



# Region 8 Emergency Preparedness Newsletter

Volume XI No. 4 October 2020 Quarterly Newsletter

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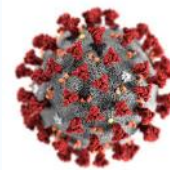
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## Weld County (CO) Tire Fire



WELD COUNTY, Colo. – A fire that started at a tire recycling facility northeast of Fort Lupton the evening of July 23rd, 2020, was contained about five hours after being ignited according to fire officials with the Platteville-Gilcrest Fire Protection District.

According to the news release, over 40 firefighters from a total of 12 agencies

along with other private contractors battled the blaze. Fire officials, along with Weld County Health Department, Weld County Emergency Management and EPA Region 8 were on-scene advising command staff.

On-scene command staff reported using strategies that proved successful in a 1987 fire at this same location for containment. Initial reports about the fire stated equipment caught fire, but officials have yet to determine how the fire started.

The blaze, which could be seen from 30 miles away, created a colossal plume of black smoke that according to reports on social media, left a foul smell for neighbors in the surrounding area.

Crews used bulldozers, loaders and dump trucks to build a berm around the fire and began enclosing the fire with dirt. The containment area encompassed seven cells of tire piles, spanning about 7.5 acres, out of 64 cells at the facility.



## Brownfields to Community Gardens

No one would intentionally grow food in an area that could be polluted. But in many cases, one cannot know if hazardous materials are present by simply looking at a location. Sometimes there may be harmful remnants of past land uses that aren't noticeable, or contaminants can migrate underground from nearby properties and pollute an otherwise clean site.



For example, it is difficult to determine if the soil is clean at this proposed garden site, simply by looking at the surface.

### **Targeted Brownfields Assessments (TBAs)**

The EPA Brownfields Program has a tool for checking the environmental health of properties when reuses are being considered. It is called the Targeted Brownfields Assessment, or TBA, and can be used on proposed community garden sites.

The process is easy. A project sponsor submits a simple TBA request to EPA. EPA promptly follows-up with the requester and EPA's consultants begin to investigate the property within a few weeks. The environmental assessment starts with a detailed look at the history of the property and often includes sampling and testing the soil. Learn about [EPA Region 8 TBAs](#) here.

After samples are collected and analyzed at a certified laboratory, the results are interpreted by an EPA toxicologist, who determines if there are any potential concerns with gardening on the property. The whole process generally takes about three to four months.

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## Brownfields to Community Gardens (cont.)

### TBAs for Community Gardens

Garden plots at the Asian Pacific Development Center in Aurora, Colorado were developed with assistance from Denver Urban Gardens, and also a TBA. The gardens became very popular, and when the Center decided to expand, they asked Denver Urban Gardens to help them develop more plots. Denver Urban Gardens applied for a TBA to check the area where additional gardens were proposed.



The TBA found that surrounding properties include auto repair shops, auto storage areas, a former dry cleaner, a former gas station, and a busy street. These land uses are often associated with soil pollution, such as:

- Metals
- Petroleum products
- Solvents
- Cyanide
- Lead

As a result, it was essential to test the soil and groundwater at the Asian Pacific Development Center.

*Specialists use an auger to collect soil samples at the center*



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## Brownfields to Community Gardens (cont.)

Soil and water sample collection methods vary depending on the sampling plan. A truck-mounted drilling rig is used when the soil is too compact to hand auger.



After all samples were collected at the Asian Pacific Development Center, and sent to a lab and analyzed, an EPA toxicologist reviewed the analysis and concluded that test results were within acceptable ranges.

**Safe to grow!**



# Startup Processes

## A Reminder After COVID-19 Shutdowns

The International Council of Chemical Associations (ICCA) issued advice on the critical nature of restarting and resuming operations after a shutdown after the world experienced disruptions associated with COVID-19 this past spring.

It is "critical" that chemical facilities carry out safety reviews before they resume operations after shutdowns to prevent the spread of COVID-19, according to the ICCA.

"A significant number, likely the majority" of chemical incidents at plants happen during start up, the trade body said in a guidance document released on May 18 to help companies reopen facilities safely. In the U.S., incidents are five times more likely to take place than during normal operations, according to data cited by the ICCA. The pandemic has led to "unique circumstances at many sites" including entire plants being shuttered for weeks. For example, the New York Times reported a [styrene gas leak](#) in India caused at least 11 deaths and hundreds of hospitalizations in early May as a plant tried to restart production after a 44-day shutdown.

In the chemical industry, it is common for individual processes to be shut down for maintenance, inspection or other reasons, the ICCA said. But it is uncommon for an entire plant to be shut down, and even more so for weeks, potentially without staff on-site conducting preventative maintenance and inspections. A safety review can help companies assess any issues that may need to be addressed before restarting the plant, according to the trade body.

Safe restart procedures will vary by operation, but the ICCA outlined four steps that a general approach should follow:

- document the state of operations "as found," such as where chemicals have been stored and their environmental conditions;
- create a startup plan, or revise the existing one based on the current situation;
- review training needs and consider drilling restart procedures with employees; and
- proceed with caution – and consider allocating a dedicated employee to monitor the startup process.

# Changes to the List of Lists

## Changes to the EPCRA, CERCLA, CAA 112(r) Consolidated List of Lists



National Archives and  
Records Administration

### August 2020



A rule was published on July 14, 2020 (85 FR 42311), updating identifiers, formulas, and names for certain Toxics Release Inventory (TRI)-listed chemicals described in the Code of Federal Regulations (CFR). Some of those changes resulted in updates to the List of Lists including:

- Updated inaccurate Chemical Abstracts Service Registry Numbers (CASRN)
- D-trans-Allethrin (CASRN 28434-00-6)
- Phosphorus (yellow or white) (CASRN 12185-10-3)
- Removed most secondary TRI chemical names
- Minor formatting changes such as italicizing prefixes

Section 7321 of the National Defense Authorization Act for Fiscal Year 2020 (P.L. 116-92) (NDAA) added 172 Per- and Polyfluoroalkyl Substances (PFAS) to the TRI chemical list with an effective date of January 1, 2020. Reporting on these chemicals is effective for Reporting Year 2020 so the first reports are due by July 1, 2021, for the 2020 chemical data. These 172 PFAS have been added to the List of Lists as separate tables both alphabetically and in CASRN order.

Additional information is available at: <https://www.epa.gov/toxics-release-inventory-tri-program/addition-certain-pfas-tri-national-defenseauthorization-act>

For more information, you can review the newest version of the [List of Lists August 2020](#).

## NASTTPO Webinars

### 2020 Mid-Year Webinars

Due to the current Coronavirus situation, the 2020 Mid-Year NASTTPO Conference to be held in Houston, TX, has been cancelled. NASTTPO will instead be providing a series of no-cost webinars. All presentations are being recorded and will be available on the Association's website: [www.nasttpo.com](http://www.nasttpo.com). Topics presented included HMEP/CFATS updates, EPA Updates for RMP, EPCRA, AWIA / NOAA Updates on Tier 2 Submit / CAMEO, Commodity Flow Studies.

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# US EPA Office of Mountains, Deserts and Plains



EPA has created a new office titled, *The Office of Mountains, Deserts and Plains*. This office will work with EPA Regions 6, 7, 8, 9 and 10, as well as with the Office of Superfund Remediation and Technology Innovation, the Office of Land and Emergency Management (OLEM) and the Federal Facilities Restoration and Reuse Office to assume EPA's oversight responsibilities for hardrock mining cleanup sites west of the Mississippi River. It will serve as a central contact for other federal agencies, states, and tribes with responsibility for or impacted by these mining sites and develop innovative technologies and adaptive management approaches to address legacy pollution. Additionally, the office will support efforts of conservation organizations to voluntarily undertake projects to improve conditions at abandoned mines (also known as "Good Samaritan" projects).

The new office will consist of between five and nine EPA employees, and OLEM will be seeking to fill the positions shortly. Initially, this office will be located at the Denver Federal Center in Lakewood, Colorado.

Here is a link to a recent OpEd from Administrator Wheeler on the new office:

[https://www.coloradopolitics.com/opinion/the-podium-a-new-office-to-clean-up-old-mines/article\\_bc0cc2ca-eca3-11ea-9ba0-871529355409.html](https://www.coloradopolitics.com/opinion/the-podium-a-new-office-to-clean-up-old-mines/article_bc0cc2ca-eca3-11ea-9ba0-871529355409.html)



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## Regional Response Team Meeting Autumn 2020



The EPA Region 8 Regional Response Team (RRT-8) meeting was held remotely via Microsoft Teams on October 14th and 15th. Speakers included On-Scene Coordinators (OSCs) covering responses in the time of COVID-19. An update to the finalization of the Regional Contingency Plan (RCP) was provided as well as status updates to the Waters of the United States (WOTUS) rulemaking. Lastly, a presentation was provided on the Risk Management Plan (RMP) Reconsideration Rule incorporating the updated requirements. The next RRT-8 meeting is scheduled to be held April 21-22, 2021. For more information, please contact Gina Cristiano, RRT-8 Coordinator, at [Cristiano.Gina@epa.gov](mailto:Cristiano.Gina@epa.gov).

## Emergency Response in the Time of COVID-19

While many of us have had our routines upset during this time, emergencies still occur in a pandemic. The federal government's disaster response workforce is prepared and qualified for deployment to areas in need to immediate assistance and this includes many of our regional EPA staff. At press time, over 25 regional personnel have been deployed to assist in wildfire response and those numbers change daily. Below are just two examples of these deployments.

Steven Merritt, a Public Health Service Officer in the Preparedness and Site Assessment/Oil Program was deployed to California to assist in their COVID-19 response earlier this summer. Here he assisted in setting up COVID-19 testing locations and field hospitals.

Luke Chavez, the Training and Exercise Coordinator in the Preparedness and Site Assessment Section, also deployed (virtually) to assist in the response to several wildfires in California. COVID-19 has presented challenges associated with the safety of deploying to central locations, so certain positions in the Incident Management Team (IMT) determined that expertise could still be useful in a remote setting.



During this deployment, Luke fulfilled the role as Resource Unit Leader in the IMT along with several others from Denver, Dallas and San Francisco. The California Fires 2020 IMT has found a way to support the assessment and cleanup of household hazardous waste (HHW) in several counties in California while working with hundreds of miles from each other and the incident.

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## RMP Reconsideration Final Rule

On December 19, 2019, the Risk Management Program (RMP) Reconsideration final rule was signed to better address potential security risks, regulatory consistency and reasonable consideration of costs. The changes are intended to promote enhanced 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 that EPA believed warranted reconsideration.

Major provisions of the RMP Reconsideration Rule include:

- 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 the requirement to hold a public meeting within 90 days after an accident (only applies the requirement to accidents with offsite impacts).
- Modifies the emergency coordination provisions to address security concerns with the Amendments rule coordination provisions.
- Modifies the exercise provisions to give more flexibility to regulated facilities and local emergency responders in complying with the regulations.
- Modifies some compliance dates to provide necessary time for program changes.

For more information, visit the [RMP Reconsideration Rule Fact Sheet](#) where each change and the rationale behind the decision is discussed. In addition, you can contact Breann Bockstahler, EPA Region 8 RMP Coordinator, at [Bockstahler.Breann@epa.gov](mailto:Bockstahler.Breann@epa.gov).

If you have more questions, be sure to check out the [RMP Reconsideration Final Rule Q&A page](#) for more details.

## RMP Reconsideration Final Rule Q&A

### RMP Reconsideration Rule Compliance Dates

What	Due Date
Public Meetings	Within 90 days of any qualifying accident that occurs after March 15, 2021.
Develop Emergency Response Programs	Within 3 years of owner/operator determining facility is subject to RMP provisions.
Develop exercise plans and schedules	December 2023
Conduct first notification drill	December 2024
Conduct first tabletop exercise	December 2026
Conduct first field exercise	According to the exercise schedule established by the owner/operator in coordination with local response agencies.
Submit RMP with new information elements	The owner/operator would provide new information elements with any initial RMP or RMP resubmission made after December 2024.
Comply with new emergency coordination requirements	Already in effect as of September 21, 2018.
Comply with remaining minor accident prevention provisions	Already in effect as of September 21, 2018.



## Federal Chemical Safety Regulations Webinar Series

### Federal Chemical Safety Regulations Webinar Series

*The Colorado Emergency Preparedness Partnership (CEPP) and the Colorado Emergency Planning Committee (CEPC) invite you to attend a series of FREE webinars on the federal programs that regulate chemical safety.*

Representatives from EPA, OSHA, and DHS/CISA will describe their respective programs, explain reporting requirements, and clarify chemical safety responsibilities of industry. They will also discuss the importance of coordination and cooperation between regulated industry and local emergency planners/public response agencies.

**Target Audience:** Industry regulated by Federal programs (RMP, EPCRA, PSM, CFATS, FRP, SPCC, GHS, HAZWOPER) and local emergency planners, public response agencies, and members of Colorado Local Emergency Planning Committees (LEPCs).

For additional information, please visit the [Chemical Safety Workshops page](#) at the CEPP website.

#### **Federal Regulations 101**

An introductory overview of the federal chemical safety regulations that pertain to regulated industry and how they affect public response agencies. Programs covered included:

EPA: EPCRA, RMP, OPA (SPCC, FRP/GIUEs)

OSHA: PSM, GHS, HAZWOPER

DHS/CISA: CFATS

When: 8:30am – 1:00pm on October 7, 2020 (presentations have been posted on the CEPP site)

#### **Federal Regulations 201**

A focused overview on important updates and changes to specific federal chemical safety regulatory requirements. Programs that will be covered include:

EPA: EPCRA/AWIA amendments, RMP Reconsideration Rule

OSHA: National Emphasis Programs, and Chemical Safety initiatives

DHS/CISA: CFATS Updates and Chemical Security tools

When: 8:30am – 1:00pm on November 18, 2020

#### **What to Expect When You're Inspected**

Inspectors from EPA, OSHA, and DHS/CISA explain what to expect when they come to inspect your facility's operations. Covering pre, during, and post inspection. Take the worry out of the inspection process and get the inside scoop from the experts themselves.

When: 8:30am – 1:00pm on December 8

## Sioux Tribe to Receive \$120,000 for Environmental Emergency Planning

FORT YATES, N.D. – The U.S. Environmental Protection Agency (EPA) announced the selection of Standing Rock Sioux Tribe to receive an award of \$120,000 in Environmental Justice Collaborative Problem-Solving (EJCPS) Agreements for environmental emergency planning. Today's agreement is one of 18 selected community-based organizations nationwide, totaling \$2.1 million in funding distributed this year under EJCPS Cooperative Agreements. EPA anticipates that it will make the award once all legal and administrative requirements are satisfied.

Standing Rock Sioux Tribe will use the funds awarded through EJCPS to build capacity for responding to potential environmental emergencies. The project will focus on the development and improvement of community-based emergency action plans, as well as training for tribal emergency leaders and responders. Key partners in the project include North Dakota Emergency Services, Chief Oilfield Services, LLC, North Dakota Environmental Quality, Standing Rock Department of Environmental Regulations, and EPA.

This year's EJCPS projects include reducing sources of air pollution, reducing lead exposure in homes of low-income residents, and reducing illegal dumping on tribal lands. 88% of this year's recipients are in communities with Opportunity Zones, which were created under the 2017 Tax Cuts and Jobs Act, signed into law by President Trump. Nearly 35 million Americans live in communities designated as Qualified Opportunity Zones. A portion of the Standing Rock Reservation is a Qualified Opportunity Zone.

The EJCPS Cooperative Agreement Program provides funding for non-profit and tribal organizations to partner with stakeholders from across industry, government, and academia to develop and implement solutions that significantly address environmental and/or public health issues in their communities. These projects support local problem solving through the development of sustainable partnerships.

This program provides funds for community driven solutions to local, environmental problems. Qualified Opportunity Zones are census tracts of low-income and distressed communities designated by state governors and certified by the Department of Treasury. These are areas where new investment may be eligible for preferential tax treatment. As of April 2019, there were more than 8,700 designated Qualified Opportunity Zones located in all 50 States, the District of Columbia, and five United States territories.

For a description of all winners nationwide, please visit: <https://www.epa.gov/environmentaljustice/environmental-justice-collaborative-problem-solving-cooperative-agreement-4>

For more information about EPA's Environmental Justice Collaborative Problem-Solving Cooperative Agreement Program, please visit: <https://www.epa.gov/environmental-justice/environmental-justice-collaborative-problem-solving-cooperative-agreement-0>

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# Region 8 Emergency Preparedness COVID-19 Informational Links

As emergency preparedness readers, you are all fully immersed in this pandemic. Thank you for all you have done and continue to do for your community. We have included a few links with helpful information and updates provided by EPA. Please check out these websites which will provide updated information and guidance as it becomes available. They are being updated frequently.

## **EPA**

This website provides key EPA resources on the coronavirus disease (COVID-19):

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

EPA Region 8 began reopening offices using a phased approach beginning in June and is continually monitoring the evolving Coronavirus situation. EPA will follow the recommendations of CDC as well as state and local public health agencies where EPA offices are located.

## **Disinfectants**

Information on EPA acceptable disinfectants to use against the virus:

<https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2>

## **Press Releases**

[EPA press releases concerning Coronavirus](#)

## **Additional Timely Information**

World Health Organization <https://www.who.int/>

Centers for Disease Control <https://www.cdc.gov/>



We will increase EPA Region 8 preparedness through:

- Planning, training, and developing outreach relations with federal agencies, states, tribes, local organizations, and the regulated community.
- Assisting in the development of EPA Region 8 preparedness planning and response capabilities through the RSC, IMT, RRT, OPA, and RMP.
- Working with facilities to reduce accidents and spills through education, inspections, and enforcement.

To contact a member of our Region 8 EPA Preparedness Unit team, review our programs or view our organization chart, click this [link](#).



## Region 8 SERC Contact Information

### Colorado

Mr. Greg Stasinis, Co-Chair  
Phone: 303-692-3023  
greg.stasinis@state.co.us

Mr. Mike Willis, Co-Chair  
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### North Dakota

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### Montana

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### South Dakota

Mr. Dustin Willett, Chair  
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Kelsey.Newling@state.sd.us

### Utah

Mr. Alan Matheson, Co-Chair  
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Mr. Jess Anderson Co-Chair  
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### Wyoming

Ms. Aimee Binning, Chair  
Phone: 307 721-1815  
ABinning@co.albany.wy.us

**RMP Region 8 Reading Room:** (303) 312-6345

**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 5:30 p.m., Monday - Friday: (703) 227-7650 or email [RMPRC@epacdx.net](mailto:RMPRC@epacdx.net).

**RMP:** <https://www.epa.gov/rmp>    **EPCRA:** <https://www.epa.gov/epcra>

**Emergency Response:** <https://www.epa.gov/emergency-response>

[Lists of Lists](#) (Updated August 2020)

**Questions?** Call the Superfund, TRI, EPCRA, RMP, and Oil Information Center at (800) 424-9346 (Monday-Thursday).

**To report an oil or chemical spill, call the National Response Center at (800) 424-8802.**



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*This newsletter provides information on the EPA Risk Management Program, EPCRA, SPCC/FRP (Facility Response Plan) 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*