

Executive Order: Improving Chemical Facility Safety & Security



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Overview of EPA Activities under EO 13650

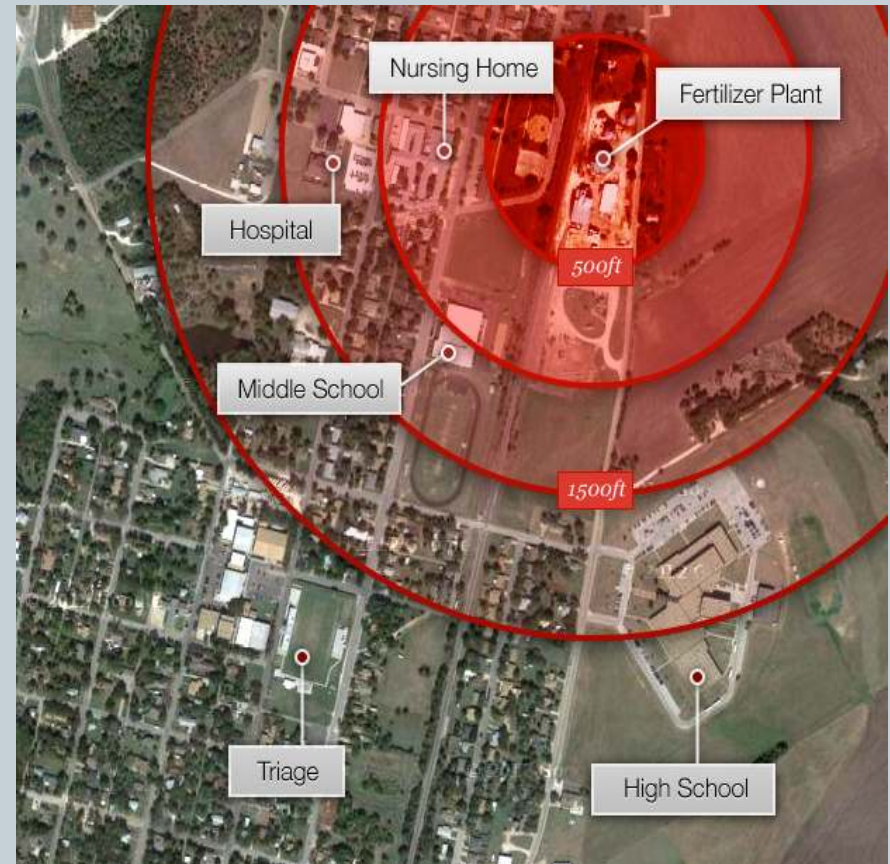
AS OF APRIL 9, 2014

Executive Order on Chemical Facility Safety & Security



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- Signed August 1, 2013
- Driven by recent chemical accidents (e.g. West, TX fertilizer facility)
- Areas of effort:
 - Improving Operational Coordination with State, Local, and Tribal partners
 - Enhancing Federal Coordination
 - Enhancing Information Collection and Sharing
 - Modernizing Regulations, Guidance, Policy, and Standards
 - Identifying Best Practices



Establish Cross-Agency Collaboration



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Cross-Agency Workgroup

Co-Chairs:
DHS Secretary
EPA Administrator
Secretary of Labor

Consultation:

- Council on Environmental Quality
- National Security Staff
- Domestic Policy Council
- Office of Science and Technology Policy
- Office of Management and Budget (OMB)
- White House Office of Cabinet Affairs
- Others as designated by the President

Department of
Homeland Security

Environmental
Protection Agency

Department of Labor

Department of
Transportation

Department of Justice

Department of
Agriculture

Improving Operational Coordination with State, Local, and Tribal partners



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- The Working Group, lead by EPA, developed an ‘Operational Coordination Plan’
 - Purpose: Support and further enable efforts by State regulators, State, local, and tribal emergency responders, chemical facility owners and operators, and local and tribal communities to work together to improve chemical facility safety and security
- Identify limitations and needs at the local level to improve chemical safety and security using input from:
 - Listening sessions
 - Meeting with stakeholders
 - Webinars
 - Information submitted to Federal Agencies

Improving Operational Coordination with State, Local, and Tribal partners (cont'd)



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- Key needs include:
 - Expanded engagement of the regulated community in the local emergency planning process;
 - Improve training for first responders, including a comprehensive implementation/compliance strategy of the Hazardous Waste Operations and Emergency Response (HAZWOPER) regulations;
 - Provide further technical assistance to SERCs/TERCs and LEPCs/TECPs on prevention and preparedness, including increasing LEPCs capacity to analyze information submitted by facilities (EPCRA Tier II);
 - Identify and coordinate funding sources for LEPCs to sustain planning activities;
 - Increase use of electronic reporting and data management; and
 - Improve public disclosure/access to information about chemical facility risks while protecting security/sensitive information.

Enhanced Federal Coordination



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- The Working Group, lead by EPA Region 2 via the Regional Response Team, **established a pilot program to validate best practices and to test innovative methods for Federal interagency collaboration:**
 - Innovative and effective methods of collecting, storing, and using facility information
 - Stakeholder outreach
 - Inspection planning.
 - Evaluate and disseminate best practices.
- **Next Step:** Developing comprehensive and integrated standard operating procedures for identifying and responding to risk in chemical facilities, incident reporting and response procedures, enforcement, and collection, storage, and use of facility information.

Enhanced Information Collection and Sharing



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- The Working Group is exploring ways to:
 - Institutionalize improved sharing of information among Federal Agencies to identify facilities that are not meeting good standard practices or are out of compliance with important safety and security requirements
 - Create a central data input mechanism for facilities increase Federal efficiency and decrease burden on information submitters
 - Ensure States and locals have access to information to ensure information is available to those who need it without compromising facility security
 - Ensure facilities are aware of their regulatory obligations

Policy, Regulation and Standards Modernization



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- Options to improve risk management via:
 - Agency programs, private sector initiatives, government guidance, outreach, consensus standards, voluntary programs, and regulations.
 - The list of options were published on January 2, 2014 and comments were requested by March 31, 2014.
 - Input will be used to develop a plan for implementing practical and effective improvements to chemical risk management by the end of May 2014 as part of the Report to the President.

Policy, Regulation and Standards Modernization



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- Options for EPA regulations, guidance, and policies, including:
 - Exploring ways to update/improve RMP coverage of chemicals including reactive, explosive and other chemicals
 - Expanding EPA inspector training to include best practices and improve chemical safety beyond regulatory requirements
 - Further enhancing EPA software tools for emergency planners and responders to assist them in developing emergency response plans Evaluating implementation of best practices and lessons learned (e.g. “safety case” regulatory model)
 - Identifying ways to incorporate best practices, lessons learned, and safer alternatives into risk management programs



EPA's Request for Information (RFI)

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- EPA is drafting an Request for Information (RFI) similar to OSHA's RFI to:
 - Collect background information to inform Agency actions
 - Evaluate any potential action in parallel to OSHA's actions on their Process Safety Management Standard
- RFI categories include:
 - RMP chemicals list
 - Strengthening or clarifying existing requirements
 - New prevention and emergency response program elements
 - Other technical changes and/or corrections
- Publish in Federal Register – May/June 2014

Working with Stakeholders to Identify Best Practices



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- The Working Group has gathered via listening sessions successes and best practices to reduce safety and security risks, including use of safer alternatives, adoption of best practices, and potential public-private partnerships
- Check out the EO website for more information:
http://www.epa.gov/emergencies/eo_improving_chem_fac.htm#eopu



Region 5 POCs

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