



# Region 8 Emergency Preparedness Newsletter

Volume VIII No. III July 2018 Quarterly Newsletter

**Welcome to the EPA Region 8 Preparedness Newsletter.**

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# Region 8 Responds to Ricin Release

When a toxic poison was discovered in a Boulder condominium last fall, local and county officials first alerted the Federal Bureau of Investigation (FBI) and the Department of Homeland Security. The condominium was on the second floor of a two story building that contained nine units. Each of the units had dedicated forced air heating/air condition units. The FBI and Boulder County Hazmat evacuated the condominium complex and restricted access until the materials and equipment used to manufacture the ricin could be removed. Immediately afterwards, experts from the Environmental Protection Agency (EPA) Emergency Response unit were requested to aid with assessment, cleanup and decontamination procedures.



Preparing for entry

Boulder County Hazmat reported that a resident had manufactured an unknown quantity of powdered ricin in the condominium and, once ricin-exposure symptoms surfaced a few days later, admitted himself to a local hospital. Ricin is a highly lethal bio-toxin, which if inhaled, ingested or injected, can prevent cells from making bodily-required proteins. Depending on the route of exposure and dose, ricin can be deadly; there is no antidote for ricin poisoning. Symptoms from inhalation or injection include respiratory stress, vomiting and bloody diarrhea, possible seizures, and low blood-pressure and respiratory failure leading to death.

Because of the high toxicity of ricin, site safety and entry procedures were carefully planned and reviewed to ensure the safety of workers and the public. To further protect residents of the complex, EPA installed plastic sheeting barriers in the corridor outside of the condo to contain any potential ricin powder release from the condominium. Most of the hard surfaces within the condominium were decontaminated using a bleach solution, though many porous surface items such as carpet, window dressings, bed coverings, wall hangings, kitchen items, and rugs could not be decontaminated and were discarded.

Emergency responders wore specialized personal protective equipment including two layers of nitrile gloves, chemical-resistant boots, and air purifying respirators. Before exiting, the responders' protective equipment was also decontaminated using an initial bleach/water solution for boot washing placed at the entrance/exit of the condominium unit. Each worker was sprayed from top to bottom with the bleach/water solution and held for a minimum 15-minute contact time and then sprayed with a water rinse solution before doffing personal protective equipment.

The cleanup was successfully completed and the condominium is once again occupied.

Duane Newell, federal on-scene coordinator, responding for Region 8, said ricin poisoning is not all that uncommon; every year there are a few exposures across the country. During his career as a trained emergency responder, he has had experience with two other ricin incidents as well as other biological toxins.



Responders' decontamination process

# Risk Management Program Amendments Reconsideration Proposed Rule

On May 27, 2018, EPA Administrator Scott Pruitt signed a proposed rule titled “Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act.”



EPA requests public comment on several proposed changes to the final Risk Management Program Amendments rule issued on January 13, 2017.

The Risk Management Plan Rule is authorized under the Clean Air Act Amendments of 1990 and requires facilities that use extremely hazardous substances to develop a Risk Management Plan.

EPA issued a final ‘Rule Amendments’ in January 2017 in response to the West, Texas fertilizer plant explosion that killed 15 people, primarily first responders.

EPA now proposes to rescind the amendments relating to:

- safer technology and alternatives analyses,
- third-party audits, incident investigations,
- information availability,
- and several other minor regulatory changes.

EPA also proposes to modify amendments relating to:

- local emergency coordination,
- emergency exercises,
- public meetings,
- and to change the compliance dates.



A 60-day comment period began after the publication in the federal register on May 30th, 2018. Submit comments and additional materials, identified by docket EPA–HQ–OEM–2015–0725 to the Federal eRulemaking Portal: <https://www.regulations.gov/>.

Contacts in Region 8 for RMP questions are Rebecca Broussard, at [Rebecca.Rebecca@epa.gov](mailto:Rebecca.Rebecca@epa.gov) and Kathie Atencio, at [Atencio.Kathie@epa.gov](mailto:Atencio.Kathie@epa.gov).

# Preparedness for Response Exercise Program—PREP

## Full Scale Exercise

### Andeavor Corporation Salt Lake City, Utah

The EPA's Emergency Response and Preparedness Program (ERP) held a no-fault training and 'Full Scale Exercise' (FSE) for a worst-case discharge oil spill response this past June 13<sup>th</sup> and 14<sup>th</sup> in Salt Lake City, Utah.



EPA members included in the exercise were On-Scene Coordinators, emergency preparedness coordinators and exercise coordinators. In this learning FSE, the EPA planning team coordinated with the Andeavor Corporation along with Utah Department of Environmental Quality, Utah Fire Marshal, South Davis Metro Fire and Salt Lake City Fire. Prior to the FSE, Andeavor, with EPA's assistance, conducted an Incident Command System (ICS) refresher training.

Over 100 participants from private industry, state, local and federal agencies participated either as players, controllers or evaluators in the response to a mock 'worst-case discharge' of 75,000 barrels of oil into a nearby canal in North Salt Lake City. The canal flows into the Farmington Bay Waterfowl Management Area.

The goals of the exercise included:

- enhancing response operations for a major oil release/discharge,
- validating plans to ensure the highest level of preparedness,
- reinforcing public/private partnerships to develop viable local response capacity,
- and meeting the 15 PREP core components.

For more information, contact Luke Chavez, EPA Exercise Coordinator with any questions at [Chavez.Luke@epa.gov](mailto:Chavez.Luke@epa.gov).

## Oil Spill Response Functional Exercise

### Andeavor Corporation

Andeavor Corporation in conjunction with EPA On-Site and Exercise Coordinators, held a training and functional exercise on May 15-17th, 2018 for a response to a hypothetical oil spill along with representatives of the North Dakota Department of Health, North Dakota Department of Emergency Services, Three Affiliated Tribe, Oliver County Department of Emergency Management, and Andeavor's Oil Spill Response Organization. Over 50 people participated in this mock scenario of a discharge of sweet crude oil from a 16-inch pipeline.

The scenario included a flow into Otter Creek, which flows into Knife River and eventually the Missouri River. Andeavor set up an Incident Management Team (IMT) in a nearby Incident Command Post in Dickinson, ND and also set up their Emergency Operations Center in Denver, CO. The exercise tested the following objectives: Staff Mobilization, Incident Command, Assessment, Operations, Planning, and Logistics. For more information, contact Luke Chavez, EPA Exercise Coordinator with any questions at [Chavez.Luke@epa.gov](mailto:Chavez.Luke@epa.gov).



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# PREP 2018 Full Scale Exercise Salt Lake City, Utah Snapshot of Activities



Incident Command Post (ICP)



Decontamination Line



Setting Boom in Oily Water Canal



Setting Boom in Oily Water Canal



Crude Feed Pump Fire Drill



75,000 Barrel Floating Roof Tank & Feed Lines

## FAQs for EPCRA

### EPCRA requirements for a facility located within two emergency planning districts

*The reporting requirements of EPCRA sections 303(d), 311, and 312 require covered facilities to provide information on the presence of extremely hazardous substances (EHSs) and hazardous chemicals to the Local Emergency Planning Committee (LEPC) or Tribal Emergency Planning Committee (TERC) for the purpose of preparing an emergency plan. Usually, facilities are located within the boundaries of a single LEPC or TERC emergency planning district, allowing all notification to be made to the same planning entity.*

*However, a facility subject to EPCRA emergency planning requirements might be located such that its perimeter extends across the planning jurisdiction boundaries of two LEPCs or TERCs. In this case, which Committee is responsible for including the facility in its emergency response plan? To which LEPC or TERC should the facility fulfill its reporting obligations under Sections 303(d), 304, 311, and 312?*

LEPCs and TERCs who share jurisdiction over a facility should decide how they will share responsibility for including the facility in their emergency planning activities and how they will accept information required under Sections 303(d), 304, 311, and 312. With respect to Section 303(d), if the facility is located within two districts, it must provide the required notification to both entities.

Since Section 304 requires facilities to notify the LEPC or TERC responsible for any area likely to be affected by a release of a reportable chemical (40 CFR section 355.42), both entities should receive release notification to ensure sufficient emergency response. Sections 311 and 312 require information to be submitted to the appropriate emergency planning committee (Sections 311(a)(1)(a), and 312(a)(1)(a)). LEPCs and TERCs may reach an agreement as to which is the appropriate party and thus determine which would receive information submitted under Sections 311 and 312. In the absence of such an agreement, the facility would need to report to both TERCs or LEPCs.

### What is the primary purpose of Section 302 notification requirements?

Notifications indicating that a facility has one or more extremely hazardous substances in excess of the threshold planning quantity help to identify locations within the state where emergency planning activities can be initially focused. While the substances on the list do not represent the entire range of hazardous chemicals used in commerce, they have been designated as those substances which are, in the event of an accident, most likely to inflict serious injury or death upon a single, short-term exposure. Therefore, Section 302 notifications should be useful in helping state and local governments identify those areas and facilities that represent a potential for experiencing a significant hazardous material incident.

### Several substances on the list of extremely hazardous substances (EHSs) have two threshold planning quantities (TPQs). When would a facility use the higher TPQ?

EHSs that are in solid form (not a gas or a liquid) are subject to one of two different TPQs. A facility should use the lower TPQ if the solid is in powdered form and has a particle size less than 100 microns; is in solution; is in molten form; or meets the criteria for a National Fire Protection Association rating of 2, 3 or 4 for reactivity (§355.15(a)). If the solid does not meet one of these criteria, then the TPQ is 10,000 pounds (the higher TPQ as listed in the List of Lists).

A facility would only apply the (higher) 10,000 pound TPQ for an EHS **when complying with the EPCRA Section 302 emergency planning notification requirement**. For the purpose of EPCRA Section 311 or 312 reporting requirements (for example, Tier II reporting), a facility would use the threshold of 500 pounds or the designated TPQ in Part 355, Appendix A, whichever one is lower (§370.10(a)(1)).

A chemical in a liquid or gas state will only have one TPQ associated with it.

# Big Horn County, Montana LEPC

Big Horn County sits in southeast Montana with a unique geography. Within Big Horn County lies the Crow Indian Reservation and the Northern Cheyenne Indian Reservation. It also overlaps the National Park Service's Little Bighorn Battlefield and the Big Horn Canyon National Recreation Area. In addition, the county borders the Wyoming state line. This presents special considerations as well as coordination of responses.



Big Horn, like the river and mountain range, is named for the bighorn sheep in the Rocky Mountains. The Big Horn River below Yellowtail Dam attracts fishing enthusiasts worldwide. The spectacular Big Horn Canyon National Recreation Area is host to many water sports. Chief Plenty Coups State Park contains much history of the Crow Indians. Some of the largest ranches in the country dot the countryside, with typical properties measured in the hundred thousand acres. The county itself covers over 5000 square miles, one of the largest in Montana.

Ed Auker plays many roles for the county including Coordinator for Disaster and Emergency Services (DES). This position also makes him Chair of the Big Horn County LEPC. The meetings are held quarterly at the Emergency Operations Center in the Big Horn Courthouse. The DES Coordinator creates the agenda and chairs the LEPC meetings. In emergency circumstances, the LEPC members meet more frequently, as needed. Between meetings, the LEPC shares most information and concerns via email.



The most active members of the LEPC are first responders and representatives from business interests within the county. The group currently includes ranchers, geologists, college professors, tribal representatives, Bureau of Indian Affairs representatives and law enforcement. DES regional representative Charlie Hanson also attends meetings. A few individuals, simply interested as citizens, are present as well. The group knows each other well, creating lively discussions.



A most important role of the LEPC is maintaining relationships throughout the County, and sharing issues with each of the responders and entities. DES Coordinator Auker said, "Recently, we have been working on editing and revising our Emergency Operations Plan—boy that's a big elephant. The Pre-Disaster Mitigation plan is also up for revision this year—amazing how quietly those big projects can sneak up on an LEPC."

The Chair acts mostly as a master of ceremonies helping to *facilitate* discussion rather than *lead* the discussion. Most meetings discuss events each representative has worked on—successes and issues that need to be addressed. Auker likened it to a very informal 'after action' report. "It works for us because often the guy who can actually fix the issue is at our meeting, or at least we hear a wide range of possible solutions." He added that invariably the subject concerns communications and that usually the solution is expensive.

Ed mentioned that a ten to fifteen minute tabletop exercise is a good idea—and likes to hold them on issues that aren't normally tackled by the LEPC and first responders. For example, one of the scenarios used was an aircraft crash involving the Powder River Training Complex. None of the members had dealt with a military aircraft crash so he used that rather than a more frequent event like a car crash.

"We have been doing this for so long that relationships with our members are very good. Our neighboring jurisdictions are also great to work with. Last year, during a late summer fire on the border with Wyoming, we would have been overwhelmed except for the agencies and cross border involvement," he added. According to Auker, as the LEPC Chair, he spends every day with heroes.

# Rulemaking on Preventing Hazardous Substance Spills

*Administrator Scott Pruitt signed a proposed regulatory action to establish no additional regulatory requirements under the Clean Water Act (CWA) section 311(j)(1)(C) authority for CWA hazardous substances (HS) discharges prevention. Based on a review of existing regulatory requirements and an analysis of the frequency and impacts of reported CWA HS discharges, at this time, the EPA believes that the existing framework serves to prevent CWA HS discharges. The purpose of this action is to notify the public of EPA's proposed approach and provide an opportunity for public comment.*

## **Rule Summary**

On June 15, 2018, Administrator Scott Pruitt signed a proposed action to establish no additional regulatory requirements under the Clean Water Act (CWA) section 311(j)(1)(C) authority for CWA HS discharge prevention. Based on an analysis of the frequency and impacts of reported CWA HS discharges and the existing framework of regulatory requirements, EPA is not proposing additional regulatory requirements at this time.

This proposed action is intended to comply with the Consent Decree and to provide an opportunity for public notice and comment on EPA's proposed approach to satisfy the CWA requirements. Comments must be received on or before 60 days after the date of publication in the *Federal Register*.

Pre-publication copy of proposed rulemaking: [Clean Water Act Hazardous Substance Spill Prevention](#)

## **Rule History**

CWA Section 311(j)(1)(C) directs the President to issue regulations establishing procedures, methods, and equipment; and other requirements for equipment to prevent discharges of oil and hazardous substances from vessels and from onshore facilities and offshore facilities, and to contain such discharges. The President has delegated the authority to regulate non-transportation-related onshore facilities and offshore facilities landward of the coastline, under Section 311(j)(1)(C) of the CWA to EPA.

On July 21, 2015, EPA was sued for failing to comply with the alleged duty to issue regulations to prevent and contain CWA hazardous substance discharges. On February 16, 2016, the U. S. District Court for the Southern District of New York entered a Consent Decree that required EPA to sign a notice of proposed rulemaking pertaining to the issuance of hazardous substance regulations. The Consent Decree also requires EPA to take final action after notice and comment on said notice.



## Preparedness Training Region 8

- **24 Hr. Hazwoper** – Brule Sioux Tribe, Pierre, S.D. July 24-26 – For Registration Information: George Honeywell, Environment Protection Office, 605-473-0163, Brule County Sioux Tribe, ghoneywell@LBST-EPO.org
- **40 Hr. Hazwoper** — Standing Rock Sioux Tribe, Ft. Yates, N.D. August 20-24 – For Registration Information: Allyson Two Bears, Standing Rock Sioux Tribe, DER, 701-854-3823
- **Sampling Hazardous Materials** – Mt. DEQ July 11-12 – For Registration Information: Chad Anderson, Mt. DEQ, 406-444-2964, chada@mt.gov
- **Chemistry for Environmental Professionals** – August 21-24 – For Registration Information: Brianne Rael, Colorado Department of Public Health and Environment, 303-692-3651

## Ammonia Safety and Training Institute (ASTI)

- Aurora, Colorado October 10, 2018
- An 8-hour conference-style presentation designed for industry, firefighters and regulators addressing prevention of, and safe response to, ammonia emergencies.
- Sample topics include hazard analysis, equipment problems leading to emergencies, emergency shutdown, emergency control and containment, safety plans, personnel protection equipment, decontamination, integrating with public safety responders, monitoring systems, public receptors, communications, and safe escape or shelter.
- For more information and registration: <https://ammonia-safety.com/safety-days> or contact

## South Dakota Chemical and Oil Workshops

The South Dakota Department of Environment and Natural Resources (DENR) is holding workshops in August with representatives of the U.S. Occupational Safety and Health Administration, the Department of Homeland Security, and the Environmental Protection Agency. These workshops offer direct lines of communication with federal partners. Workshops will be held in Mitchell, Aberdeen, Pierre and Rapid City during the week of August 27th to 31st.

The morning session of each workshop is focused on chemical safety.

[REGISTER HERE](#) for the chemical workshop.

The afternoon sessions will cover oil safety.

[REGISTER HERE](#) for the oil workshop.

You are welcome to attend both sessions. Contact [Rebecca Broussard](#) with questions.

## Fall Region 8 RRT Meeting

The Fall 2018 Regional Response Team meeting will be held this October 16 and 17th. The meeting will be held at the US Fish & Wildlife Service Offices, 134 Union Blvd., Lakewood, Colorado. Please note the address and adjust your travel plans accordingly to account for the new location. For more information, contact Tina Artemis at [Artemis.Tina@epa.gov](mailto:Artemis.Tina@epa.gov) or Todd Peterson at [Todd.M.Peterson@uscg.mil](mailto:Todd.M.Peterson@uscg.mil)

## 'City Planner Resource' FEMA Application

The FEMA HQ Chemical Biological Radiological and Nuclear (CBRN) Office is building a planning tool called the City Planner Resource (CPR) and requests help in garnering regional input from emergency response planners.

The CPR is a web-GIS based tool that provides quantitative CBRN release and effect information to support Federal, State, Local, and Tribal planners in developing their preparedness plans. A beta version of the nuclear version of the CPR, Improved Nuclear Device City Planner Resource (iCPR), has been completed, and now the requirements development process is underway to build the chemical version of the tool, the chemCPR.



FEMA would like input from the SERC and EPA regional, state, local, tribal and territorial chemical response planners to help inform development of the chemCPR tool requirements. The FEMA CBRN Office invites you to contribute to this planning effort as key LEPC and other regional planners with chemical subject matter expertise. The time commitment level is minimal and completely discretionary: participate in a one-hour overview webinar and review our draft regional chemical scenario priorities and requirements which will be approximately two or three pages per region.

Some of the key questions FEMA needs input on:

- Priority chemicals of interest, release scenarios, and release locations: What chemical release scenarios are currently used by your region for response planning?
- Useful effects information (e.g., impacted infrastructure, population impacts, health effects, etc.): What are the key elements your exercising your plans/training to?
- Identifying requirements that help this tool complement other release/response tools (such as CAMEO.ALOHA): What tools do you currently use for chemical release response and planning?

For questions or requests for additional information contact Dante Stellar, CBRN Program Specialist, FEMA Response Directorate, CBRN Office, [Dante.Stellar@fema.dhs.gov](mailto:Dante.Stellar@fema.dhs.gov)



## Chemical City Planner Resource (chemCPR)

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](#).

## Region 8 SERC Contact Information

### Colorado

Mr. Greg Stasinis, Co-Chair  
Phone: 303-692-3023  
greg.stasinis@state.co.us

Mr. Mike Willis, Co-Chair  
Phone: 720-852-6694  
mike.willis@state.co.us

### North Dakota

Mr. Cody Schulz, Chair  
Phone: 701-328-8100  
nddes@nd.gov

### Montana

Ms. Delila Bruno, Co-Chair  
Phone: 406-324-4777  
dbruno@mt.gov

Mr. Bob Habeck, Co-Chair  
Phone: 406-444-7305  
Email: bhabeck@mt.gov

### South Dakota

Mr. Bob McGrath, Chair  
Phone: 800-433-2288  
Trish.Kindt@state.sd.us

### Utah

Mr. Alan Matheson, Co-Chair  
Phone: 801-536-4400  
amatheson@utah.gov

Mr. Keith Squires, Co-Chair  
Phone: 801-965-4461  
ksquires@utah.gov

### Wyoming

Ms. Aimee Binning  
Phone: 307 721-1815  
ABinning@co.albany.wy.us

**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 5:30 p.m., Monday - Friday:(703) 227-7650 or email [RMPRC@epacdx.net](mailto:RMPRC@epacdx.net).

**RMP:** <https://www.epa.gov/rmp>

**EPCRA:** <https://www.epa.gov/epcra>

**Emergency Response:** <https://www.epa.gov/emergency-response>

**SPCC/FRP:** <https://www.epa.gov/oil-spills-prevention-and-preparedness-regulations>

## [Lists of Lists](#)

**Questions?** Call the Superfund, TRI, EPCRA, RMP, and Oil Information Center at (800) 424-9346 (Monday-Thursday).

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

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



*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.*

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