



**EPA Region 8
Preparedness Unit**

Vol. 1 No. 2

Planning, Prevention, and Preparedness Newsletter

April 2011

Reporting Requirements - Oil Spills and Hazardous Substance Releases



One of EPA's top priorities is to eliminate any danger to the public and the environment posed by hazardous substance releases and oil spills. Did you know that there is a requirement of any person or organization responsible for a release or spill to notify the federal government? This month we have dedicated the bulk of this newsletter to summarize the different federal reporting requirements that exist for oil spills and hazardous substance releases. It is important to know that States may have separate reporting requirements as well, but it is required by responsible parties under certain federal laws that the federal government be notified by calling the **National Response Center (NRC) at (800) 424-8802**. However, if anybody discovers a hazardous substance release or oil spill, EPA encourages the party to contact the federal government as well, regardless of whether they are the responsible party.

What is the National Response Center?

The [National Response Center \(NRC\)](#) is the federal government's national communications center, which is staffed 24 hours a day by U.S. Coast Guard officers and marine science technicians. The NRC is the sole federal point of contact for reporting all hazardous substances and oil spills. The NRC receives all reports of releases involving hazardous substances and oil that trigger the federal notification requirements under several laws.

Reports to the NRC activate the [National Contingency Plan](#) and the federal government's response capabilities. It is the responsibility of the NRC staff to notify the pre-designated On-Scene Coordinator (OSC) assigned to the area of the incident and to collect available information on the size and nature of the release, the facility or vessel involved, and the party(ies) responsible for the release. The NRC maintains reports of all releases and spills in a national database. To access this information, see the [National Response Center: Data Query Page](#).

All it takes is a single telephone call to the [National Response Center](#) at (800) 424-8802.

Oil Spill Reporting:

Because spills of any type of oil may impact the environment, EPA and the regulated community aim to prevent, prepare for, and respond to oils of all types such as:

- [Petroleum-based oils](#), including [crude oils](#) and [refined oils](#)
- [Non-petroleum-based oils](#), including [animal fats and vegetable oils](#)

In addition to the type of oil, the impact of a spill depends on its location.

EPA has established requirements to report spills to navigable waters or adjoining shorelines. EPA has determined that discharges of oil in quantities that may be harmful to public health or the environment include those that:

- Violate applicable water quality standards;
- Cause a film or "sheen" upon, or discoloration of the surface of the water or adjoining shorelines; or
- Cause a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shore lines.

Any person in charge of vessels or facilities that discharge oil in such quantities is required to report the spill to the federal government.

The requirement for reporting oil spills stems from the [Discharge of Oil Regulation](#), known as the "sheen rule." Under this regulation, oil spill reporting **does not depend on the specific amount of oil spilled, but on the presence of a visible sheen created by the spilled oil**. Reporting an oil discharge may also be required under the [Spill Prevention, Control, and Countermeasure \(SPCC\) Rule](#). For more information on reporting oil discharges, please see:

[Oil Discharge Reporting Requirements: How to Report to the National Response Center and EPA \(PDF\)](#) (Cont. Pg. 2)

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Ammonia Leak*



*Pipeline Pg. 5:
Pipeline Incident Database*

REPORT

Need to Report a Possible Environmental Violation?
Fill out the form at www.epa.gov/tips/

Partner Corner

- More localized info? Check out these sites.
- [Montana](#)
- [Wyoming](#)
- [North Dakota](#)
- [South Dakota](#)
- [Utah](#)
- [Colorado](#)
- [Denver](#)

Hazardous Substances: (Cont. from Pg 1)

As an industrialized nation, the United States produces, transports, stores, uses, and disposes of millions of tons of hazardous substances per day. Many of us live and work among a wide variety of hazardous substances, which can be found on trucks, trains, and ships that transport hazardous substances; in industrial production, storage, and use; and in active and abandoned hazardous waste sites. Hazardous substances also are found in many consumer products and services that we use every day. Under normal conditions, these substances are controlled and pose no threat to human life and the environment. But when they enter the environment through an accidental release, they can contaminate the land we use, the water we drink, and the air we breathe, with potentially disastrous results.

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Requirements

[Hazardous substances](#) take many forms, and are defined under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Today, a great deal is known about hazardous substances and their effects; this information helps responders act quickly and safely to reduce the risks from emergency situations.

For releases of hazardous substances, the federal government has established [Superfund Reportable Quantities \(RQs\)](#). If a hazardous substance is released to the environment in an amount that equals or exceeds its RQ, the release must be reported to federal authorities, unless certain [reporting exemptions for hazardous substance releases](#) also apply.

Under CERCLA, also known as the Superfund Law, Congress established an initial reportable quantity or RQ of one pound for Superfund hazardous substances. Congress also required EPA to issue regulations to adjust these initial RQs to more accurately reflect their potential to threaten public health and welfare and the environment. To date, EPA has established or proposed adjustments to the RQs for all of the roughly 800 Superfund substances.

For purposes of establishing reportable quantity (RQ) adjustments under CERCLA, EPA has adopted the five RQ levels of 1, 10, 100, 1,000, and 5,000 pounds originally established pursuant to the Clean Water Act (CWA) section 311. The Agency adopted the CWA five-level system primarily because: (1) it had been successfully used for the CWA; (2) the regulated community was already familiar with these five levels; and (3) it provides a relatively high degree of discrimination among the potential hazards posed by different CERCLA hazardous substances.

For more information on what the reportable quantities are for CERCLA hazardous substances, you can download the following:

[Reportable Quantities \(RQs\) for CERCLA Section 102\(a\) Hazardous Substances \(PDF\)](#) (67 pp, 1.2MB) 40 CFR 302.4 (July 1, 2001)

If an accidental chemical release occurs that exceeds the minimal reportable quantity, the responsible party must immediately report the spill to the National Response Center at (800) 424-8802.

What must be included in the emergency notification?

- The chemical name
- An indication of whether the substance is extremely hazardous
- An estimate of the quantity released into the environment
- The time and duration of the release
- Whether the release occurred into air, water, and/or land
- Any known or anticipated acute or chronic health risks associated with the emergency, and where necessary, advice regarding medical attention for exposed individuals
- Proper precautions, such as evacuation or sheltering in place
- Name and telephone number of contact person

Emergency Planning and Community Right-to-Know Act (EPCRA) Requirements

Emergency Planning and Community Right-to-Know Act (EPCRA) establishes requirements for Federal, state and local governments, Indian Tribes, and industry regarding emergency planning and "Community Right-to-Know" reporting on hazardous and toxic chemicals. The Community Right-to-Know provisions help increase the public's knowledge and access to information on chemicals at individual facilities, their uses, and releases into the environment. States and communities, working with facilities, can use the information to improve chemical safety and protect public health and the environment.

Under the [Emergency Planning and Community Right-to-Know Act \(EPCRA\)](#) of 1986, the federal government has designated several hundred substances as "extremely hazardous substances" based on their acute lethal toxicity. Under the law, releases of these extremely hazardous substances trigger reporting requirements to state and local authorities, as well as the federal authorities. The owner or operator of a facility that releases an extremely hazardous substance in an amount greater than its established reportable quantity (RQ) must follow requirements on [how to report](#) to the appropriate authorities (in many cases, the State Emergency Response Commission (SERC) and the Local Emergency Planning Committee (LEPC) for the location where the incident occurs. The RQs for the extremely hazardous substances are based on the substance's acute lethal toxicity. For more information on what the reportable quantities are (Cont. Pg 3)

Did You Know? - Preparedness isn't a matter of dialing 9-1-1 and waiting for help to arrive. It's being aware, having a plan, and watching out for each other.

EPCRA Req. (Cont. form Pg 2)


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The Value of Reporting? How did your state fare in reporting over the last ten years? [Click here](#).
*Data from rtknet.org



Bottom line - Why else should you report? -
You may not be reimbursed without a report to the NRC.

What is a Written Follow-up Notice?

A written follow-up notice must be submitted to the SERC and LEPC as soon as practicable after the release. The follow-up notice must update information included in the initial notice and provide information on actual response actions taken and advice regarding medical attention necessary for citizens exposed.

For More Information

For more information on reporting hazardous substance releases, read the [Frequent Questions](#) pages on EPA's national website or contact Kathie Atencio at 303-312-6803.

<http://www.epa.gov/emergencies/content/reporting/index.htm>



Got milk? Got questions about milk and the proposed exemptions?
[Click here](#)

Are you concerned about an environmental situation within your community but don't know where to go for answers? Learn more here
[Violations](#)

TRAINING & EXERCISES LUKE CHAVEZ—COORDINATOR 303-312-6512 | chavez.luke@epa.gov

"Let our advance worrying become advanced thinking and planning." Winston Churchill



Exercises

On November 30, 2010, EPA Region 8 conducted its annual Training and Exercise Planning Workshop (TEPW). The TEPW is designed to address our current training and exercise priorities, improve our response capabilities, efficiencies, knowledge and experience. Our regional training and exercise program looks to not only assist On Scene Coordinators (OSC) with responses, but also to help other EPA groups such as our Incident Management Teams (IMT), Response Support Corps (RSC) and regional specialized groups to better respond to incidents and disasters.

Region 8 creates a Training and Exercise Plan (TEP) annually discussing our latest priorities and methodologies in addressing those regional training and exercise (T&E) priorities. A schedule listing our regional trainings and exercises is developed for each year showing the type of T&E, location, time, sponsor, participants and regional priorities being addressed (see attached T&E Schedule).

EPA region 8 is always looking to assist and participate in exercises with regard to our responsibilities – chemical, biological, radiological, nuclear or explosive (CBRNE) events as well as other hazardous materials incidents.

Please contact Luke Chavez (email: Chavez.luke@epa.gov, phone: 320-312-6512) – Exercise Coordinator if you have any questions regarding EPA Region 8 T&E or have an exercise that we may assist you in. You may view our [2011 Exercise List here](#).



Training opportunities: The course *"Team Approach to Environmental Enforcement"*, will take May 16-18 at the Lowry Conference Center in Denver. For a copy of the agenda and training announcement/registration form, please click on [THIS LINK](#). There is no cost for the training, however attendees are responsible for their own meals and lodging if necessary. Please pass this training announcement along to your colleagues or other agencies that might be interested in attending. Hope to see you in May. (Cont. Pg 4)

Oil Regulations Workshop Announcement for Denver, CO

On April 26, 2011, EPA's Oil Program staff will conduct a free workshop on the oil pollution regulations and the requirements for a Spill Prevention Control and Countermeasure (SPCC) Plan. SPCC plans must be prepared and implemented by facilities which store, process, transfer, distribute, use, consume, drill, produce, gather, or refine oil or oil products. The term "oil" includes petroleum oils, including gasoline, asphalt, kerosene, motor oil, etc.; animal and fish oils; vegetable oils; synthetic oils; and any other kind of oil. The workshop will cover the requirements for all types of SPCC facilities. This workshop will include an update on EPA's revisions to certain regulatory requirements for facilities subject to the SPCC rule.

Amendments to the SPCC rule were finalized on January 14, 2010. The SPCC rule was amended to provide increased clarity, to tailor requirements to particular industry sectors, and to streamline certain requirements for facility owners or operators subject to the rule. Information regarding these amendments is available at this link: [Oil Pollution Prevention; Spill Prevention, Control, and Countermeasure Rule Requirements](#) .

This workshop is free of charge, but you must register to attend. The workshop will be held at the U.S. Environmental Protection Agency Region 8 Conference Center, 1595 Wynkoop, Denver, Colorado. [Visitor directions and parking information](#) .

If you would like to register for either or both of the SPCC workshops, you may [complete the online registration form](#) or call 303-312-6801 with your name, the name of your organization, your organization's address, and your daytime phone number. The workshop will begin at 9:00 am, but participants may sign in at the EPA Conference Center beginning at 8:00 a.m.

A PHOTO ID AND PRE-REGISTRATION ARE REQUIRED FOR ADMISSION These workshops will be limited to the first 50 registrants because of space limitations. We encourage workshop participants to review the online documents below prior to attending a workshop and to bring them to the workshop

- Documents** [Tier I Qualified Facility SPCC Plan Templates](#)
[2010 Cross-Reference Matrix for Production Facilities](#)
[2010 Cross-Reference Matrix for Non-Production Facilities](#)

RMP eSubmit Webinair

In March 2009, EPA provided new Web-based software called RMP*eSubmit for facilities to use for online Risk Management Plan (RMP) reporting.

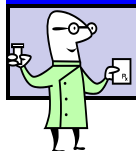
RMP*eSubmit allows facilities to submit, correct, and access their RMPs online, 24 hours a day, 7 days a week. EPA asks that all facilities use this new method to submit RMPs because it is easy to use and will improve data quality.

For those not familiar with RMP*eSubmit, EPA will hold a Webinar during which we will explain how to submit an RMP using the new software. There will be time for questions and answers at the end of the Webinar.

Registration for EPA's RMP*eSubmit Webinar, scheduled for Wednesday, April 13th (1:00 PM to 2:30 PM Eastern Time), is now OPEN. Registration is required for this free Webinar. We have limited lines available, so registration will be on a first come / first serve basis.

Register online via <http://www.eventbrite.com/event/1307917015>. Once registered, you will receive a confirmation e-mail with instructions on how to sign into the Webinar. If you have questions concerning this Webinar, please e-mail Kristine Mikulka (kristine_mikulka@sra.com).

There is a unique Advanced CAMEO class opportunity. The states of Missouri, Oklahoma, and Kansas are sponsoring a 5-day, 40-hour Advanced CAMEO class. This is a comprehensive CAMEO course designed for those who wish to become CAMEO Trainers, or who simply would like to have an in-depth CAMEO class to deepen their understanding of all the CAMEO Suite components. The course will also present training on utilizing CAMEO with other software applications, such as Google Earth, ArcView, EXCEL, WORD, WISER, and other computer programs.
 Course dates are set for June 20-24, 2011. See the following link: [CAMEO Course](#).



RISK MANAGEMENT PLAN (RMP) BRADLEY MILLER – 303-312-6483
MILLER.BRADLEY@EPA.GOV

Ammonia Leak at Ky. Meat Plant Spurs Evacuation: LOUISVILLE, Ky. (AP) — An anhydrous ammonia leak at a meat-packing plant forced 1,000 employees to evacuate and nearby residents to stay indoors for hours on Wednesday.

A faint ammonia odor was detectable a few blocks away from the JBS Swift plant east of downtown Louisville for more than an hour after the leak. One worker, a 40-year-old man whose name was not released, was sent to the hospital after (Cont. Pg 5)

Ammonia leak (Cont Fm Pg 4) complaining of burning eyes, nausea and vomiting, Louisville Fire Department Capt. Salvador Melendez said. There were no other reported injuries, authorities said.

About 1,000 workers were evacuated at 11:30 a.m.

Sirens were set off about an hour after the accident in the plant's engine room to warn nearby residents when authorities determined the situation was serious enough that they could be at risk. Those living within a mile of the site were told to stay indoors and to avoid using air conditioning or heating. The leak was stopped about 2½ hours later and an all clear was issued to area residents, Melendez said.

Worker Shelia Jones, 42, said she had never seen an incident like this in her 19 years at the plant. She said she was working in the rendering room near the scene of the leak when she smelled ammonia and began getting a headache. A plant safety inspector told her and about seven co-workers to get out immediately. She said she was working in the rendering room near the scene of the leak when she smelled ammonia and began getting a headache. A plant safety inspector told her and about seven co-workers to get out immediately. "Ooh, it's really strong. The ammonia would knock you down, take your breath away," Jones said. She said she was among the first workers out and within five minutes, everyone else was running out the doors. She said the plant provides regular safety instruction. "Everybody knows, you smell ammonia, you call the supervisor, everyone gets out," Jones said.

Workers dressed in white lab-style coats and hard hats could be seen outside sitting on the lawn and milling around while officials from the Fire Department and hazardous material teams conducted tests. Anhydrous ammonia - a vapor - is used for refrigeration at the plant, can cause chemical burns on the skin or lung injury if inhaled.

The plant is in a section of Louisville known as Butchertown because of its historic role in the meat-packing industry. Officials with the plant's parent company, Golden, Colo.-based JBS, didn't immediately respond to calls seeking details on the accident.

In a November 2007 audit, the Louisville's Metro Air Pollution Control District determined that the plant's policies and risk management plans for such incidents were insufficient. "It's still way too early to tell if procedures were followed properly," Matt Stull, APCD's spokesperson, said.

The accident was the second major incident involving a Louisville plant this week. Two workers were killed in an explosion Monday at the Carbide Industries plant, which makes calcium carbide used in metalworking and is located in a petrochemical complex dubbed Rubbertown. A contained fire continued to burn there Wednesday. Confusion after that incident over which agency is to alert the public about hazards from an industrial accident spurred the city to revamp its notification procedures.

EPA is announcing the release of "Guidance for Conducting Risk Management Program Inspections under Clean Air Act Section 112(r)" (EPA 550-K-11-001, January 2011). This document updates and supersedes the "Guidance for Auditing Risk Management Plans/Programs under Clean Air Act Section 112(r)" of August 1999. The new document includes updated EPA policy on involvement of facility employees and employee representatives in EPA and delegated state agency on-site compliance inspections as provided for in Clean Air Act section 112(r)(6)(L). Additionally, the guidance reflects the Agency's focus on inspections as a means of facility oversight, and provides additional information on CAA Section 112(r) inspection procedures. The guidance preserves Risk Management Program audits as a facility oversight option. However, audits should supplement implementing agency inspection programs and not be done in lieu of inspections. EPA requests that state and local agencies that have accepted delegation of the CAA section 112(r) program adopt procedures similar to those contained in this guidance in their 40 CFR Part 68 inspection programs. EPA's interim policy on involvement of employees and employee representatives in CAA Section 112(r) on-site compliance evaluations established in the Agency's April 2, 2010 memo is hereby superseded.

The new guidance document, which is effective immediately, is available at <http://www.epa.gov/emergencies/guidance.htm#rmp>

Pipeline and Hazardous Materials Safety Administration (PHMSA)

The Office of Pipeline Safety is the Federal safety authority for the nation's 2.3 million miles of natural gas and hazardous liquid pipelines. Here www.phmsa.dot.gov/about/agency, you can find information regarding pipeline regulations, proposed and final rulemakings, pipeline statistics, Common Ground Alliance and One Call programs, request procedures under Freedom of Information Act guidelines, reports on major pipeline accidents/incidents and corrective action orders, pipeline mapping systems information, training and publications, and online library of Pipeline Safety forms and public information files.

Materials Incident Statistic Reports now have an enhanced search capability when querying incident data. Users can "drill down" to specific computer generated incident reports representative of the DOT F5800.1 form based on criteria they submit. To use or explore this new capability go to: [Pipeline incident database and reporting](#).

Hazardous Materials Transportation and Pipeline Accidents are to be reported directly to the **24-hour National Response Center (NRC): at 1-800-424-8802**. To reach the DOT's 24-hour Crisis Management Center, call 202-366-1863.



Preparedness Unit Mission Statement:

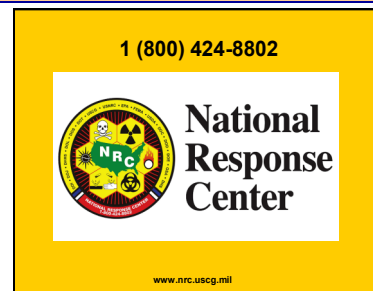
We will increase EPA Region 8 preparedness through:

- Planning, Training, Exercising, 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, RMP, etc.
- Working with facilities to reduce accidents and spills through education, inspections and enforcement. To contact a member of our team:

[\(Click here for Org Chart\)](#)

Acronym List

- IMT Incident Management Team
- OPA Oil Pollution Act
- RRT Regional Response Team
- RSC Response Support Corps
- SPCC Spill Prevention, Control, and Countermeasures



RISK MANAGEMENT PROGRAM (RMP)

BRADLEY MILLER—COORDINATOR 303-312-6483 / MILLER.BRADLEY@EPA.GOV



Need More info on the Risk Management Program (RMP)?

<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 listserv to receive periodic updates: https://lists.epa.gov/read/all_forums/subscribe?name=callcenter_oswer

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@epacdx.net (e-mail)

Chemical Emergency Preparedness & Prevention Office (CEPPO) <http://www.epa.gov/emergencies/index.htm>

Compliance and Enforcement: <http://www.epa.gov/compliance/index.html>

Compliance Assistance: <http://www.epa.gov/compliance/assistance/index.html>

Call our hotline, the Superfund, TRI, EPCRA, RMP, and Oil Information Center (800) 424-9346 or (703) 412-9810 TDD (800) 553-7672 or (703) 412-3323 Mon-Thurs 10:00 am to 3:00 pm ET (except Federal Holidays) or see

www.epa.gov/superfund/contacts/infocenter/index.htm

You can also call or write to:

U.S. EPA Region 8
1595 Wynkoop Street (8EPR-ER)
Denver, CO 80202-1129
800-227-8917

CO, MT, ND, SD, UT, and WY

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

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 EPCRA, and 40 CFR Part 112.2 for SPCC/FRP.