



EPA Region 10 CAA 112(r) Update

Vol. 2 No. 1
Jan./Feb. 1998

Latest News on the Accidental Release Prevention Requirements of the Clean Air Act

INSIDE

EPA TO HOST INT'L HAZ. MATERIAL SPILLS CONFERENCE IN CHICAGO, APRIL 5 - 9, 1998
..... 1

Public and Environmental Receptor Q & A's 1

RMP Course Reminder 4

Ammonium Nitrate Alert Published
..... 4

EPA TO HOST INT'L HAZ. MATERIAL SPILLS CONFERENCE IN CHICAGO, APRIL 5 - 9, 1998

U.S. Environmental Protection Agency (EPA) Region 5 will host the 14th International Hazardous Material Spills Conference at Chicago's Palmer House Hilton Hotel, April 5-9, 1998. The biannual conference includes technical and skills-training sessions, current case-study presentations, plus an exhibition area and unique special events.

The 1998 conference marks the first time in a decade that EPA Region 5 has hosted the event. Emergency response professionals from North America and around the world are expected to attend.

The conference, whose theme is "Risk Management: Closing the Loop," offers extensive skills-training and career development opportunities for people in all facets of the public safety, contingency planning, and emergency response professions.

More than 30 sessions will be offered during the 5-day event. Topics include: risk management planning for State and local emergency response commissions, OSHA 8-hour awareness training, managing abandoned vessels and barges, coordinating operations during a terrorist event, responses in harsh weather conditions, and hands-on training on current software applications.

A number of case studies will also be presented, ranging from flood responses in southwestern Idaho and a panel discussion on a train derailment in Ohio to an inside look at EPA's response to methyl parathion ("cotton poison") misuse in Chicago and Lorain, OH.

Special events include: a tour of the Chicago Fire Department Academy, and an outdoor exhibition of emergency response vehicles and equipment in

downtown Chicago's Federal Plaza.

For registration details via internet, <http://www.nrt.org/nrt/hazmat98.nsf>, or contact: Tom Crane, Great Lakes Commission, Argus II Building, 400 4th Street, Ann Arbor, MI, 48103-4816; phone 313-665-9135; fax 313-665-4370. Early registration rates expire March 5, 1998. When making reservations at the Palmer House Hilton (800-HILTONS), ask for the special "Hazmat Spills Conference" rates.

Exhibition details are also available via internet, or contact: Joanne Dobrick, 2300 North Clybourn, Suite 15, Chicago, IL 60614; 773-348-3960, fax 773-348-6632.

Public and Environmental Receptor Q & A's

Question: A facility performed a worst-case release scenario and determined that there are no public receptors within the endpoints. There are several residences located just outside the endpoint. In reviewing the five year accident history, there were several releases of a regulated substance, in which the residences were notified by the facility of the releases and informed they should shelter-in-place. Do these releases disqualify the facility from being a Program 1 facility?

Answer: No, these releases do not disqualify the facility from Program 1 eligibility. Evacuations and sheltering-in-place were not included in the eligibility for Program 1 because EPA was concerned that they could create a disincentive to report releases and might encourage sources and local emergency officials to take more chances

EPA Region 10 CAA 112(r) Update

EPA Region 10, WA Ops Office

The Update is a monthly newsletter on issues relating to the Accidental Release Prevention Requirements of the Clean Air Act.

To automatically receive a copy via the post or E-mail, send a message to hoff.melanie@epamail.epa.gov or call Melanie Hoff at 360-753-9477

during an event when there may be potential exposures that do not rise to the endpoint specified in this rule but would otherwise be worthy of precautionary actions by the source or by local officials.

If local emergency planners, first responders or the public have concerns about processes in Program 1 because of a past evacuation or sheltering-in-place event, then mechanisms under EPCRA could be used to gather more information from the source about its prevention program (such as EPCRA sections 302(b)(2) [designation of a facility if it does not already handle extremely hazardous substances listed under section 302] and 303(d)(3) [provision of information to the emergency planning committee]) and involve the source in emergency planning. Sources and local first responders should be discussing evacuation and sheltering-in-place criteria and decisions as part of emergency response planning (61 FR 31675-6; June 20, 1996). (CAA Q&A Database, July 1997)

Question: A process covered under 40 CFR Part 68 is eligible for Program 1 requirements if it meets all of the criteria listed at 40 CFR §68.10(b). One of those criteria is that the distance to a toxic or flammable endpoint for a worst-case release assessment is less than the distance to any public receptor. Are roads covered as "public receptors"?

Answer: No. Public receptor is defined at 40 CFR §68.3 to include "offsite residences, institutions (e.g., schools, hospitals), industrial, commercial, and office buildings, parks, or recreational areas inhabited or occupied by the public at any time without restriction by the stationary source where members of the public could be exposed to toxic concentrations, radiant heat, or overpressure, as a result of an accidental release." Roads are not included as public receptors. Another criterion for Program 1 eligibility, however, is the requirement that emergency response procedures have been coordinated between the stationary source and local emergency planning and response organizations (40 CFR §68.10(b)(3)). Although roads surrounding a stationary source need not be addressed as public receptors, they should be considered when coordinating with emergency planners and responders. (CAA Q&A Database, January 1997)

Question: When analyzing off-site consequences for the purpose of a worst-case or alternative release scenario under the risk management program regulations (40 CFR Part 68), are areas occupied solely by employees at the source considered to be public receptors?

Answer: No. Such areas at the stationary source are not to be included as public receptors. (CAA Q&A Database, May 1997)

Question: A process covered under 40 CFR Part 68 is eligible for Program 1 requirements if it meets all of the criteria listed at 40 CFR §68.10(b). One of those criteria is that the distance to a toxic or flammable endpoint for a worst-case release assessment is less than the distance to any public receptor. Are areas to which hunters and fishermen have access considered "public receptors"?

Answer: Yes, except as noted below. The definition of "public receptor" at 40 CFR §68.3 includes "areas ... occupied by the public at any time without restriction by the stationary source where members of the public could be exposed to toxic concentrations, radiant heat, or overpressure, as a result of an accidental release." The "public" is defined in 40 CFR §68.3 as including any person other than employees of the stationary source and contractors on-site. Therefore, unless the hunters or fishermen are employees of the stationary source or contractors on-site, such persons would be members of the public for purposes of 40 CFR §68 and areas to which they have unrestricted access would be public receptors. (CAA Q&A Database, May 1997)

Question: A process covered under 40 CFR Part 68 is eligible for Program 1 requirements if it meets all of the criteria listed at 40 CFR §68.10(b). One of those criteria is that the distance to a toxic or flammable endpoint for a worst-case release assessment is less than the distance to any public receptor. If a stationary source has a baseball field on site to which non-employees have unrestricted access, does that field constitute a "public receptor"?

Answer: Public receptor is defined at 40 CFR §68.3 to include "offsite residences, institutions (e.g., schools, hospitals), industrial, commercial, and office buildings, parks, or recreational areas inhabited or occupied by the public at any time without restriction by the stationary source where members of the public could be exposed to toxic concentrations, radiant heat, or overpressure, as a result of an accidental release." Areas within a facility boundary are considered "offsite" if the public has routine and unrestricted access during or outside normal business hours (40 CFR 68.3).

A baseball field to which the public has unrestricted access is therefore considered to be a public receptor if people using the field could be exposed to toxic concentrations, radiant heat, or overpressure as a result of an accidental release.

(CAA Q&A Database, July 1997)

Question: The Risk Management Program rule requires owners or operators of covered processes to define in the risk management plan (RMP) the potential offsite public and environmental receptors within the impact range of identified worst case and alternative release scenarios. What is the definition of "environmental receptor"? What data sources are acceptable for identification of environmental receptors?

Answer: "Environmental receptor" is defined at 40 CFR §68.3 as "natural areas such as national or state parks, forests, or monuments; officially designated wildlife sanctuaries, preserves, refuges, or areas; and Federal wilderness areas" which could be exposed to an accidental release. A stationary source owner or operator may rely on information provided on local U.S. Geological Survey maps or on any data source containing U.S.G.S. data to identify these environmental receptors (61 FR 31720; June 20, 1996). Habitats of endangered and threatened species are not included in the definition of "environmental receptor" because information about the locations of these habitats is often not publicly accessible. Natural resource agencies will have access to submitted RMPs, and will be able to raise concerns with local officials about potential harm to critical habitats, as necessary. EPA hopes that potentially affected environmental receptors that are not specifically included will become the subject of dialogue on environmental risks between stationary sources and the environmental community.

(CAA Q&A Database, September 6, 1996)

Question: Are wetlands included in the definition of "environmental receptors"?

Answer: No. EPA has defined environmental receptors as natural or state parks, forests, or monuments; officially designated wildlife sanctuaries, preserves, refuges, or areas; and Federal wilderness areas, that are easily identified on local U.S. Geological survey maps (40 CFR §68.3). Therefore, wetlands would not be reported in the hazard assessment under 40 CFR §68.33. However, under the five-year accident history at 40 CFR §68.42 any known damage to a wetland would be reported as environmental damage. (CAA Q&A Database, May 1997)

Question: A process covered under 40 CFR Part 68 is eligible for Program 1 requirements if it meets all of the criteria listed at 40 CFR §68.10(b). One of those criteria is that the distance to a toxic or flammable endpoint for a worst-case release assessment is less than the distance to any public receptor. Are rivers that are used for recreation covered as "public receptors"?

Answer: The final rule defines public receptor to mean "offsite residences, institutions (e.g. schools, hospitals), industrial, commercial, and office buildings, parks, or recreational areas inhabited or occupied by the public at any time without restriction by the stationary source where members of the public could be exposed to toxic concentrations, radiant heat, or overpressure, as a result of an accidental release" (40 CFR §68.3). A river would be included in this definition since it is likely to be used for recreational purposes where members of the public may be present.

(CAA Q&A Database, May 1997)

Question: For the worst-case and alternative release scenarios of an underground storage tank, should I consider any impact on groundwater, drinking water or soil?

Answer: No. As part of the worst-case and alternative release scenarios, you need to define the offsite impacts to the environment (40 CFR §68.33) by listing the environmental receptors that are within your impact zone. "Environmental receptor" is defined at 40 CFR §68.3 as "natural areas such as national or state parks, forests, or monuments; officially designated wildlife sanctuaries, preserves, refuges, or areas; and Federal wilderness areas" which could be exposed to an accidental release. You only need to list the environmental receptors, not speculate what specific damage could occur as a result of an accidental release.

You should, however, consider impacts on groundwater, drinking water or soil in both the accident history for Program 1 eligibility criterion (40 CFR §68.10(b)(1)) and the five-year accident history required as part of the hazard assessment (40 CFR §68.42). For Program 1 eligibility, you

must not have had an accidental release of a regulated substance in the past five years that caused any "response or restoration activities for an exposure of an environmental receptor." An accidental release that led to response or restoration of soil or groundwater of an environmental receptor, such as a park, would make a process ineligible for Program 1. For the hazard assessment five-year accident history, environmental damage is not limited to the

defined environmental receptors. Events where there is any known environmental impact of any kind (e.g. fish or animal kills, lawn, shrub, or crop damage) must be included in the history (61 FR 31710; June 20, 1996). Therefore, any known damage to groundwater or soil must be reported in the five-year accident history.
(CAA Q&A Database, July 1997)

RMP Course Reminder

The one-day Risk Management Programs course covers the following:

- Risk management programs regulations
- Hazard analysis techniques using EPA's RMP Offsite Consequence Analysis Guidance
- Release prevention and emergency response activities
- Risk management plan (RMP) data elements

This course is intended for Federal, State and local personnel, government facilities personnel (ie. water treatment plant employees, etc.), SERC and LEPC members, and local emergency management and response personnel.

The course is provided free of charge to Federal, State and local governmental personnel (including SERC and LEPC members). Private industry personnel are allowed to attend, but, only on a space available basis. Private industry attendees will be charged a fee of \$125.00 for the course. This fee is paid directly to the EPA.

If you are interested in attending a course or scheduling one in your area, call Melanie Hoff (see sidebar) and leave your fax number to receive registration materials. To date courses are scheduled in the following locations:

February 18/19	Boise, ID
March 9	Seattle, WA
April 21	Spokane, WA
April 22	Tri-Cities area, WA
April 23	Juneau, AK
May 4	Anchorage, AK
May 6	Olympia, WA
May 8	Portland, OR

Ammonium Nitrate Alert Published

The Environmental Protection Agency (EPA) is issuing this Alert as part of its ongoing effort to protect human health and the environment. EPA is striving to learn the causes and contributing factors associated with chemical accidents and to prevent their recurrence. Major chemical accidents cannot be prevented solely through command and control regulatory requirements but by understanding the fundamental root causes, widely disseminating the lessons learned, and integrating these lessons learned into safe operations. EPA will publish Alerts to increase awareness of possible hazards. It is important that facilities, SERCs, LEPCs, emergency responders and others review this information and take appropriate steps to minimize risk.

Ammonium nitrate primarily is used as a fertilizer; it also is used widely with additives as a blasting agent. Millions of tons of this chemical are produced annually throughout the world and handled without incident. According to scientific literature, ammonium nitrate is a strong oxidizer and a relatively stable explosive. Ammonium nitrate can be exploded under certain conditions. These must include added energy (heat, shock), especially under conditions of confinement or presence of contaminants. In a 1994 accident, ammonium nitrate solution exploded during a manufacturing process, causing a number of deaths and injuries. EPA has issued published an Alert to highlight the problems associated with handling ammonium nitrate, increase hazard awareness, identify process safety actions for hazard reduction, and provide a list of information resources. *CONTACT THE EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW HOTLINE (800) 424-9346 OR (703) 412-9810 TDD (800) 553-7672 MONDAY-FRIDAY, 9 AM TO 6 PM, EASTERN TIME or VISIT THE CEPPPO HOME PAGE ON THE WORLD WIDE WEB AT: <http://www.epa.gov/swercepp/>* to obtain a copy of the alert.