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## Basic Awareness Factsheet for Small Business

### Clean Air Act Section 112(r): Prevention of Accidental Releases

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This factsheet was developed with the assistance of the U.S. Chamber of Commerce and the New Hampshire Small Business Assistance Program.

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Chemical accidents can occur at businesses of any size. Many small businesses handle propane, ammonia, chlorine, and other chemicals that could pose a risk to the surrounding community if an accident were to occur. Working together through their trade associations, some industries already have adopted standard operating practices that help to reduce the risk of accidents, improve overall performance, and limit costly downtime. As of June 1999, a new chemical accident prevention rule from the U.S. Environmental Protection Agency will extend such programs to many small businesses that use hazardous chemicals.

This regulation requires companies of all sizes that use certain chemicals to develop a "risk management program," a regular program of activities designed to prevent an accidental chemical release from occurring. Many of these activities (such as training

employees and inspecting and maintaining your equipment) are essential to any successful business. Other activities, such as evaluating the dangers associated with your operations and determining how to make them safer, are things that you think about on a regular basis.

To comply, you will need to develop a risk management program and then prepare and submit a written summary of your program (a "Risk Management Plan" or RMP). Your plan will be submitted to a central location and made available through the internet to state and local officials involved in planning for and responding to chemical emergencies, and to the public. In this way, the people who live near your business, and the police and firefighters who protect them, will learn more about the hazards of the chemicals that you use and the steps that you are taking to prevent accidents.



## What's Next?

Facilities must have their risk management program in place and a risk management plan submitted by June 20, 1999. The regulation requires that your plan be submitted to a central repository managed by U.S. EPA . To assist you:

- (1) EPA has worked with trade associations and other industry groups to develop a series of industry-specific guidances that will help walk businesses through creating their risk management program. Examples of businesses that can obtain these guidances are chemical warehouses, water treatment facilities, propane retailers and users, chemical distributors, and ammonia refrigeration systems.
- (2) EPA is developing a computer diskette to allow companies to submit their risk management plans electronically. (Small businesses that are unable to do so may be eligible for a waiver so they can submit their plans on paper.)

Once your risk management plan is submitted, it will be reviewed for accuracy and completeness. A site visit may also be conducted at your facility by either EPA, state, or local officials to determine whether your plan accurately reflects your risk management program in operation.

## Key Dates

Industry-specific guidances available  
*starting Summer 1998*

Computer diskette available  
*January 4, 1999*

Risk management plans accepted  
*beginning January 1999*

Risk management plans/programs due

## Am I Covered?

The type and quantity of chemicals that you use will determine whether you must report, not the size of your company. The toxic and flammable chemicals (“regulated substances”) covered by this new regulation include materials that many small businesses commonly use and store. If you handle, use, or store any of these substance above a certain quantity, you will be required to develop a risk management program. For example:

<b>If you have...</b>	<b>in excess of...</b>
Propane	10,000 lbs. (a 2,500-gallon water capacity tank)
Chlorine	2,500 pounds
Ammonia (anhydrous)	10,000 pounds

then you may be subject to these requirements. If you have other chemicals, don't assume that you will not be covered – you can compare these with the complete list of regulated substances available from EPA's Hotline (see below). This rule will apply to many propane retailers and users, cold storage warehouses, water treatment systems, food processors, chemical and metal products manufacturers, chemical wholesalers, and agricultural chemical retailers.

## What Do I Have to Do?

If you are covered, EPA encourages you to contact the Emergency Planning and RMP Hotline (see below) to determine what requirements apply to your operations. The rule requires covered facilities to develop and implement safe business practices to identify hazards and manage risks. You must analyze worst-case releases, document a five-year history of serious accidents, coordinate with local emergency responders, and file a risk

management plan with EPA. If an accidental chemical release could affect the public, you must also analyze more realistic scenarios and develop and implement a prevention program that includes identification of hazards, written operating procedures, training, maintenance, and accident investigation. If your employees respond to accidental releases, you also must implement an emergency response program.

### **Good News: You Already Do Some of This!**

The good news is that many small businesses are already complying with many of these requirements because they are part of the way you operate safely. The following is a list of programs and activities that you may be required to do, but will not have to duplicate if you are doing them as part of your normal operations:

- Employee training on operating procedures for equipment,
- Employee training on Material Safety Data Sheets to comply with the Occupational Safety and Health Administration's (OSHA) Hazard Communication Standard,
- Maintenance and inspection of your equipment and processes, and
- Documentation of your equipment specifications.

In addition, if you are already subject to the OSHA Process Safety Management Standard, you are likely to be in compliance with almost all of the prevention program requirements in this new rule. Finally, if you already have an emergency response plan, you are also likely to be in compliance with that part of EPA's rule.

### **Why Am I Required To Do This?**

The Risk Management Program rule is intended to prevent serious chemical accidents that could affect public health and the environment and

improve the response to accidents that do occur. This new regulation builds upon the Emergency Planning and Community Right-to-Know Act (also known as SARA Title III), which requires facilities to submit chemical inventory information to state and local governments to help community officials plan for and respond to chemical accidents.

This program is also an extension of successful federal and industry standards that established practices for preventing hazardous chemical incidents. Facilities that voluntarily adopted industry standards for accident prevention or have complied with related federal and state programs have found that the benefits outweigh the initial costs through:

- Improved operating performance due to better training and safer operations;
- Avoidance of serious accidents involving evacuation, injury, and even death;
- Better community and employee relations;
- Fewer chemical accidents; and
- Reduction in downtime caused by equipment malfunctions.

Complying with the Risk Management Program requirements will put you on the road toward these important benefits. In addition, your risk management plan will help your local fire, police, and emergency medical personnel (who must prepare for and respond to chemical accidents) and will be useful to the public in understanding the chemical hazards in your community. The availability of your risk management plan is intended to stimulate communication between industry and the public to improve accident prevention and emergency response practices at the local level.

## Where Can I Get Help?

Questions:	Answers:
<p>Where can I find out whether this rule applies to my operations?</p> <p>Who can answer my questions?</p>	<p><b>EPA's Emergency Planning and Risk Management Program Hotline</b>  Toll-Free: (800) 424-9346, TDD: (800) 553-7672  DC Area: (703) 412-9810  Fax: (202) 651-2061  Monday-Friday, 9:00 a.m. - 6:00 p.m. EST  <a href="http://www.epa.gov/epaoswer/hotline/index.htm">http://www.epa.gov/epaoswer/hotline/index.htm</a></p>
<p>Where can I order documents?</p>	<p><b>National Center for Environmental Publications and Information (NCEPI)</b>  Toll-Free: (800) 490-9198  Fax: (513) 489-8695  P.O. Box 42419, Cincinnati, Ohio, 45242-2419  <a href="http://www.epa.gov/ncepihom/index.html">http://www.epa.gov/ncepihom/index.html</a></p> <p><b>EPA's Emergency Planning and Risk Management Program Hotline</b> (see above)</p>
<p>Where can I get documents and other resources electronically as well as the latest compliance information?</p> <p>Where can I get guidance designed for my operations?</p> <p>Where can I get information if there is no industry-specific guidance that fits my operations?</p>	<p><b>EPA/CEPPO Internet Homepage</b>  <a href="http://www.epa.gov/ceppo/">http://www.epa.gov/ceppo/</a></p> <ul style="list-style-type: none"> <li>• Industry-specific Guidances (available beginning Summer 1998)</li> <li>• General Guidance for Industry (available Spring 1998)</li> <li>• Offsite Consequence Analysis Guidance (available Summer 1998)</li> </ul>
<p>Where can I find out more about EPA's small business program in general?</p>	<p><b>EPA Small Business Ombudsman Website</b>  <a href="http://www.epa.gov/sbo/">http://www.epa.gov/sbo/</a>  Toll-Free: (800) 368-5888</p>

This factsheet is brought to you by your risk management program technical assistance provider:

**Name:** \_\_\_\_\_

**Organization:** \_\_\_\_\_

**Phone Number:** \_\_\_\_\_

**Hours of Operation:** \_\_\_\_\_