



U.S. Environmental Protection Agency Pacific Southwest Region Emergency Planning and Preparedness February 2020 Update

RESOURCES

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**EPA Region 9 24-hr hotline:
800-300-2193**

**National Response Center:
800-424-8802**

EPA On-Scene Coordinator Site:

<https://response.epa.gov/>

EPA HQ EPCRA Site:

<https://www.epa.gov/epcra>

National Association of SARA

Title III Program Officials:

<https://nasttpo.com/>

Western States SERC/TERC Meeting, Jan 28-29, 2020

Thanks to everyone who helped organize and participate in another successful meeting, especially Breann Bockstahler from USEPA Region 8. The handouts and notes from the break-out sessions introductions, and attendee have been posted at response.epa.gov/2020westernstatessercmeeting.

Mark your calendars for next year's meeting in Clark County, NV on January 26-27, 2021!

Final Risk Management Program (RMP) Reconsideration Rule

On November 20, 2019, EPA finalized changes to the RMP to promote better emergency planning and public information about accidents and maintain the trend of fewer significant accidents involving chemicals regulated under the RMP rule. The changes reflect issues raised in three petitions for reconsideration of the RMP Amendments and address other issues warranted reconsideration. The RMP Reconsideration final rule:

- **Rescinds** all major accident prevention program provisions of the RMP Amendments rule (third party audits, safer technology and alternatives analyses, incident investigation root cause analysis)
- **Rescinds** the public information availability provisions of the RMP Amendments rule
- **Retains** enhanced coordination with local emergency responders: facilities must coordinate annually with local response organizations and document those coordination activities
- **Retains** emergency exercises, tabletop and field exercise requirements (modified to provide more flexibility in scheduling)
- **Retains** public meetings to provide accident information within 90 days (RMP-reportable events with offsite impacts)

For more information: <https://www.epa.gov/rmp/final-risk-management-program-rmp-reconsideration-rule>

Amendments to EPCRA by the America's Water Infrastructure Act

EPA published A Guide for SERCs, TERCs, and LEPCs about the amendments made to EPCRA by the America's Water Infrastructure Act.

The revisions require that community water systems (1) receive prompt notification of any reportable release of an EPCRA extremely hazardous substance (EHS) or a CERCLA hazardous substance (HS) that potentially affects their source water, and (2) have access to EPCRA Tier II information. These requirements went into effect immediately upon signing the law.

<https://www.epa.gov/waterresilience/americas-water-infrastructure-act-risk-assessments-and-emergency-response-plans>

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2019 Tier2 Submit rev.3 Now Available

Tier2 Submit 2019 has been updated. The new version, [Tier2 Submit 2019 rev. 3](#), is now available on the EPA website. If reporters have successfully submitted their Tier II reports, they do not need to install this update. However, we recommend that any reporters who have not yet submitted their Tier II report download and install this version to complete their Tier II report.

Windows and Mac rev. 2 users will see an alert when they open the previous version about updating to the new version.

Mac rev. 1 users will not see this alert, and should take extra precautions when updating to ensure that their data is not overwritten. For more information, see the [EPA Tier2 Submit page](#).

This update contains several bug fixes and improvements:

- Resolved a bug in which users could not export data if an attachment had special characters in the file name.
- Addressed requests from users to show the list of imported facilities directly after import.
- Resolved a bug that prevented importing if the files were imported as a group and two or more of them shared a contact with the same record ID, but had different information.
- Added an option to expand or collapse the list of chemicals and contacts on a facility page, if the list contained over 20 chemicals or contacts.
- Added the ability to copy, cut, and paste using highlight and right click.
- Updated EHS rules for facilities in Vermont in order to accommodate special EHS rules in Vermont.
- Resolved a Macintosh-only bug in which users saw an alert to update to rev. 2 when they were already using rev. 2.
- Other small bug fixes and updates.

For questions, visit the Help Center in the program or contact the RMP Reporting Center via email (RMPRC@epacdx.net) or phone (703-227-7650) on weekdays from 8 AM to 4:30 PM Eastern Time.

Proposed Consent Decree: Hazardous Substance Worst Case Discharge Planning Regulations

On March 21, 2019, the Natural Resources Defense Council, Clean Water Action, and the Environmental Justice Health Alliance for Chemical Policy Reform filed a complaint alleging, inter alia, that EPA had a duty under Clean Water Act ("CWA") section 311(j)(5)(A)(i), to issue regulations that require an owner or operator of a non-transportation-related onshore "facility described in subparagraph (C) to prepare and submit to the President a plan for responding, to the maximum extent practicable, to a worst case discharge, and to a substantial threat of such a discharge, of . . . a hazardous substance" (the "Hazardous Substance Worst Case Discharge Planning Regulations") by August 18, 1992.

The proposed consent decree would set deadlines for EPA to complete a notice of proposed rulemaking pertaining to the issuance of the Hazardous Substance Worst Case Discharge Planning Regulations, and for publication of a notice taking final action following notice and comment rulemaking pertaining to the issuance of Hazardous Substance Worst Case Discharge Planning Regulations.

A copy of the proposed consent decree and the Federal Register notice with further details can be found under docket no. EPA-HQ-OGC-2019-0067 <https://www.regulations.gov/document?D=EPA-HQ-OGC-2019-0667-0001>.

Public comments on the proposed settlement agreement may be submitted to that online docket until March 4, 2020.



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