



PARatus

Region 8 Emergency Preparedness

Volume VI No. 3 Quarterly Newsletter 2016

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North Dakota Train Derailment

On May 6, 2015, a mile-long BNSF freight train transporting crude oil derailed in Wells County, North Dakota. Five tank cars came off their tracks, caught fire and lost about 90,000 gallons of oil, according to a BNSF report submitted to the state. The cause of the derailment was a broken wheel on the train. Damage was limited due to a well-executed emergency response led by Tammy Roehrich, Wells County Emergency Manager.



It was an accident where everything that could go right, did. Responders had been trained, the Emergency Manager executed the Emergency Plan, and every organization responded quickly and cooperatively.

Best Circumstances

Weather conditions helped. "We were fortunate it rained the day before, because up until then conditions were dry," said Tammy Roehrich, the county's emergency manager. The effects of the fire could have been far worse. In addition, on the day of the derailment, winds blew in a direction away from Heimdal, dispersing most of the noxious smoke over open fields.

Weather was not the only lucky factor in mitigating the damage. At the scene, when the tankers tipped over, they fell in the opposite direction of two pipelines running alongside the north side of the tracks. The tankers toppled onto the south side with the spill flowing into a slough, contaminating an area of shallow water with dense cattails. The responders quickly deployed hard boom and absorbent boom to limit the flow. About 30,000 gallons of oil burned; an estimated 60,000 gallons spilled.

By all accounts, the emergency response to the May accident was managed superbly and without panic or injury. The two volunteer fire departments nearest Heimdal, Harvey and Fessenden, had undergone a "tabletop" oil-train exercise in January and were preparing for a full-scale drill in June. Both fire departments responded quickly and were on the scene within 20 minutes.

The first firefighters on the scene confirmed the contents of the railcars and, following their training, made no initial attempt to extinguish the blaze. "There's not enough foam in North Dakota to put out a fire like that," said Aaron Opdahl, the Fessenden fire chief.



The accident occurred near Heimdal, North Dakota, a town with only about two dozen residents. Harvey volunteer firefighters expediently evacuated the town, keeping a complete record of each house contacted so Incident Command knew town members were safe.

To keep the fire from spreading beyond the derailment, the undamaged tank cars were separated from the blaze. By afternoon, the fire in the burning tank cars began to subside. Emergency Manager Roehrich said hands-on disaster-response training proved invaluable.

North Dakota Derailment Continued

EPA On-Scene Coordinator (OSC) Kerry Guy, who was participating in an exercise 90 miles from the site in Minot, ND, was diverted to the site immediately. EPA OSC Curtis Kimbel was deployed from Denver on May 6th. Denver-based EPA contractors with air and sampling equipment were also deployed.

BNSF, which experienced a previous oil-train accident in North Dakota in 2013, had already positioned contractors and hazardous materials crews throughout the area, according to railroad spokesman Michael Trevino. Within hours, vehicles ferrying heavy machinery, emergency personnel, and security forces were heading toward the accident.

The first BNSF officials arrived within an hour, followed by state officials and NTSB and Federal Railroad Administration investigators. Members of the regional hazmat team, including some trained last year in an oil-train response at a railroad-industry academy in Colorado, arrived in less than two hours from Devils Lake, ND.

"We set up an Unified Command and evacuated the community," Emergency Manager Roehrich said. "Everything just set up the way it was designed to."

Accident Details

The train traveled only about 150 miles before it entered the town of Heimdal at 24 miles per hour (mph) according to the National Transportation Safety Board. The speed limit set by federal regulators is 50 mph. The 81st car in the train derailed initially, followed by five more.

The third and fourth cars to derail plowed through the first two and ended up at right angles to the tracks, their steel shells punctured. The bottom outlet valve on the first derailed car failed, causing most of its contents to leak, BNSF's report says.

The fire that ignited in the oil pool beneath the wreckage heated the three unbreached cars. Two cars suffered "heat-induced tears" and lost most of their contents. The third unbreached car stayed intact.

Heat-induced tears are among the biggest dangers in an oil-train fire. The tank cars behave like overheated pressure cookers. Eventually, the steel fails, triggering a sudden release of energy that can cause a massive fireball like the one that occurred in the 2013 accident in Casselton, ND.

But the Heimdal tank cars did not explode, which Lynn Helms, director of the Department of Mineral Resources, attributed to state rules requiring high hazard, highly flammable crude to be conditioned to reduce its vapor pressure.



EPA Revised Hazards Categories

EPA is amending its hazardous chemical reporting categories due to changes in the OSHA Hazard Communication Standard (HCS).

Under OSHA's revised HCS, chemical manufacturers and importers are required to evaluate their chemicals according to this new criteria. Additionally, manufacturers and importers are also required to develop standardized Safety Data Sheets (formerly known as MSDS) and distribute them to users of their chemicals.

Because the chemical reporting requirements under sections 311 and 312 of the Emergency Planning and Community Right-to-Know Act (EPCRA) follow OSHA categories, EPA amended 40 CFR 370 to again align with OSHA's categories. EPA is revising the existing hazard categories for hazardous chemical inventory form reporting (known as Tier II reporting) and for hazardous chemical list reporting.

The final rule is effective June 13, 2016, and has a compliance date of January 1, 2018. Facilities are required to comply with reporting the new physical and health hazards on their Tier II inventory form for reporting year 2017 by March 1, 2018. The new categories are listed below.

Physical and Health Hazards (to be effective January 1st, 2018)

Physical Hazard	Health Hazard
Flammable (gases, aerosols, liquids, or solids)	Carcinogenicity
Gas under pressure	Acute toxicity (any route of exposure)
Explosive	Reproductive toxicity
Self-heating	Skin Corrosion or Irritation
Pyrophoric (liquid or solid)	Respiratory or Skin Sensitization
Pyrophoric Gas	Serious eye damage or eye irritation
Oxidizer (liquid, solid or gas)	Specific target organ toxicity (single or repeated exposure)
Organic peroxide	Aspiration Hazard
Self-reactive	Germ cell mutagenicity
In contact with water emits flammable gas	Simple Asphyxiant
Combustible Dust	Hazard Not Otherwise Classified (HNOC)
Hazard Not Otherwise Classified (HNOC)	
Corrosive to metal	

RRT Meeting Held in Denver

There are 13 Regional Response Teams (RRTs) across the country. Each RRT maintains a Regional Contingency Plan and has state and federal government representation. EPA and the Coast Guard co-chair the RRTs. RRTs are planning, policy and coordinating bodies and do not respond directly to an emergency. The RRT provides assistance as requested by the On-Scene Coordinator during an incident.

The Region 8 RRT met May 11th and 12th at the EPA Region 8 headquarters office in Denver. Each state and federal agency reported on current events in their areas of responsibility.

The Department of Transportation then updated the group on both hazmat and pipeline issues. The National Institute for Occupational Safety and Health reported on the difficulties and hazards of remote rig sites. Luke Chavez, EPA Region 8 exercise coordinator, reviewed an exercise held this March to test and strengthen downstream notification capabilities for Region 8 states and tribes.

For more information, please contact RRT coordinators for Region 8: Gina Cristiano at Cristiano.gina@epa.gov and Todd Peterson at Todd.M.Peterson@uscg.mil.



NIOSH presentation on hazards associated with remote rigs

National Response Team Quick Reference Guide Update

The U.S. National Response Team (NRT) provides technical assistance, resources, and coordination on preparedness, planning, response, and recovery activities for emergencies involving hazardous substances, pollutants and contaminants, oil, and weapons of mass destruction in natural and technological disasters and other environmental incidents of national significance. The [NRT website](https://www.nrt.org), <https://www.nrt.org>, holds valuable information for hazmat personnel and first responders.

The National Response Team recently posted an updated Quick Reference Guides (QRG) for specific chemicals of Hydrogen Sulfide (H₂S) and Chemicals Used in Warfare. The chemicals covered in the QRG include Tabun, Sarin, Soman, Cyclosarin, VX, Sulfur Mustard, Mustard-Lewisite Mixture, and Lewisite. The QRGs can be found [within the NRT website](#) under the Chemical category link.



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MSU Sponsored Exercise

The Montana State University Chemical, Biological, Radiological and Nuclear Full-Scale Exercise on June 1, 2016 was sponsored and hosted by Montana State University's Office of Emergency Management.

MSU's objectives were demonstrating the ability to:

- notify and coordinate with local, county, state, and federal resources using the incident command system;
- assess and manage the consequences; and
- provide effective and timely public information to the MSU campus and larger community.



Several local, state, and private agencies participated in the exercise including Bozeman Fire, Hazmat and Police; State of Montana Disaster & Emergency Services and the National Guard; and the American Red Cross and Bozeman Health. Federal partner participation included EPA, FEMA, DHS, FBI and the National Weather Service.

EPA Exercise Coordinator Luke Chavez noted, "MSU did an excellent job. One of the biggest benefits of this exercise is the credibility and trust the various agencies and different levels of governments gain in the planning and execution of an exercise."

If anyone would like EPA's support for an upcoming exercise, please contact Luke Chavez at Chavez.Luke@epa.com.



EPA's Water Security Division Videos

Want to Know the Costs and Consequences of an Emergency?

Watch and share EPA's newly released video about the Water Health and Economic Analysis Tool (WHEAT). The video demonstrates how WHEAT helps water and wastewater utilities estimate the economic costs and public health consequences of a water emergency. The video is available at this [EPA website](#).

Is Your Water Utility Prepared to Handle Contamination Incidents?

The Water Quality Surveillance and Response System Exercise Development Toolbox (EDT) helps drinking water utilities test, evaluate, and improve their investigation and response procedures for distribution system contamination incidents. The toolbox can also serve as a database for procedures and future exercises. The EDT is available [here](#).

View the Webinar on Free Preparedness Tools

If you missed the May 11, 2016 webinar on "Free Preparedness Tools for Drinking Water and Wastewater Utilities," hosted by EPA, you can still catch it online. Tools featured include: Drought Response and Recovery Guide for Water Utilities, Hazard Mitigation for Natural Disasters, Water Quality SRS Exercise Development Toolbox and others. View the [webinar](#).

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FAQs

What is a 'Facility' under EPCRA?

Facility: The term "facility" is defined as "all buildings, equipment, structures, and other stationary items which are located on a single site or on contiguous or adjacent sites and which are owned or operated by the same person (or by any person which controls, is controlled by, or is under common control, with such person). A facility may contain more than one establishment" (40 CFR 372.3). An "establishment" is defined as "an economic unit, generally at a single physical location, where business is conducted, or services or industrial operations are performed" (40 CFR 372.3).

EPA recognizes that some facilities have unique and separate activities ("establishments") taking place at the same facility, and for some of these facilities it may be easier and more appropriate for individual establishments to manage their chemical usage and management information separately. EPA provides for these cases and allows individual establishments at the same facility to report separately. However, for threshold determinations, quantities of chemicals in inventory in that facility must be combined and considered together.

Contiguous and/or Adjacent Facilities: In defining the parameters of a facility, consider all buildings and other stationary items located on multiple contiguous or adjacent sites that are owned or operated by the same entity for Emergency Planning and Community Right to Know (EPCRA) reporting purposes. For example, a facility could contain a chemical manufacturing plant and a chemical distribution operation, and a public road separating the two. The amount of each EPCRA chemical in inventory must be aggregated for all of these contiguous or adjacent sites to determine whether the entire facility meets reporting thresholds. If a company's operations are carried out at two distinctly separate, physical sites that are not contiguous or adjacent, that company is operating two separate facilities for the purposes of EPCRA reporting.

If two establishments are owned or operated by the same company or have the same parent company and are connected to each other by a piece of property that is owned by one of the establishments or the same parent corporation, or if they are separated by an easement (e.g., railroad tracks, public road, public catchment basin), they are still considered to be contiguous or adjacent and are therefore part of the same facility. Both

"establishments" may report together as the same facility or they may report separately provided threshold determinations are based on activities at the entire facility and that the sum of the releases of the establishments reflects the total releases of the whole facility. Facility operations that are not connected to each other by a piece of property that is commonly owned, controlled or operated by the same person(s), are not considered contiguous and may be



considered two separate facilities. However, if these operations are relatively near each other, they may be considered adjacent; in which case, they would be part of the same facility.

Earth Day 2016

Earth Day is an annual event celebrated on the Vernal Equinox and on April 22, with events held worldwide to demonstrate support for environmental protection. EPA takes special pride in participating; Earth Day preceded the establishment of the EPA in the same year, 1970. It was a turning point in our country in valuing and protecting Mother Earth. This year, EPA Region 8 participated in many Earth Day events including an open air Denver Earth Day Fair at Union Station, the City of Westminster Earth Day Event, and the Evergreen Earth Day Fair.



Training

South Dakota's Department of Environment and Natural Resources is offering workshops on federal programs regulating chemical safety. Representatives from OSHA, DHS, and EPA will describe their respective programs, reporting requirements and responsibilities of industry, where to find resources and how to report a spill or release. The audience will be industries regulated by federal programs (RMP, EPCRA, PSM, CFATS, SPCC, FRP) and their respective Local Emergency Planning Committees (LEPCs).

South Dakota Chemical Facility Safety Workshops July 18-22, 2016

[Click here for description and to register for Sioux Falls July 18, 2016](#) (PM only)

[Click here for description and to register for Huron July 19, 2016](#) (Full)

[Click here for description and to register for Aberdeen July 20, 2016](#) (Full)

[Click here for description and to register for Pierre July 21, 2016](#)

[Click here for description and to register for Rapid City on July 22, 2016](#) (Full)

[Management and Remediation of Contaminated Sediments](#) Via TRAINEX Helena, MT November 3-4

Hazwoper 40 Hour Course Planned Summer 2016, Tri-State Counties Colorado. Contact Mark Wullstein if interested. Wullstein.Mark@epa.gov

Hazwoper 8 Hour Refresher Planned Fall 2016, Sponsored by NOWCC. Contact Mark Wullstein if interested. Wullstein.Mark@epa.gov

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Richland County LEPC



Richland County sits on the far eastern border of Montana, adjacent to North Dakota. It falls within the Williston Basin and the Elm Coulee oil field, one of the largest producing onshore fields in the lower 48 states. Previously known for its ranching lifestyle, the county needed to retool to embrace the oil exploration and production associated with the Elm Coulee Oil Field and the consequential influx of workers, machinery, development, and economic growth. The Yellowstone River bisects Richland County and merges with the Missouri just east of the Montana-North Dakota border.

Richland County LEPC members include community personnel ranging from fire, EMS, hospital, Red Cross, oil, USDA, city and county, a judge, weather service and the Health Department. The LEPC meetings are planned and organized by Debra Gilbert, Disaster and Emergency Services Coordinator (DES), and held monthly. The needs of the county, and therefore the responsibilities of the LEPC, have fluctuated with the economic developments of the area.



Debra Gilbert

Gilbert, as the DES Coordinator, creates the monthly agenda, lines up any speakers or agency education, and then distributes the agenda along with the minutes from the previous month for approval. The chairman of the committee, Tim Fine, runs the meeting.

The LEPC experienced the Williston Basin 'Oil Boom' bringing new companies into Richland County. With this boom came illegal and accidental spills of waste oil, production salt water, crude oil, and diesel fuel.



These spills consisted of truck rollovers and intentional spilling of product on county roads. In addition, the LEPC dealt with many workforce housing camper parks. One challenge was simply distributing emergency information to those at risk during severe weather events.

Four pillars of importance to the LEPC are: identifying the hazards of the county to preserve life and protect property, the county's critical infrastructure, the environment, and the economy. In addition, updating the Local Emergency Operation Plan as needed, to stay in line with the Emergency Support Functions and the Montana Emergency Response Framework, is a continual and vital process for the LEPC.

Richland County LEPC Continued

Gilbert stated, “One key to our success is incorporating an agency education component into the LEPC meetings. The focus for those agency education pieces tie in with the current activities of Richland County. For example, the Bakken clean-up techniques or safety.”

One of her goals is to reach out to citizens and businesses to help them prepare an emergency plan that incorporates discussing and practicing the plan with family and employees. She would also like to engage one of Richland County’s most valuable assets, volunteers, to help with this process

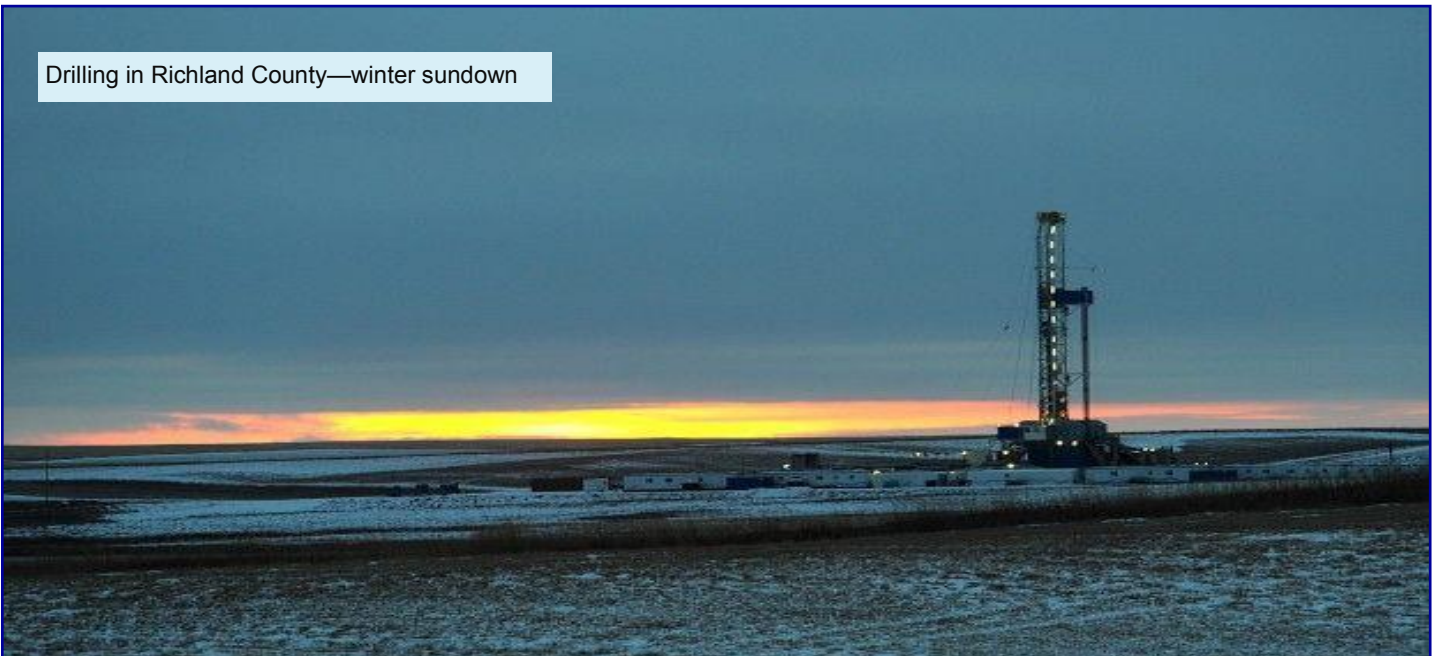
“As a new DES Coordinator, I benefited greatly from the time and input received from the LEPC committee members, some years of experience and a great knowledge-base. I met some incredible people during these past few years who offered educational support, moral support and most of all, the feeling that I can count on them after a bad day. I thank them deeply for their support and wisdom.” One struggle Gilbert faces is weighing and balancing new ideas with the LEPC. She maintains that change can be beneficial and strives to encourage the LEPC to consider new approaches.



Yellowstone River in Richland County

Meetings are held the second Monday of the month and are usually held at the Nutter Building (a building in Sidney named after Montana Governor Donald Grant Nutter), and on occasion, have been held at other locations. Any member can host the meeting at another location as well.

Drilling in Richland County—winter sundown



EPA Regulatory Updates

Executive Order 13650 Updates

As a result of the West, Texas fertilizer plant explosion, which resulted in 15 deaths and more than 260 injuries, and other catastrophic chemical facility incidents, President Obama issued Executive Order (EO) 13650 "Improving Chemical Facility Safety and Security" on August 1, 2013. The focus of the EO is to reduce risks associated with hazardous chemical incidents by enhancing the safety and security of chemical facilities. A federal inter-agency working group was established, along with regional teams, to create action plans.

Region 8 holds conference calls with members from EPA, OSHA, DHS, and representatives from each state to share ideas and discuss concerns. Additionally, Regions 8, 9, and 10 initiated a Western States SERC conference in February 2016. The next conference will be held in Denver, Colorado on January 31 and February 1, 2017. The next quarterly Western Region SERC webinar is on July 12th and will cover EPA updates, RMP in North Dakota, Tier II in Utah and Enforcement of EPCRA. If you would like to participate in these calls or attend the next conference, please contact Rebecca Broussard at Broussard.Rebecca@epa.gov.

Risk Management Program Proposed Changes

EPA is proposing to amend the Risk Management Program (RMP) under the Clean Air Act, Section 112(r)(7). The [proposed revisions](#) aim to modernize the RMP regulations as required under Executive Order (EO) 13650.

The proposed revisions include several changes to the accident prevention program requirements, including:

- an additional requirement for the process hazard analysis (PHA) required for Program 3 processes,
- enhancements to the emergency preparedness requirements, and
- increased public availability of chemical hazard information.

The comment period closed on May 13, 2016.

RCRA Proposed Changes

The Resource Conservation and Recovery Act (RCRA) was promulgated in 1980. Aware of the need for more clarity, consistency and flexibility, the EPA proposed the [Hazardous Waste Generator Improvements Rule](#). This rule proposes updates to make the rules easier to understand, facilitate better compliance and provide greater flexibility in hazardous waste management. Key provisions for flexibility concern episodic waste and 'conditionally exempt small quantity generators' (CESQG). In addition, the rule enhances safety by improving hazardous waste risk communication and ensuring emergency management requirements meet today's needs.

The comment period ended December 24, 2015.

SPCC Update

Under the Clean Water Act (CWA), EPA has responsibility for the prevention of hazardous substance spills very similar to the prevention of oil spills. The EPA has published a [letter of intent](#) indicating the intention to initiate a rulemaking pursuant to CWA section 311(j)(1)(C). This section provides that EPA establish "procedures, methods, and equipment and other requirements for equipment to prevent discharges of...hazardous substances from...onshore...facilities and to contain such discharges."

Toxic Substance Control Act (TSCA) Update

On June 22, 2016, President Obama signed the Frank R. Lautenberg Chemical Safety for the 21st Century Act, which updates the Toxic Substances Control Act. Learn more about the new law, find summary information and read frequently asked questions at the EPA [TSCA](#) website.

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](#).

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RMP Hotline: 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 4:30 p.m., Monday through Friday, for questions on the Risk Management Plan program: (703) 227-7650 or RMPRC@epacdx.net.

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

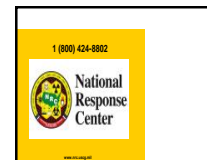
Compliance and Enforcement: <http://www2.epa.gov/enforcement>

[Lists of Lists](#)

Questions? Call the Superfund, TRI, EPCRA, RMP, and Oil Information Center at (800) 424-9346 (TDD 800-553-7672) 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 EPCRA, and 40 CFR Part 112.2 for SPCC/FRP.