



Accidental Release Reporting Requirements

The Risk Management Plan (RMP) program requires affected facilities to assess potential risks posed by an accidental release from the facility and to develop a plan that minimizes consequences of such a release. This plan is to include hazard assessments, management programs, prevention programs and emergency response programs.

The Clean Air Act (CAA) Amendments of 1990 required U.S. EPA to develop regulations to prevent accidental releases of regulated substances and reduce the severity of releases that do occur. The final rule for the "Accidental Release Prevention Requirements: Risk Management Programs" under CAA Section 112(r)(7) was published in the Federal Register on June 20, 1996. U.S. EPA published a list of substances that, when involved in an accidental release, could cause death, injury or serious adverse effect to human health or the environment. The list includes 77 acutely toxic chemicals (thresholds range from 500 - 20,000 pounds) and 63 flammable gases and volatile flammable liquids (10,000 pounds).

What is required?

Specific plan requirements vary depending on the type of processes at each facility, but all must report a worst case scenario and most must report an alternative scenario. The Offsite Consequence Analysis (OCA) data includes the distance to the endpoint for a release of the regulated substance(s), effected residential population and environmental receptors.

If a facility adds an RMP-regulated substance over the threshold quantity, the facility must submit an RMP no later than the date that the regulated substance is onsite. All facilities must update and resubmit the RMP to U.S. EPA at least every five years, or whenever changes involving RMP-regulated substances or processes occur at the facility. U.S. EPA also requires a correction to the RMP whenever the emergency contact information changes (within one month) or there is an RMP-reportable accident (within six months). Ohio EPA requires facilities to submit a copy of their initial RMP and RMPs resubmitted due to a major change to DAPC. Facilities are not required to submit their five-year anniversary RMPs to Ohio EPA, DAPC.

In what format is my RMP required to be submitted?

On March 13, 2009, U.S. EPA provided new software called RMP*eSubmit for facilities to use for online RMP reporting. More information about using RMP*eSubmit and U.S. EPA's Central Data Exchange may be found at www.epa.gov/rmp. RMPs submitted to Ohio EPA may be mailed either as a paper copy or on a disk to:

Ohio EPA
DAPC/RMP
P.O. Box 1049
Columbus, OH 43216-1049

What types of facilities are subject?

A wide range of facilities are subject, including water and wastewater treatment plants that use chlorine; anhydrous ammonia retailers; chemical manufacturers; ammonia refrigeration warehouses; chemical manufacturers; and refineries. This list is not all inclusive and the facility must have more than the threshold limit of the regulated substance on site at any one time.

More Information

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How do I determine if my facility is subject?

The RMP regulation applies to any facility that has on-site, in a single process, any regulated substance in excess of the established threshold quantity. The entire list of substances and their thresholds is available at www.epa.gov/rmp (*RMP Overview*).

A process is defined by U.S. EPA to be any activity involving a regulated substance, including any use, storage, manufacturing, handling or on-site movement of such substances, or any combination of these activities. For purposes of this definition, any group of vessels that are interconnected, or separate vessels that are located such that a release from one container could involve adjacent containers, shall be considered a single process (this is referred to as colocation of vessels). Facilities with flammable substances used solely as fuel, or retail facilities that hold flammable substances for sale as fuel are exempt from the RMP regulations.

Example 1: A facility with two one-ton cylinders of chlorine (4,000 pounds total) stored side-by-side would be subject because this process has more than the threshold quantity (2,500 pounds) of chlorine.

Example 2: A facility stores three 55-gallon drums of 70 percent hydrofluoric acid in the same area. Since each drum has approximately 460 pounds of hydrofluoric acid (1,380 pounds total) and is stored in the same location (a single process), this facility would be subject to the RMP requirements.

What is Ohio EPA's role?

In most states, U.S. EPA administers the RMP program. After working with U.S. EPA for several years, Ohio EPA's Division of Air Pollution Control (DAPC) received delegation of the program in January 2000 and now audits all subject facilities for compliance with the RMP regulations.

Ohio EPA's RMP rules (OAC 3745- 104) are essentially equivalent to the federal RMP regulation, with two exceptions. Facilities are required to submit a copy of the initial RMP to Ohio EPA. RMPs resubmitted due to a major process change are also required to be submitted to Ohio EPA, DAPC. OAC 3745- 104 also establishes an annual fee schedule, discussed in the following section.

What are the associated fees?

Ohio EPA's fees for the RMP program were meant to correspond with the amount of time required to audit the RMP and/or inspect the facility. All subject facilities must pay an annual \$50 registration fee plus the following additional fees:

- \$65 for propane, if not exempt from coverage under the "Chemical Safety Information, Site Security and Fuels Regulatory Relief Act" and propane is the only regulated substance onsite;
- \$65 for anhydrous ammonia sold for use as an agricultural ingredient; and
- \$200 for each additional regulated substance, including anhydrous ammonia used or sold for use as anything other than as an agricultural nutrient.

Facilities are invoiced early August and fees are due September 1. Independent business owners employing less than 100 full-time employees may be exempt from 112(r) fees. Please contact Ohio EPA at (800) 329-7518 for more information.

The "Chemical Safety Information, Site Security and Fuels Regulatory Relief Act"

The Chemical Safety Information, Site Security and Fuels Regulatory Relief Act (PL 106-40) exempts flammable substances (when used as fuel) from coverage under the RMP requirements. This means that most facilities storing and/or using propane as well as other flammable fuels are exempt from the requirements of the RMP program.

The Act also restricts public access to the Off-Site Consequence Analysis (OCA) data. In Ohio, the public may obtain the OCA data by contacting one of two reading rooms, located in Cleveland and Cincinnati. For more information about the reading rooms and their requirements, please contact Ohio EPA.

Where can I get guidance?

A variety of guidance documents, including specific guidance for industry sectors, are available from U.S. EPA online at www.epa.gov/rmp (*Guidance for Facilities*) or by calling (800) 424-9346. Individual trade associations may also be a good source of information. Ohio EPA's website (epa.ohio.gov/dapc/atu/112r.aspx) includes information about delegation of the RMP program, Ohio's ARP program rules (OAC 3745-104), compliance tools and state guidance.