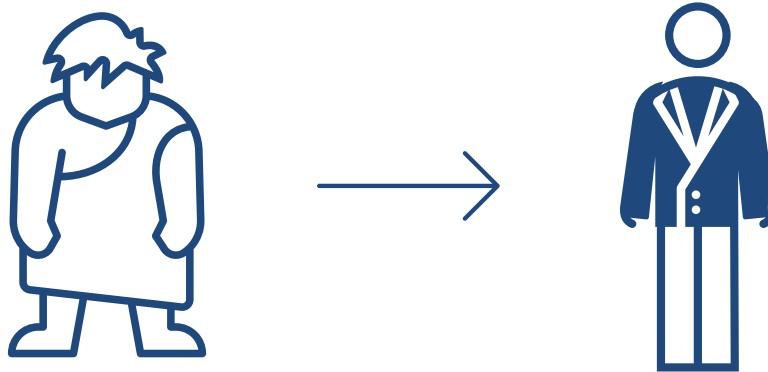
The image shows a screenshot of the 'Community Landmarks' menu in the EJScreen software. The menu is titled 'Community Landmarks' and contains several options: Schools, Hospitals, Places of Worship, Parks, Prisons, Public Housing, and Subsidized Housing. The 'Schools' and 'Hospitals' options are highlighted in blue, while the others are in white with black text.

Community Landmarks
Schools
Hospitals
Places of Worship
Parks
Prisons
Public Housing
Subsidized Housing

# Process Hazard Analysis (PHA)

## § 68.67(c) The PHA shall address:

(10) *Any gaps in safety between the codes, standards, or practices to which the process was designed and constructed and the most current version of applicable codes, standards, or practices.*





# Process Hazard Analysis (PHA)

## Safer Technologies and Alternatives Analysis (STAA)

**Inherently safer technology or design (IST/ISD)** means risk management measures that minimize the use of regulated substances, substitute less hazardous substances, moderate the use of regulated substances, or simplify covered processes in order to make accidental releases less likely, or the impacts of such releases less severe.

### **NAICS codes relevant to STAA for Program Level 3 Facilities:**

- Petroleum Refining (NAICS 324)
- Chemical Manufacturing (NAICS 325)

# Process Hazard Analysis (PHA)

## Safer Technologies and Alternatives Analysis (STAA)

### **Initial Evaluation: P3 facilities in NAICS 324 and 325**

Review of available technologies and alternatives. *The owner or operator shall consider and document, in the following order of preference inherently safer technology or design, passive measures, active measures, and procedural measures.*

### **Practicability Assessment: P3 facilities in NAICS 324 and 325**

- **within 1 mile of another 324/325 P3 RMP facility**
- **with HF alkylation unit (regardless of proximity)**
- **having one accident since the facility's most recent PHA**

Determine *capability of being successfully accomplished within a reasonable time, accounting for environmental, legal, social, technological and economic factors.*

*Environmental factors would include consideration of potential transferred risks for new risk reduction measures.*

# Process Hazard Analysis (PHA) Safer Technologies and Alternatives Analysis (STAA)

## **Implementation: Same as practicability assessment**

*Implement at least one passive measure, or an inherently safer technology or design, or a combination of active and procedural measures equivalent to or greater than the risk reduction of a passive measure.*

## **Report IST/ISD measures implemented in RMP: P3 facilities**

Report in RMP, inherently safer technology or design measures implemented since the last PHA, if any, and the technology category (substitution, minimization, simplification and/or moderation).

# Employee Participation

## Written plan of action to include:

- **Recommendation Decisions: P3 facilities;** consultation with employees on addressing, correcting, resolving, documenting, and implementing recommendations of PHAs, incident investigations, and compliance audits
- **Stop Work Authority: P3 facilities**
  - Recommend to the operator in charge of a unit that an operation or process be partially or completely shut down
  - Allow a qualified operator in charge of a unit to partially or completely shut down an operation or process
- **Compliance Reporting: P2 and P3 facilities;** how employees can report RMP-reportable accidents or related RMP non-compliance issues to employer or EPA

## Plan Training: P2 and P3 facilities



# Employee Participation (P3)

## Guidance

- Update the written employee participation program
- Provide annual training and written notice to employees for the plan and access
- Involve employees in addressing recommendations
- Designate operator(s) in charge of a unit to stop work following operating procedures
- Setup reporting structure for accidents and non-compliance

# Third-Party Compliance Audits (P2 and P3 facilities)

**Applicability.** Conduct a third-party compliance audit after:

1. One accidental release
2. An implementing agency requires it because (1) conditions at the facility that could lead to an accidental release, (2) a previous third-party audit failed to meet the competency or independence criteria.

**Auditor criteria** (1) Act impartially; (2) Receive no financial benefit from the outcome of the audit, (3) Sign a conflict-of-interest statement (4) Do not accept future employment with the owner or operator for 2 years.

**Report timeline.** Complete report within 12 months.

**Declined audit recommendations.** Include findings declined from third-party compliance audits and categorical justifications in the RMP.

# Third-Party Compliance Audits (P2 and P3 facilities)

## Auditor Qualifications

The third-party auditor(s) shall be:

- (i) Knowledgeable with the requirements of this part;
- (ii) Experienced with the stationary source type and processes being audited and applicable recognized and generally accepted good engineering practices; and
- (iii) Trained and/or certified in proper auditing techniques.

# Third-Party Compliance Audits (P2 and P3 facilities)

## Audit Report

- Identify audit team members and summarize qualifications and competency
- Describe or incorporate by reference the policies and procedures for competency and independence
- Document the auditor's evaluation along with findings of the audit
- Summarize revisions
- Include certification



# Third-Party Compliance Audits (P2 and P3 facilities)

## Audit Findings Response Report

Within 90 days to prepare a report with:

- A copy of the final audit;
- A response to each finding;
- A schedule for promptly addressing deficiencies; and
- A certification, by a senior corporate officer, or an official in an equivalent position

# Third-Party Compliance Audits (P2 and P3 facilities)

## Schedule Implementation

- Implement the schedule
- Document actions taken to address and date completed of each deficiency

## Submission to Board of Directors

- Provide a copy of the Response Report and documentation on Schedule Implementation, when completed, Board of Directors, or other comparable committee or individual, if applicable.

## Recordkeeping

Retain the most recent 2 third-party audits, unless more than 5 years old

# Root Cause Analysis Incident Investigation (P2 and P3 facilities)

**Root cause:** a fundamental, underlying, system-related reason why an incident occurred that identifies a correctable failure(s) in management systems, and if applicable, in process design.

## Incident Investigation Requirements:

- Conduct a root cause investigation after an RMP reportable accident using formal root cause investigation method.
- Complete investigation report within 12 months of the accident.

# Emergency Response

- Require **non-responding facilities** to develop **procedures for informing the public about accidental releases**. (Already a requirement for responding facilities)
- Provide **release notification** data to local responders.
- Partner with local responders to ensure a **community notification system** is in place.
- Require **mandatory reporting requirements for emergency response exercises**.
- Require a **10-year frequency for field exercises** unless local responders indicate that frequency is infeasible.

# Emergency Response

## **Release Notification Data for Non-Responding Facility**

§ 68.90(b)(3) Appropriate mechanisms are in place to notify emergency responders when there is a need for a response, **including providing timely data and information detailing the current understanding and best estimates of the nature of the accidental release...**

# Emergency Response

## Release Notification Data for Responding Facility

§ 68.95(c) The emergency response plan developed under paragraph (a)(1) of this section shall **include providing timely data and information detailing the current understanding and best estimates of the nature of the release when an accidental release occurs** and be coordinated with the community emergency response plan developed under 42 U.S.C. 11003 **The owner or operator may satisfy the requirement of this paragraph (c) through notification mechanisms designed to meet other Federal, State, or local notification requirements, provided the notification meets the requirements of this paragraph (c), as appropriate...**

# Emergency Response

## Informing public for Nonresponding Facility

**§ 68.90(b)(6) The owner or operator maintains and implements, as necessary, procedures for informing the public and the appropriate Federal, State, and local emergency response agencies about accidental releases and partnering with these response agencies to ensure that a community notification system is in place to warn the public within the area potentially threatened by the accidental release.**

# Emergency Response

## **Informing public for Responding Facility**

§ 68.95(a)(1)(i) Procedures for informing the public and the appropriate Federal, State, and local emergency response agencies about accidental releases, **including partnering with these response agencies to ensure that a community notification system is in place to warn the public within the area potentially threatened by the accidental release. Documentation of the partnership shall be maintained in accordance with § 68.93(c).**



# Emergency Response

## Guidance

### Community Notification System

During annual coordination of emergency response actions:

- Verify the facility is included in the Hazardous Materials Area Plan
- Inquire about community notification system testing results

Coordination documentation must include:

- Names of individuals and phone number, email address, and organizational affiliations;
- Dates of coordination activities; and
- Nature of coordination activities.

# Emergency Response Exercises

**Notification Exercise** first due December 2024

- Annual frequency
- Exercise mechanism for informing public (Federal, State, local agencies)
- Written records retained for 5 years.

**Guidance** [How To Test My Telephone With 9-1-1 Instructions](#)

- Contact local Law enforcement non-emergency number
- Request to connect to the Public Safety Answering Point (PSAP)
- Explain that you would like to test your telephone by dialing 9-1-1
- call at time and place a test 9-1-1 call.
- Confirm your address, phone number and other information with the dispatcher.

# Emergency Response Exercises

**Field Exercise** first due March 2027

- 10-year frequency, unless impractical
- Include Facility personnel, contractors, local public emergency responders
- Test the ERP procedures and measures

**Tabletop Exercise** first due December 2026

- 3-year frequency
- Include Facility personnel, contractors, local public emergency responders
- Discuss the ERP procedures and measures

## Documentation

Prepare a report within 90 days to evaluate ERP and recommend improvements

# Information Availability (All RMP Facilities)

- Upon request, a facility must provide populations **residing, working, or spending significant time in 6-mile radius** with specific chemical hazard information:
  - Chemical name
  - Safety data sheet (SDS)
  - Accident history
  - Emergency response program
  - Exercises
  - LEPC contact
  - Declined recommendations from new provisions (STAA, natural hazards, etc)
- Offer **language translations** of information in at least **2 major languages in community**

# Information Availability

## Notification Requirement

Owner or operator of the facility provide ongoing notification

- Company website
- Social media platforms
- Other publicly accessible means



**Not included in the RMP search public data tool currently:**

- SDS
- Exercises
- Declined recommendations

# Information Availability

- Risk Management Public Data Tool:

<https://cdxapps.epa.gov/olem-rmp-pds/>

Facility Name 	Facility ID 	City 	County 	State 	Zip Code 	View Current RMP
	10000001972	Sacramento	Sacramento	CA	95826	
	100000012675	Martinez	Contra Costa	CA	94553	
	100000013914	Martinez	Contra Costa	CA	94553	
	100000020595	Wilmington	Los Angeles	CA	90744	
	100000028793	Dixon	Solano	CA	95620	

Facility Name:

EPA Facility Identifier:

Plan Sequence Number:

## Section 1. Registration Information

### Source Identification

Facility Name:

Parent Company #1 Name:

Submission Type:

Receipt Date:

Resubmission

June 2022

### Facility Identification

Facility ID:

### Dun and Bradstreet Numbers (DUNS)

Facility DUNS:

### Facility Location Address

Street 1:

Street 2:

City:

State:

ZIP:

ZIP4:

County:

N/A

Sacramento CA

95826

4743

Sacramento

# Information Availability

- Risk Management Public Data Tool:

<https://cdxapps.epa.gov/olem-rmp-pds/>

## Facility Latitude and Longitude

---

Latitude (decimal):

33.798804

Longitude (decimal):

-117.918725

## Local Emergency Planning Committee and Regulations

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LEPC:

Inland Region 4 LEPC

OSHA PSM:

Yes

EPCRA 302:

N/A

CAA Title V:

N/A



Info

Facility Name:  
EPA Facility Identifier:

Plan Sequence Number:

Process Chemicals

Program Level:  
Chemical Name:  
CAS Number:  
Flammable/Toxic:

Program Level 3 process  
Flammable Mixture  
00-11-11  
Flammable

Flammable Mixture Chemical Components

Chemical Name:  
CAS Number:  
Flammable/Toxic:

Methane  
74-82-8  
Flammable

Chemical Name:  
CAS Number:  
Flammable/Toxic:

Hydrogen  
1333-74-0  
Flammable

Process NAICS

NAICS Code:  
NAICS Description:

32512  
Industrial Gas Manufacturing

- R  
<http://>

## Section 6. Accident History

No records found.

## Section 9. Emergency Response

### Written Emergency Response (ER) Plan

Community Plan (Is facility included in written community emergency response plan?):

Yes

Facility Plan (Does facility have its own written emergency response plan?):

Yes

Response Actions (Does ER plan include specific actions to be taken in response to accidental releases of regulated substance(s)?):

Yes

Public Information (Does ER plan include procedures for informing the public and local agencies responding to accidental release?):

Yes

Healthcare (Does facility's ER plan include information on emergency health care?):

Yes

# Information Availability

- Risk Management Public Data Tool:

<https://cdxapps.epa.gov/olem-rmp-pds/>

Facility Name:

EPA Facility Identifier:

Plan Sequence Number:

## Local Agency

Agency Name (Name of local agency with which the facility ER plan or response activities are coordinated):

City of Sacramento Fire Department

Agency Phone Number (Phone number of local agency with which the facility ER plan or response activities are coordinated):

(916) 228-3000

# Information Availability

## EPA Vulnerable Zone Indicator System

**U.S. Environmental Protection Agency**

**Chemical Emergency Preparedness and Prevention Office**

RMP Vulnerable Zone Report

\*\*\*\*\*

**PLEASE DO NOT REPLY**

\*\*\*\*\*

You asked us if the address or location referenced below is likely to be in a vulnerable zone of a potential accidental release based on reports filed by a facility under the Environmental Protection Agency's Risk Management Program. Here is your reply:

**You Submitted**

**Address:**

700 W Convention Way  
Anaheim, California 92802

**Results:**

The EPA's Vulnerable Zone Indicator System shows that the location you submitted is **likely to be** in at least one RMP facility's vulnerable zone.

# Other Areas of Technical Clarification

1. Explicitly require P3 process safety information to be kept up-to-date as it is already for P2.
2. Clarify the identical requirement for P2 and P3 processes to ensure processes are designed in compliance with recognized and generally accepted good engineering practices (RAGAGEP).
3. Require retention of hot work permits for 3 years.
4. Clarify justification for retail exemption requires documentation of sales in a calendar or fiscal year.

# Compliance Dates

- **Already requires compliance (as of May 10, 2024):**
  - Hazard evaluation of:
    - Natural hazards
    - Power loss
    - Facility siting evaluation
  - Areas of technical clarification

# Compliance Dates

- **3 years from effective date of rule (May 10, 2027):**

- Backup power for air monitoring control equipment
- Safer technologies and alternatives analysis (STAA)
- Employee participation
- Third-party compliance audits
- Root cause incident investigation
- New emergency response provisions other than field exercises
- Availability of chemical information

# Compliance Dates

- **By March 15, 2027, or within 10 years of the date of an emergency response field exercise conducted between March 15, 2017, and August 31, 2022:**
  - Field exercises
- **4 years from effective date of final rule:**
  - Update RMP with new required information from SCCAP provisions



# Enforcement Policy

## EPA 40 CFR Part 68 Enforcement Policy

<b>Step 1. Gravity</b>	
<b>Count</b>	
1	
2	
3	
4&5	
6	
7	
8	
9	
<b>Step 2. Duration</b>	
	<b>Step 3. Size of Violator</b>
	<b>Step 4. Inflation Adjustment</b>
	<b>Step 5. Economic Benefit</b>
	<b>Step 6. Upward Adjustment</b>
	<b>Step 7. Downward Adjustment</b>
	<b>Penalty Assessment Total</b>

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# Enforcement Policy

## [EPA Announces \\$1.4M Settlement with Sasol](#)

October 2022 fire and issue found during a compliance evaluation in 2021

Sasol will pay a civil penalty of **\$1,441,712.00**. Sasol will also undertake several actions to resolve alleged violations for:

- Addressing Process Hazardous Analysis and Compliance Audit recommendations
- Improving mechanical integrity procedures
- Improving detection of potential hazards
- Updating and implementing operating procedures

# How to Find the New Language in the Regulation

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ECFR CONTENT

ENHANCED CONTENT

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**PART 68—CHEMICAL ACCIDENT PREVENTION PROVISIONS**

**Authority:** 42 U.S.C. 7412(r), 7601(a)(1), 7661-7661f.

**Source:** 59 FR 4493, Jan. 31, 1994, unless otherwise noted.

**Subpart A—General**

**§ 68.1 Scope.**

ENHANCED CONTENT - TIMELINE

1/17/2025	view on this date	view change introduced	
12/18/2024	view on this date	view change introduced	compare to most recent
5/10/2024	view on this date	view change introduced	compare to most recent
3/11/2024	view on this date	view change introduced	compare to most recent
4/06/2020	view on this date	view change introduced	compare to most recent
12/19/2019	view on this date	view change introduced	compare to most recent
12/03/2018	view on this date	view change introduced	compare to most recent
3/28/2017	view on this date	view change introduced	compare to most recent
3/16/2017	view on this date	view change introduced	compare to most recent
1/26/2017	view on this date	view change introduced	compare to most recent
1/13/2017	view on this date	view change introduced	compare to most recent

**Active measures** mean risk management measures or engineering controls that rely on mechanical or other energy input to detect and respond to process deviations. Examples of active measures include alarms, safety instrumented systems, and detection hardware (such as hydrocarbon sensors).

- Visit the webpage for 40 CFR Part 68 (<https://www.ecfr.gov/current/title-40/chapter-I/subchapter-C/part-68>)
- Click on “Timeline” on the left side panel and choose to view the changes introduced on a particular date or compare the current version to an earlier version. The latest changes outlined in this presentation were added to the regulation on 5/10/2024.

# Resources

## - **Federal Register (detailed explanation of SCCAP Rule):**

<https://www.federalregister.gov/documents/2024/03/11/2024-04458/accidental-release-prevention-requirements-risk-management-programs-under-the-clean-air-act-safer>

## - **Risk Management Public Data Tool:**

<https://cdxapps.epa.gov/olem-rmp-pds/>

## - **Fact Sheets:**

- **Regulated Facilities:**

<https://www.epa.gov/rmp/fact-sheet-regulated-facilities-safer-communities-chemical-accident-prevention-risk-management>

- **Communities:**

<https://www.epa.gov/rmp/fact-sheet-communities-safer-communities-chemical-accident-prevention-risk-management-program>



# Any Questions?



27th California Unified Program  
Annual Training Conference  
March 24-27, 2025



# SAFER COMMUNITIES BY CHEMICAL ACCIDENT PREVENTION RMP RULE UPDATE

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