



CHEMICAL EMERGENCY PREVENTION & PLANNING

Newsletter



November-December 2009

US EPA Region 10

Inside This Issue

- **Managing Change**
- **EPCRA Fine**
- **RMP Training Announcement**
- **Food Processing Compliance Assistance Center**
- **RMP: De-registration**

CHEMICAL EMERGENCY PREVENTION & PLANNING Newsletter

US EPA Region 10,
ERU ECL-116
1200 6th Avenue, Suite 900
Seattle, Washington 98101

206.553.1255
Fax: 206.553.0124

<http://yosemite.epa.gov/R10/airpage.nsf/Enforcement/rmp>

Newsletter Contacts:

For **RMP**: Javier Morales at morales.javier@epa.gov

For **SPCC/FRP**: AK: Matt Carr at carr.matthew@epa.gov

WA OR ID: Michael Sibley at sibley.michael@epa.gov

For **EPCRA**: Suzanne Powers at powers.suzanne@epa.gov

For free **Subscription**:
allen.stephanie@epa.gov

Managing Change –

The Chemical Safety Board (CSB) urges organizations to review their Management of Change (MOC) policy to be sure it covers operational variances in addition to physical changes. If your organization doesn't have a systematic method for handling changes, develop and implement one.

To maximize the effectiveness of your MOC system, the CSB suggests that the following activities be included:

- Define safe limits for process conditions, variables and activities --- and train personnel to recognize significant changes. Combined with knowledge of established operating procedures, this additional training will enable personnel to activate the MOC system when appropriate.
- Apply multidisciplinary and specialized expertise when analyzing deviations.
- Use appropriate hazard analysis techniques.
- Authorize changes at a level commensurate with risks and hazards.
- Communicate the essential elements of new operating procedures in writing.
- Communicate potential hazards and safe operating limits in writing.
- Provide training in new procedures commensurate with their complexity.
- Conduct periodic audits to determine if the program is effective.

Managing Change - Case Study

The following case study from the Chemical Safety Board (CSB 2001) illustrates the importance of having a systematic method for the management of change. An MOC should be applied to operational variances in addition to physical alterations.

Equilon Enterprises, Anacortes, Washington

On November 25, 1998, a fire at the Equilon Enterprises oil refinery delayed coking unit in Anacortes, Washington, caused six fatalities. A loss of electric power and steam supply approximately 37 hours prior to the fire had resulted in abnormal process conditions.

(Read the full story at: <http://www.csb.gov/assets/document/moc082801.pdf>)

Managing Change - Risk Management Program Standards

Management of Change/ Pre-startup Safety Review

For existing processes that have been shutdown for turnaround, or modification, etc., the employer must assure that any changes other than "replacement in kind" made to the process during shutdown go through the management of change procedures. P&IDs will need to be updated as necessary, as well as operating procedures and instructions. If the changes made to the process during shutdown are significant and impact the training program, then operating personnel as well as employees engaged in routine and nonroutine work in the process area may need some refresher or additional training in light of the

changes. Any incident investigation recommendations, compliance audits or PHA recommendations need to be reviewed as well to see what impacts they may have on the process before beginning the startup.

Management of Change Requirements (Program Level 3)

MOC procedures must address:

- Technical basis for the change.
- Impact on safety and health.
- Modifications to operating procedures.
- Necessary time period for the change.
- Authorization requirements for proposed change.

continued on page 2

REPORT

CHEMICAL or OIL SPILLS
to the NATIONAL RESPONSE CENTER

1-800-424-8802

Managing Change - Risk Management Program Standards



RMP/PSM Requirements for Management of Change

MOC procedures must address:

- Technical basis for the change
- Impact on safety and health
- Modifications to operating procedures
- Necessary time period for the change
- Authorization requirements for proposed change
- Affected employees must be informed and trained before startup
- Update process safety information if affected by the change
- Update operating procedures if affected by the change

Employees affected by the change must:

- Be informed of the change before startup.
- Trained in the change before startup.

Update process safety information if:

- A change covered by MOC procedures results in a change in any PSI required under EPA's rule (see § 67.65).

Update operating procedures if:

- A change covered by MOC procedures results in a change in any operating procedure required under EPA's rule (see § 67.69).

Source: General Guidance on Risk Management Programs for Chemical Accident Prevention (40 CFR Part 68). EPA-550-B-04-001 April 2004

Pre-Startup Safety Review

For new and significantly modified processes, the employer will find the PHA helpful in improving the design and construction of the process from a reliability and quality point of view. The safe operation of the new process will be enhanced by making use of the PHA recommendations before final installations are completed. P&IDs are to be completed along with having the operating procedures in place and the operating staff trained to run the process before startup. The initial startup procedures and normal operating procedures need to be fully

evaluated as part of the pre-startup review to assure a safe transfer into the normal operating mode for meeting the process parameters.

Interrelationship of Process Safety Management (PSM) Elements

An essential part of verifying program implementation is to audit the flow of information and activities among the Process Safety Management elements. When information in one element is changed or when action takes place in one element that affects other elements, the Safety Compliance Officers or Health Compliance Officers (SCO/HCO) shall review a sample of the related elements to see if the appropriate changes and followup actions have taken place.

The following example demonstrates the interrelationship among the elements:

During a routine inspection of equipment (Mechanical Integrity), the maintenance worker discovers a valve that no longer meets the applicable code and must be changed. Because the type of valve is no longer made, a different type of valve must be selected and installed (Management of Change). The type of valve selected may mandate different steps for the

operators (Operating Procedures) who will require training and verification in the new procedures (Training). The rationale for selecting the type of valve must be made available for review by employees and their representatives (Employee Participation).

When the new valve is installed by the supplier (Contractors), it will involve shutting down part of the process (Pre-startup Safety Review) as well as brazing some of the lines (Hot Work Permit). The employer must review the response plan (Emergency Planning) to ensure that procedures are adequate for the installation hazards.

Although Management of Change provisions cover interim changes, after the new valve is in place the Process Safety Information will have to be updated before the Process Hazard Analysis is updated or revalidated, to account for potential hazards associated with the new equipment. Also, inspection and maintenance procedures and training will need to be updated (Mechanical Integrity).

In summary, 11 PSM elements can be affected by changing one valve. A Health and Safety Compliance Officer would check a representative number of these 11 elements to confirm that the required followup activities have been implemented for the new valve.

Source: Process Safety Management of Highly Hazardous Chemicals, Oregon Occupational Safety and Health Division Department of Consumer and Business Services, Program Directive A-177, Issued April 5, 1993, Revised August 15, 2000.

EPCRA Fine

Aircraft Equipment Manufacturer in Kent, Washington Will Pay Over \$12,000 for Failing to Report Dangerous Chemicals

Company will provide \$50,000 for an emergency notification system to the City of Kent for two years as part of settlement with EPA

(Seattle, Wash. August 2009) GKN Aerospace Chemtronics, an aircraft parts manufacturer in Kent, Wash., failed to properly report its use and storage of hazardous chemicals to EPA, state and local agencies, alleged a consent agreement and final order issued by the Environmental Protection Agency. The actions violated the Emergency Planning and Community Right-to-Know Act.

"It's critical that companies report the storage and release of toxic chemicals—if they don't, public safety is jeopardized in an emergency," said Edward Kowalski, EPA's Director of the Office of Compliance and Enforcement in Seattle. "Companies need to minimize public risk from hazardous chemicals by following the law."

EPA alleges that in 2006, GKN failed to report its releases, waste management activities and transfers of nitric acid, a dangerous substance that can cause severe burns and explosions, to the Toxic Release Inventory. GKN used approximately 12,000 pounds of nitric acid in 2006, exceeding the Toxic Release Inventory reporting threshold of 1,000 pounds, according to EPA's order.

In addition, EPA alleges that in 2007 the company stored approximately 8,000 pounds of hydrofluoric acid and 34,000 pounds of nitric acid, but did not report this storage to the appropriate government agencies. The threshold for reporting storage of hydrofluoric acid, an extremely hazardous substance that can cause severe burns, is 100 pounds.

Emergency responders rely on this information for their safety and to help protect nearby residents during an emergency, such as a fire or earthquake. Citizens can also access the information to find out what chemicals are being stored and used in their neighborhoods.

The company will pay a fine over \$12,000, and has agreed as part of the settlement to perform a two-year project worth \$50,000. It will provide the City of Kent with an emergency telephone notification system that can quickly warn the public in the event of a chemical release or other emergency.

Contact: Suzanne Powers, EPA Office of Environmental Cleanup, (360) 753-9475

RMP Training Announcement

March 9, 10 & 11, 2010
Richland, Washington

The Environmental Protection Agency (EPA) is offering FREE RISK Management Program training, which will provide information about how to comply with the RMP reporting and emergency planning requirements.

This is a one-day training, offered three times.

Details of training and registration will appear on the [EPA Region 10 RMP webpage](#).



Where Do I Go For More Information?

<http://www.epa.gov/emergencies/rmp> will be updated as new information becomes available.

EPA maintains numerous listservs to keep the public, state and local officials, and industry up to date, including several that pertain to emergency management. You can sign up for our list serve to receive periodic updates: https://lists.epa.gov/read/all_forums/subscribe?name=callcenter_oswer

EPA Region 10 RMP Coordinator:
Javier Morales 206-553-1255

EPA Region 10 RMP Website:
<http://yosemite.epa.gov/R10/CLEANUP.NSF/sites/rmp>

Food Processing Compliance Assistance Center

Food processors now have access to an all-encompassing source of environmental regulatory, pollution prevention and sustainability information.



Home
Meat
Poultry
Seafood
Fruits and Vegetables
Dairy
Eggs
Sustainability
Regulations
About
Contact Us

Welcome to FPEAC

The Food Processing Environmental Assistance Center is committed to developing and promoting innovative strategies that achieve better environmental results, reduce costs, and promote environmental stewardship throughout the Food Processing Industry. The goal of the Center is to become a primary provider of environmental information, resources, and training to assist small and medium sized food processors in achieving environmental compliance and stewardship.

The U.S. food processing sector, as with other industrial and commercial sectors, faces increasingly stringent environmental rules, many of which have their roots in federal statutes and are implemented through state laws and regulations by various agencies. Most of these rules relate to the treatment and disposal of food processing wastes. Often, permitting, monitoring, reporting and other regulatory requirements are implemented by multiple agencies (e.g., composting operations may be regulated by the environmental protection agency, department of health and department of agriculture).

Industry News

- 08/31/09 [Wal-Mart to develop a global sustainability index](#)
BENTONVILLE, ARK. □ Wal-Mart Stores, Inc. announced it is developing a global sustainable product index that will establish a single source of data for evaluating the sustainability of consumer goods products.
- 08/31/09 [Cap-and-trade concept takes center stage](#)
The Senate Committee on Agriculture, Nutrition and Forestry plunged into the climate change debate taking testimony from administration officials and representatives of farm organizations during a July 22 hearing on the role of agriculture in global warming legislation.



Supported on
PLATFORM
Making Sense of Compliance

NCMS

COMPLIANCE ASSISTANCE CENTERS

Search FPEAC:
Google
Search
 The Web
 This Site

For More Information

Superfund, TRI, EPCRA, RMP & Oil Information Center - The Information Center can also answer questions related to Clean Air Act section 112(r) and RMP reporting requirements.

(800) 424-9346 or TDD (800) 553-7672
(703) 412-9810 or TDD (703) 412-3323
in the Washington, D.C. area
Normal Hours of Operation:
Monday - Thursday 10:00 a.m. - 3:00 p.m. Eastern Time
Extended Hours of Operation (May, June, and July):
Monday - Friday 9:00 a.m. - 5:00 p.m. Eastern Time
Closed Federal Holidays

<http://www.epa.gov/superfund/contacts/infocenter/>

Risk Management Program (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 (phone)
RMPRC@epa.cdx.net (e-mail)

This newsletter provides information on the EPA Risk Management Program, EPCRA, SPCC/FRP 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.

The National Food Processing Environmental Assistance Center (FPEAC) is now available to food processors and to the public at <http://www.fpeac.org>. FPEAC is sponsored by the US EPA and created by Purdue University. The Center contains federal and state regulations and publications aimed at helping processors address environmental issues related to their businesses.

RMP: De-Registering a Facility

Changes may occur at your facility that make it no longer subject to the RMP regulations at 40 CFR 68 (e.g. you replace the regulated substances in your process with unregulated substances or reduce the inventory below the threshold amount.) In that event, you should submit a letter to the RMP Reporting Center within six months and include the effective date of the de-registration (the date

on which you facility was no longer covered by the RMP regulation). The letter should be signed by the owner or operator and include your RMP Facility ID number (the 12-digit ID number assigned by EPA).

You can print a de-registration form, [RMP*eSubmit Users' Manual Appendix E \(PDF\) \(44 pp, 403K\)](#). For more detailed information see the [RMP*eSubmit Users' Manual Chapter 5 \(PDF\) \(121 pp, 2.7MB\)](#).

Remember to include the 12-digit EPA Facility Identification number (usually beginning with 1000) that was assigned to your facility. The EPA Facility ID was given to you in the notification letter you received from the RMP Reporting Center regarding the submission status of your RMP. You should keep a record of your Facility ID number upon de-registering.