A CHECKLIST FOR SUBMITTING YOUR RISK MANAGEMENT PLAN (RMP) FOR CHEMICAL ACCIDENT PREVENTION

In 1996, EPA established a list of substances regulated for risk of accidental release and issued rules for the prevention and mitigation of accidental releases of those substances under section 112(r) of the Clean Air Act. Facilities covered by the regulations are required to implement a risk management program and submit a description of the program (called a risk management plan, or RMP) to EPA. RMPs must be updated at least once every five years, and many covered facilities must update their RMPs in 2009. This fact sheet provides important information about 2009 submissions and a checklist to consider in preparing and resubmitting a 5-year update. It is important that owners, operators, plant managers, and others responsible for RMP implementation review this information and take appropriate steps to update their RMPs.

WHAT IS THE 5-YEAR UPDATE REQUIREMENT?

If you are the owner or operator of an RMP facility, EPA's Chemical Accident Prevention regulations at 40 CFR part 68 require that you fully update and resubmit your RMP at least once every 5 years. If certain process changes described in 40 CFR §68.190 occur at your facility prior to the 5-year anniversary of your RMP, you must update and resubmit your RMP. The 5-year anniversary date is reset whenever you fully update and resubmit your RMP.

Your 5-year anniversary date is calculated as 5 years from the postmark date of your most recent submission. This date is provided in the letter that EPA sent to you acknowledging receipt of your most current RMP. If you need help determining your 5-year anniversary date, you can call the RMP Reporting Center for assistance.

ARE THERE ANY CHANGES IN REPORTING FOR 2009?

In March 2009, EPA launched RMP*eSubmit, a Web-based system that allows facilities to securely submit and make corrections to their RMPs. Facilities are encouraged to use the new RMP*eSubmit system because it is easy to use, will improve data quality, and will enable you to access your RMP 24 hours a day, 7 days a week. Information from previous RMPs will be imported into the RMP*eSubmit system to help facilities with their resubmissions. *The data requirements have not changed.*

EPA will phase-out the "RMP*Submit" software in late 2009.

To use RMP*eSubmit you must have the following:
- Internet access,
- JavaScript enabled Internet browser,
- Central Data Exchange (CDX) account.

HOW DO I SET UP AN ACCOUNT?

Important Definitions:

Central Data Exchange (CDX) is a secure, on-line location on EPA's network. CDX provides standardized and secure information collection services and infrastructure for EPA program partners. For example, CDX manages several Agency regulatory and monitoring programs, receiving submissions from facilities. Once you set up your CDX account, you will immediately be able to access your RMP through CDX.

Certifiers/Certifying Officials are facility owners or operators who must certify the accuracy and completeness of the information reported in the RMP. They have signed and submitted a one-time Electronic Signature Agreement (ESA) to the EPA. The ESA legally binds the Certifier's electronic submission to their signature. Only Certifiers can submit the RMP.

Preparers have been granted permission by a facility to access the facility's existing RMP. They prepare data for a new or updated RMP. A Certifier may also be the Preparer of an RMP, or they may choose to delegate the responsibility to a specific individual. CDX notifies the Certifier when the new or corrected RMP is ready for the Certifier's review and submission. A delegated Preparer cannot submit the RMP.

Before you begin you will need:
- Your facility name, location, mailing address, and basic contact information (including e-mail address).
- Your facility identifier (facility ID #) which can be found in the letter that EPA sent to you acknowledging receipt of your most current RMP. NOTE: If this is the first time an RMP is being submitted for your facility you do not need a facility ID #.

Step 1: Register the Certifying Official in CDX
- ✓ To use RMP*eSubmit, the Certifying Official must have a CDX account.
- ✓ To register with CDX, go to http://cdx.epa.gov, and complete the registration process for a Risk Management Plan "Certifying Official." (See EPA's RMP*eSubmit Users' Manual at http://www.epa.gov/emergencies/content/rmp/rmp_esubmit.htm for detailed instructions).

Step 2: Complete the Electronic Signature Agreement (ESA) and mail it to EPA
The electronic signature is used to verify that the Certifying Official reviewed and submitted the RMP in the RMP*eSubmit system.
- ✓ You will complete the ESA at the time you initially register in CDX, or, if you already had a CDX account, at the time you add RMP*eSubmit access to your CDX account profile.
- ✓ CDX will guide you through the process of completing and submitting your ESA. You will need your Facility ID #, unless this is the first time an RMP is being submitted for your facility. If this is a first-time submission, CDX will prompt you to type in the name and address of the facility in place of the facility ID #. You will receive a facility ID # via e-mail after you have signed and submitted your ESA.

Print all pages of the ESA. Sign the ESA and mail it to EPA's RMP Reporting Center, P.O. Box 1515, Lanham-Seabrook, Maryland 20703-1515
- ✓ The RMP Reporting Center will review and process the ESA, and send an e-mail to the Certifying Official indicating that the electronic signature has been received and approved.
  - o NOTE: The e-mail will also include a unique Authorization Code. This Authorization Code will be used by an RMP "Preparer" that you assign to enter data in RMP*eSubmit for your facility.

Step 3: Register the "Preparer" and activate RMP*eSubmit access in CDX
- ✓ If the Certifying Official is also the Preparer: log into CDX, add "Preparer" to your profile, and enter your Unique Authorization Code.
- ✓ If the Certifying Official designates someone else as the Preparer, please provide that designee with the Authorization Code for your facility. Preparers will be required to provide this information when registering and activating their RMP*eSubmit access in CDX.

WHAT ARE THE SUBMISSION AND RESUBMISSION REQUIREMENTS?

For your submission and/or resubmission, you are required to review all nine sections of your RMP, update as appropriate, and certify that the entire updated RMP is true, accurate, and complete. The following is a checklist of some key elements in your RMP that you should review for your resubmission.

Section 1: Registration Information

- ✓ **Review your registration information and make any necessary corrections to ensure that it is up-to-date.** Remember that your "facility location address" is the physical location where regulated substances are present. The "facility location address" cannot be a post office or rural box number. Also, remember that your "mailing address" is the address that EPA will use for sending all non-electronic correspondence.

- ✓ **Verify your latitude and longitude coordinates.** Latitude and longitude coordinates were reported incorrectly in many RMPs. The latitude and longitude of your facility can be determined in several different ways, including through the use of global positioning system (GPS) receivers, U.S. Geological Survey (USGS) topographic maps (http://mac.usgs.gov/maplists/index.html), and Web-based siting tools. EPA maintains a Web-based siting tool as part of the Toxic Release Inventory (TRI) program at: http://www.epa.gov/tri/report/siting_tool/index.htm. The tool combines interactive maps and aerial photography to help users get latitude and longitude coordinates (in degrees, minutes, and seconds) of their sites. Several commercial Web sites also have siting tools, such as, Geocode.com (http://www.geocode.com/) the Latitude Longitude Position Finder (http://www.juggling.org/bin/un.cgi/map-find), and Satellite Signals (http://www.satsig.net/maps/lat-long-finder.htm). The RMP*eSubmit Users' Manual describes the use of these tools in more detail.

    Additionally, LandView® (version 5 or 6) can be used to determine latitude and longitude. LandView® has the added benefit that it also contains the Census 2000 data. LandView® is available for purchase from the U.S. Census Bureau at http://landview.census.gov.

- ✓ **Check Your North American Industry Classification System (NAICS) code to make sure your covered process(es) are coded correctly.** The Census Bureau maintains a Web site with a list of the 2002 NAICS Codes* (http://www.census.gov/epcd/naics02/naicod02.htm) and a list of the correspondence between the NAICS 1997and NAICS 2002 codes (http://www.census.gov/epcd/naics02).

    *NOTE: RMP*eSubmit will be updated to include the 2007 NAICS Codes in the near future.

Sections 2 – 5: Worst Case and Alternate Release Scenarios

✓ **Review and update your offsite consequence analysis (OCA) at least once every 5 years.** Under the regulations, you are required to review and update your offsite consequence analysis (OCA) at least once every five years (40 CFR §68.36). You should review your documentation to determine whether the parameters and assumptions used in the analysis are still valid and make changes as appropriate. The results of this review should be documented and maintained as part of your RMP records. Any changes to the scenarios resulting from this review, including changes in the distance-to-endpoint(s), should be reported in your resubmission.

✓ **In your OCA, use current data to estimate population.** You should review the data used to estimate population and environmental receptors and update that information as appropriate. You may have used Census data to estimate the residential population within the distance to endpoint. If so, you should update this estimate based on the latest Census data. The 2000 Census data can be found in publications of the U.S. Census Bureau. These publications, including the *County and City Data Book: 2000* (www.census.gov/prod/www/ccdb.html), are available on the Census Bureau Web site (www.census.gov) and in public libraries.

Additionally, two Census products are available that facilitate calculation of the population within the relevant geographical areas for OCA analysis (i.e., within the circle defined by the distance-to-endpoint for your worst-case and alternative release scenarios). The first is LandView® (version 5 or 6). Information about obtaining LandView® can be found on the Census Web site at http://landview.census.gov. The other product is the Census 2000 Summary File 1. Information about the Census 2000 Summary File can be found at: http://ww.census.gov/prod/2003pubs/prodpr02-2.pdf.

Section 6: Accident History

✓ **Update your 5-year accident history.** You must update your accident history to include any accidental releases that occurred over the past five years from a covered process and resulted in deaths, injuries, or significant property damage on site, or known off-site deaths, injuries, evacuations, sheltering in place, property damage, or environmental damage. You may remove from your accident history any accident that occurred more than 5 years ago.

Sections 7 and 8: Prevention Program

✓ **For Program 2 and Program 3, report the most recent dates of your prevention program activities in your resubmission.**

Section 9: Emergency Response

✓ **Report the dates of your most recent review of your emergency response program and most recent training in your resubmission.**

SOME THINGS TO REMEMBER

The regulations require you to periodically implement or review several aspects of your prevention and emergency response programs. You should ensure that you are up-to-date with implementation of these requirements. You should reflect the most recent information for your prevention and emergency response programs in your RMP update. For example, you should report the date of your most recent hazard review/process hazard analysis update, and the completion date for any changes resulting from the hazard review/process hazard analysis update, in your resubmission. The following highlights some of these recurring requirements:

Prevention Program

- **For Program 2, review and update your hazard review at least once every 5 years.** If your process is designated as Program 2, you are required to review and update your hazard review at least once every five years (40 CFR §68.50). The review and any updates of the hazard review, as well as resolution of any problems identified, must be documented.

- **For Program 3, update and revalidate your process hazard analysis (PHA) at least once every 5 years.** If your process is designated as Program 3, you are required to update and revalidate your process hazard analysis (PHA) at least once every five years (40 CFR §68.67) to assure that your PHA is consistent with the current process. This update and revalidation must be conducted by a team.

  To update and revalidate your PHA, you should evaluate your current process hazard analysis for accuracy and completeness. This evaluation should include checking that all modifications to your process are reflected in the PHA ; evaluating the process safety information to ensure that it is complete, current, and accurate; verifying that operating procedures are adequate, up-to-date, and implemented; documenting that any PHA recommendations have been incorporated into equipment design, process conditions, mechanical integrity, operating procedures, training, and emergency response; verifying that recommendations have been implemented; and reviewing incident investigation reports. Updated and revalidated PHAs completed to comply with OSHA's Process Safety Management Standard (29 CFR §1910.119(e)) are acceptable to meet this requirement, provided that they also consider offsite consequences.

  The revalidation and any updates of the process hazard analyses, as well as resolution of any recommendations, must be documented. This documentation must be retained as part of your RMP records for the life of the process.

- **For Program 2 and Program 3 processes, verify that you have carried out any recurring prevention program implementation requirements.** The regulations require several aspects of your prevention program to be periodically implemented or reviewed. These are some reminders about your prevention program activities:
  - Training in operating procedures (40 CFR §§68.54 and 68.71): For both Program 2 and 3, you are required to provide refresher training in operating procedures at least every three years, and more often if necessary.
  - Compliance audits (40 CFR §§68.58 and 68.79): For both Program 2 and 3, you are required to audit your procedures and practices for compliance with the regulations at least every three years to verify their adequacy and implementation.
  - Maintenance (40 CFR §68.56): For both Program 2 and 3, you are required to inspect and test your process equipment according to the schedule that you have established based on good engineering practices.

- o Operating procedures (40 CFR §68.89): For Program 3 only, you are required to certify annually that your operating procedures are current and accurate.
- o Management of change (40 CFR §68.75): For Program 3 only, you are required to update your process safety information and your procedures and practices for a covered process in the event of any change to the process chemicals, technology, equipment, or procedures.

Emergency Response Program
You are required to periodically review and update, as appropriate, your emergency response program and to notify your employees of any changes to your emergency response plan (40 CFR §68.95). You should verify that your facility is currently included in the community emergency response plan and you should also review and update your procedures for notifying emergency responders in an emergency.

WHAT EPA RESOURCES ARE AVAILABLE ON THE WEB?

RMP Guidance
http://www.epa.gov/emergencies/content/rmp/rmp_guidance.htm#General

Industry-Specific RMP Guidance
http://www.epa.gov/emergencies/guidance.htm

Offsite Consequence Analysis (OCA) Guidance
http://www.epa.gov/emergencies/content/rmp/rmp_guidance.htm#OCA

RMP*eSubmit
http://www.epa.gov/emergencies/content/rmp/index.htm#preparing

Frequently Asked Questions (FAQs) about RMP
http://www.epa.gov/emergencies/content/rmp/caa_faqs.htm

Chemical Accident Prevention Provisions 40 CFR Part 68
http://www.epa.gov/emergencies/lawsregs.htm

TRI Facility Siting Tool
http://www.epa.gov/tri/report/siting_tool/index.htm

LandView®
http://landview.census.gov

WHAT NON-EPA RESOURCES ARE AVAILABLE ON THE WEB?

2002 NAICS Codes (Census Bureau)**
http://www.census.gov/epcd/naics02/naicod02.htm

**NOTE: RMP*eSubmit will be updated to include the 2007 NAICS Codes in the near future.

Census 2000 Summary File
www.census.gov/prod/2003pubs/prodpr02-2.pdf

County and City Data Book: 2000 (Census Bureau)
http://www.census.gov/prod/www/ccdb.html

Geocode.com
http://www.geocode.com

Process Safety Management (OSHA)
http://www.osha.gov/SLTC/processsafetymanagement

Latitude Longitude Position Finder
http://www.juggling.org/bin/un.cgi/map-find

Satellite Signals
http://www.satsig.net/maps/lat-long-finder.htm

WHERE DO YOU GO FOR HELP?

RMP Questions: Under Clean Air Act §112, states can choose to take delegation of the RMP program. If they do, they become the implementing agency for that state (http://www.epa.gov/emergencies/content/caa112r/112r-sts.htm). In delegated states, you may contact your state implementing agency for assistance. In all other states, your EPA regional office is the implementing agency for your state and you may contact them for assistance. We maintain current phone numbers for state and EPA regional contacts on our Web site at: http://www.epa.gov/emergencies/where_you_live.htm.

You can also call the toll free RCRA, Superfund & EPCRA Call Center:

Phone: **800-424-9346** or **703-412-9810** (Metro DC area callers please use this number)
TDD: **800-553-7672** or **703-412-3323** (Metro DC area callers please use this number)
When: Monday – Thursday, 10:00 a.m. – 3:30 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

RMP*eSubmit Software Support: For software questions, contact the RMP Reporting Center:

Phone: **301-429-5018**
When: Monday – Friday, 8:00 a.m. – 4:30 p.m. Eastern Time
Closed Federal Holidays
E-mail: userrmp.usersupport@epcra.org

HOW CAN YOU RECEIVE RMP PROGRAM UPDATES FROM EPA BY E-MAIL?

You can receive periodic updates about the RMP program and other aspects of prevention, preparedness and emergency response through our listserv. To subscribe, send an e-mail to: lyris@lists.epa.gov and include the words: subscribe EPA-CEPP your_name in the body of the message. Replace "your_name" with your first and last names.