

01 April 2004

**Reference: Customer Advisory – 01**

**Re: EPA Risk Management Plan Update and Resubmission**

To Our Customers:

In 1999, over 14,000 industrial sites in the United States submitted Risk Management Plans (RMPs) to the US Environmental Protection Agency pursuant to the requirements of the 1990 Clean Air Act Amendments (CAAA). This law required facilities that contain any one of over 140 listed toxic or flammable chemicals in excess of threshold quantities to develop a Risk Management Program. The intent of the program is to prevent accidental releases of hazardous material and minimize any associated adverse impact to the public or the environment.

**Resubmission**

Most facilities are required to update their RMP and resubmit it to EPA no later than five years after the initial submission, which for many facilities will be on or before June 21, 2004. The EPA Risk Management Program rule (40 CFR Part 68) has already had a significant impact on industrial sites that handle any of the listed, regulated substances. And now, because EPA is proposing to change the format and content of the RMP submission, re-submission of the Risk Management Plan will not be a trivial task.

**Do I need to Resubmit?**

In a word, yes. In addition, due to the number of changes proposed by EPA, a thorough revision will be necessary. Resubmission will not be a trivial task. Here are some of the most significant changes that may affect your plan:

- ✓ Process modifications that resulted in increases (or decreases) in the quantity of a listed chemical. These may affect the distances to your site's worst-case scenario or alternative-release scenarios that were submitted in the original RMP.
- ✓ New data elements in the RMP submission form including: additional emergency contact information, the reason for RMP re-submission, and contractor information.

- ✓ Revisions to the RMP submission format such as modifications to the executive summary content and an indication of an uncontrolled or runaway chemical reaction in the RMP five-year accident history.
- ✓ Information pertaining to new or revised Process Hazards Analysis (PHA) studies.
- ✓ Changes in population around your plant as reflected in the year 2000 census data.
- ✓ Changes in safety information contained in the plan such as dates of recent audits, emergency preparedness drills and inspections.

You may find that updating the RMP is a time-consuming and burdensome project, especially if you need to revise off-site consequence analysis modeling or re-calculate the number of residents within your site's worst-case scenario zone of potential impact.

### **Our Team is here to Help**

We provide our customers with a full complement of safety solutions to ensure regulatory compliance and engineered safety. Our staff has consulted with companies in the chemical, pharmaceutical and petroleum industries to develop over 100 Risk Management Plans that have been submitted to EPA. We have extensive expertise in applying EPA-approved models for evaluating off-site consequences such as fires or explosions or toxic gas dispersion. We even have conducted audits to ensure compliance with the OSHA PSM Standard (29 CFR 1910.119) and the EPA RMP Rule. Our expertise provides you with a trusted resource to ensure that your RMP submission is done properly and in an efficient manner. In fact, we typically need only a few days to compile your site's data, to rerun off-site consequence models, and to generate the information needed to re-submit your plan.

Sincerely,

Kevin J. Mitchell  
Vice President, Kenexis

### **Disclaimer:**

This customer advisory provides information of a general nature concerning some industry practices involving engineered safeguards. These should not be taken as typical, suggested, or recommended levels of protection. The application of engineered safeguards is highly dependent on process-specific and site-specific factors that have a great deal of influence on the actual degree of hazard control strategy. Neither Kenexis nor its corporate officers make any representations, warranties, or guarantees concerning the content of this document.