**August 14, 2015**

**To:** Executive Order National Working Group Tri-Chairs

**From:** Region 3 Executive Order 13650 Working Group Tri-Chairs

**Subject:** Submittal of Region 3 Executive Order 13650 Implementation Plan and Standard Operating Guides

Under Executive Order 13650 (EO) to improve Chemical Facility Safety and Security, the Region 3 Workgroup (R3WG), comprised of the U.S. Environmental Protection Agency (EPA), U.S. Department of Labor Occupational Safety and Health Administration (OSHA), and U.S. Department of Homeland Security (DHS) Critical Infrastructure Program, is responsible for jointly implementing operational and coordination processes to improve chemical hazard prevention and preparedness at the federal, state, tribal, and local level. Region 3 includes Washington, District of Columbia (DC), Delaware, Maryland, Pennsylvania, Virginia, West Virginia, and one Federally Recognized Tribe, the Pamunkey Tribe.

Attached is the R3WG EO 13650 Implementation Plan and Standard Operating Guides. The R3WG has made available to the public, local governments, and industry partners its work products, outreach materials, and progress reports through the Regional Response Team 3 web page, as described in its Implementation Plan.

Please contact any of the R3WG tri-chairs with questions or for follow up.

Kevin Boyd, Chief
Preparedness and Support Branch
Office of Preparedness and Response
U.S. Environmental Protection Agency, Region 3

Thomas Carle
Assistant Regional Administrator
Occupational Safety & Health Administration
U.S. Department of Labor, Region 3

Garret J. Hansen
Regional Commander
Infrastructure Security Compliance Division
U.S. Department of Homeland Security, Region 3

Attachment:
Region 3 Executive Order 13650 Implementation Plan and Standard Operating Guide

*Executive Order 13650*

*Chemical Safety and Security*

# Region 3 Implementation Plan and Standard Operating Guides

*August 14, 2015*

## Revision History

| Version | Description | Release Date |
|---|---|---|
| **0.1** | Initial Draft | 5/2/2015 |
| **0.1.1** | Structure and editing by Tri-Chair Members | 5/6/2015 |
| **0.2** | Addition of Standard Operating Guidance | 5/11/2015 |
| **0.3** | Addition of EPA inspector comments, and comments received during RRT, and restructuring and renaming of SOPs-EPA Casillas | 6/30/2015 |
| **0.3.1** | Addition of resources and training lists. | 7/28/2015 |
| **0.4** | Implementation Plan and Standard Operating Guides for September 6th deadline submittal with Agency Management Comments. As transmitted to EO National Workgroup and made publicly available through RRT3 web page. | 8/13/2015 |

# Contents

# Executive Summary

This R3 Executive Order 13650 (E.O. 13650) Implementation Plan contains within it the Standard Operating Guidance (SOG) agreed upon by the E.O. 13650 Region 3 Working Group (R3WG) in consultation with Federal Region 3 (R3) state and local stakeholders including the R3 Regional Response Team (RRT3), to improve facility safety and security. Federal Region 3 consists of Delaware, Maryland, Pennsylvania, Virginia, West Virginia, District of Columbia (D.C.) and one Federally Recognized Tribal Nation, the Pamunkey Tribe. It identifies the lead members of the tri-chair agencies, the Environmental Protection Agency (EPA), the Department of Labor Occupational Safety and Health Administration (OSHA), and the Department of Homeland Security (DHS), along with other participating members. It describes procedures, many already in place within each agency, for sharing information across the agencies and with stakeholders.

This Plan describes processes that continue to be improved and expanded, and as such, is a dynamic document. This Plan references the existing Region 3 EPA and OSHA Memorandum of Understanding, a framework for notification, consultation, and coordination, and builds on that by describing coordination with DHS on facility security. The SOGs are described under section 4.0 and describe how R3 implements the actions to Improve Chemical Facility Safety and Security proposed to the President by the National Working Group. These SOGs identify short term, and long-term tasks according to the feasibility of proposed operational, data management, or policy improvements.

# 1.0 Background

President Obama issued Executive Order (EO) 13650 - Improving Chemical Facility Safety and Security on August 1, 2013, to enhance the safety and security of chemical facilities and reduce risks associated with hazardous chemicals to facility workers and operators, communities, and responders. The Executive Order established a National Working Group chaired by the Environmental Protection Agency (EPA), the Department of Labor (DOL), and the Department of Homeland Security (DHS), and directed this working group, in consultation with the Department of Justice, the Department of Agriculture, and the Department of Transportation and other agencies to:

- Improve operational coordination with, and support to, State and local partners;
- Enhance Federal agency coordination and information sharing;
- Modernize policies, regulations, and standards; and
- Work with stakeholders to identify best practices.

The National Working Group's report to the President dated June 6, 2014 and entitled *Actions to Improve Chemical Facility Safety and Security – A Shared Commitment* highlighted the following actions to minimize chemical facility safety and security risks:

- Strengthen Community Planning and Preparedness;
- Enhance Federal Operational Coordination;

- Improve Data Management;
- Modernize Policies and Regulation; and
- Incorporate Stakeholder Feedback and Develop Best Practices.

This Implementation Plan serves as the R3 EO13650 Standard Operating Guide. It provides an organizational description of R3WG, and lists applicable tasks identified by R3WG under each of the National Work Group EO 13650 "Actions."

## 2.0 Authority

Applicable Authorities in the implementation of this Order include:

1) Executive Order 13650: Improving Chemical Facility Safety and Security
2) National Response Framework, May 2013 –Presidential Preparedness Directive (PPD) 8
   a) EPA Specific statutes and regulations:
   b) Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) Sections 302-304, 311-313.
   c) Emergency Planning and Notification and Emergency Release Notification, 40 CFR Part 355;
   d) Hazardous Chemical Reporting: Community Right-to-Know—40 CFR Part 370;
   e) Toxic Chemical Release Reporting: Community Right-to-Know—40 CFR Part 372
   f) Clean Air Act General Duty Clause Clean Air Act—Section 112(r)(1)
   g) Risk Management Program Regulations 40 CFR Part 68
   h) National Oil and Hazardous Substances Pollution Contingency Plan (NCP)—40 CFR 300
   i) Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)
   j) Oil Pollution Prevention:
      i) Clean Water Act, as amended by the Oil Pollution Act of 1990
      ii) Pollution Prevention and Response --40 CFR Part 112.3 Spill Prevention Control and Countermeasures Planning National Preparedness for Response Exercise Program (PREP) Guidelines (in coordination with USCG)—77 CFR 10542,
      iii) Facility Response Plan Regulation—40 CFR Parts 112.20 and .21

3) DHS Specific statutes and regulations:

   a) Title II of the Homeland Security Act of 2002 (Public Law 107-296), as amended, March 2006
   b) Homeland Security Appropriations Act of 2007, Public Law 109-295, Section 550
   c) Chemical Facility Anti-Terrorism Standards, 6 CFR Part 27.
   d) CFATS Act of 2014
   e) Maritime Transportation Security Act, Public Law 107-295

4) OSHA Specific statutes and regulations:

   a) Occupational Safety and Health (OSH) Act of 1970
   b) 29 CFR 1910.120 - Hazardous Waste Operations and Emergency Response
   c) 29 CFR 1910.119 - Process Safety Management of Highly Hazardous Chemicals

## 3.0 Regional Working Group Membership

The R3WG is tri-chaired by the EPA, DOL, and DHS, and is responsible for Federal interagency coordination on the implementation of the actions identified in this plan. The R3WG members are identified on table 1.

**Table 1. Regional Working Group Members**

| ***Regional Working Group Members*** | | |
|---|---|---|
| Role | Name | Contact Number |
| EPA Tri-Chair | Kevin Boyd | 215-814-3418 |
| OSHA Tri-Chair | Thomas Carle | 215-861-4900 |
| DHS/ISCD Tri Chair | Garret J. Hansen | 202-302-6365 |
| EPA Regional Work Group Members | Laura Casillas, OPR (Lead)<br>William Martin, OPR<br>Kevin Daniel, RMP<br>Michael Welsh, RMP<br>Mary Hunt, RMP<br>Anne Gilley, EPCRA<br>Arlin Galarza-Hernandez, SPCC/FRP<br>Joan Armstrong, HSCD | 215-814-3253<br>215-814-3257<br>215-814-3247<br>215-814-3285<br>215-814-3425<br>215-814-3293<br>215-814-3223<br>215-814-3155 |
| OSHA Regional Work Group Members | Adam Hamrick<br>McCoy Davidson | 215-861-4930<br>215-861-4929 |
| DHS/ISCD Regional Work Group Members | Tom Calhoon<br>Ryan Beckmann | 202-617-0976<br>703-603-4944 |
| Coast Guard Work Group Members | David Ormes | 757-398-6585 |

## 4.0 Standard Operating Guides for Implementing EO13650

The R3WG adopts the following SOGs as procedures to improve safety and security in Region 3 chemical facilities. The “Strengthen Community Planning and Preparedness” SOG intends to improve how Federal agencies interact with state and local governments as well as industry and community groups with a stake in chemical preparedness. The “Enhance Federal Operational Coordination” SOG describes how each of the lead agencies will improve planning, scheduling and operational coordination procedures for how and when they share information related to identifying and responding to risks at facilities with the purpose of conducting better informed and comprehensive inspections, with the goal of reducing the number and severity of chemical incidents region-wide. This information sharing inter-agency process will help ensure appropriate governmental agencies are made aware of potential compliance matters, unsafe conditions, security matters, and other

factors that may contribute to a catastrophic release, or compromise a chemical facility. The SOG "Improve Data Management" summarizes processes and platforms currently used by various R3WG programs to manage facility, enforcement, outreach, or training information. The SOG "Modernize Policies and Regulation" identifies how R3WG will elevate regional needs to the national level to improve coordination on chemical preparedness. Finally, the SOG "Incorporate Stakeholder Feedback and Develop Best Practices" describes the venues through which lessons learned will be shared and requested, and potential training areas of focus. Each of the SOGs describes current efforts and identifies long term tasks which may take years, or national level policy changes to implement.

## 4.1 Strengthen Community Planning and Preparedness

1) The R3WG agrees to use the existing Regional Response Team and National Response Team structure, which includes USCG Area Committee, as the primary venue for sharing information with other Federal, State, Local, and Industry Stakeholders.
2) R3WG will also use venues such as Federal Emergency Management Agency (FEMA) Regional Interagency Steering Committee (RISC), Area Maritime Security Committee, and other venues having interest in improving chemical facility safety and security.
3) The R3WG will reach out to other government organizations with roles or interests in Chemical Facility Safety and Security and provide them the opportunity to participate and comment on R3 EO13650 implementation. They have been identified by the R3WG as:
    a) DHS - U.S. Coast Guard (USCG)
    b) DHS - Transportation Security Administration (TSA)
    c) U.S. Department of Justice - Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
    d) U.S. Department of Justice – Federal Bureau of Investigation (FBI)
    e) U.S. Department of Transportation - Pipeline and Hazardous Materials Safety Administration (PHMSA)
    f) U.S. Department of Transportation – Federal Railroad Administration (FRA)
    g) U.S. Department of Agriculture
    h) State Environmental Protection Agencies
    i) State Emergency Management Agencies
    j) State Departments of Agriculture
    k) State Office of Homeland Security and Preparedness (OHSP)
    l) State Department of Community Affairs – Division of Fire Safety
    m) Region 3 OSHA State Plan programs (MD, VA)
    n) Region 3 Counties and States that implement the Risk Management Program: State of Delaware and Allegheny County, PA.
    o) Federally recognized Tribal Nation – Pamunkey Tribe
4) R3WG has begun outreach to industry organizations and associations. The Society of Chemical Manufacturers and Affiliates (SOCMA), the Chemical Security Summit, the American Chemical Council, the American Institute of Chemical Engineers, and the American Society of Industrial Specialists have been identified as stakeholders. Other organizations will be added as they are identified.

5) The RRT 3 Web page will be used to consolidate and publicly share information with all interested stakeholders on available resources and progress on the SOG implementation (http://www.rrt3.nrt.org/).

### 4.1.1 Long Term Tasks

1) R3WG plans to utilize public webinars in addition to routine stakeholder outreach to provide an update on actions identified in this report and opportunity for feedback.
2) DHS will work with the ATF to distribute explosives licensee and permit owner contact information to vetted members of the State Emergency Response Commission (SERC) who have explosives storage in their jurisdiction.
3) R3WG may discuss supporting the public notification of incidents at local chemical facilities via the Integrated Public Alert and Warning System (IPAWS) with local jurisdictions.

## 4.2 Enhance Federal Operational Coordination

### 4.2.1 Identifying Risks at Chemical Facilities

The R3WG may use the following sources of information when identifying chemical risks:

1) Notifications from the National Response Center, the National Infrastructure Coordination Center or the FEMA Regional Response Coordination Center.
2) Consultation and interaction with other government groups and agencies such as the United States USCG, FBI's Weapons of Mass Destruction (WMD) coordinators, DHS Bomb Making Material Awareness Program (BMAP), etc.
3) Outreach to LEPCs, SERCs, and Tribal Emergency Response Commissions (TERCs) or industry organizations and interaction with the community or local emergency responders surrounding a chemical facility.
4) Follow-up investigations resulting from incidents, spills, releases, or response activities.
5) Complaints received from employees, their representatives or the general public through regulatory Agency Tip lines or other means.
6) Mandatory facility reporting such as OSHA's requirement for an Employer to report fatalities and severe injuries.
7) Licensing and inspection groups.
8) Research into specific chemical or biological processes.
9) Information sharing at RRT meetings.
10) Monthly RMP update report from the RMP Reporting Center.
11) Open source media.
12) Requests, referrals, or notifications from DHS/EPA/OSHA agency management, state or local government agencies, including through the sharing of EPCRA Tier 1 or Tier 2 reporting facilities information.

### 4.2.2 Coordinating Response Operations

1) As a response to potential risks, DHS conducts onsite inspections at designated high-risk chemical facilities, which result in an approved Site Security Plan (SSP) or the requirement to update the SSP. The authorization or compliance inspection report is referred to divisional HQ for disposition, which may include a requirement to either address deficiencies or result in an approved SSP by DHS. The inspector does not make a final determination but rather provides an assessment of whether the facility is complying with the risk based performance standards for the facility's assigned tier level.
2) Depending on the type of hazard (chemical, physical, toxic, explosive, etc.), and nature of the response OSHA will communicate with stakeholders and the response community that OSHA can provide technical assistance and is the coordinating agency for the Worker Safety and Health Annex under the National Response Framework. OSHA will ensure appropriate resources are allocated within its assigned parameters to a response; OSHA will take enforcement action when appropriate.
3) EPA Region 3 assesses releases and threats of releases of oil and hazardous materials, including chemical releases, fires and explosions pursuant to the NCP. Facilities are required to report releases of oil and hazardous substances to the National Response Center (NRC). The NRC notifies R3 EPA (as well as states and other agencies within R3). A R3 EPA OSC receives and evaluates each NRC report. The EPA R3 OSC shares the report with the state officials with the offer of EPA support. The OSC also shares the report with other interested EPA programs and Federal agencies as appropriate. If the OSC determines that an EPA emergency response or follow up assessment is warranted or if requested by the state, an OSC will assess the incident to determine if a Federal response is necessary. Such an assessment may include discussing the incident with state and local responders by phone or it could include a field assessment. If warranted based on information provided or the field assessment, an OSC may initiate response action, pursuant to their authority, to contain, mitigate or remove the threat in coordination with state and local officials. EPA OSCs have the funding, contracting, and regulatory authority necessary to initiate a response. Generally, EPA works with the facility to contain the spill or stop the release. If the facility cannot control the release, EPA may take direct action to exercise control of the release in coordination with local fire departments, state environmental office, and state emergency management offices, federal partners, and the responsible party. EPA can also direct the facility to contain and secure a chemical release in coordination with state and local officials and other stakeholders.

### 4.2.3 Coordinating Inspections

1) All existing inspection protocols of the R3WG agencies remain in effect pursuant to the authorities set forth in Section 2.
2) When an inspection is conducted, the inspecting agency should consider other agencies or offices that might have regulatory and jurisdictional interests. Based on the inspecting agency's knowledge of other agencies and offices, the inspecting agency may choose to discuss inspection details with agencies or offices that might have a vested interest.
3) Chemical Facility Safety and Security Regional Working Group will meet quarterly to discuss planned inspections, outreach, and stakeholder engagements in order to integrate efforts as necessary.

4) Changes in inspection protocols by any agency will be communicated to the other federal, state and local agencies as appropriate.
5) Tri-chair agencies will maintain contact with counterparts to optimize their respective inspection operations and/or compliance activities and share information on issues of possible interest resulting from their inspection findings.
6) Each of the Regional Working Group agencies handles inspection scheduling through different process and under varying access restrictions and to the extent practicable. Each of the agencies has agreed to guard this information closely and only to use or share in in a need to know basis, for official use only, and in consultation with the Agency providing the sensitive security information. EPA will provide OSHA and DHS a list of potential inspections for the upcoming fiscal year for the EPCRA, RMP, SPCC and FRP programs, but may provide updated information as inspections schedules become defined. DHS sends designated R3WG members a monthly listing of their inspection schedule. OSHA will provide notice to EPA and DHS of chemical facility inspections having federal jurisdiction as soon as practical dependent on the nature of the response or inspection scheduling. OSHA will also provide EPA and DHS an updated list of covered facilities annually.
7) Every fiscal year the EPA EPCRA Program develops an Inspection Target Plan, which contains a list of regulated facilities selected for CERCLA Section 103 and/or EPCRA Sections 302-312 inspections. Once the target plan is approved by management, it is distributed to the inspectors for implementation. As part of the inspection preparation, and just prior to the inspections, inspectors notify and invite the appropriate state/local counterparts to the inspections.
8) Every fiscal year the EPA Chemical Accident Prevention Program develops an Inspection Target Plan, which contains a list of regulated facilities selected for Risk Management Program (RMP) and/or General Duty Clause (GDC) inspections. Once the target plan is approved by management, it is distributed to the inspectors. As part of the inspection preparation, and just prior to the inspections, inspectors notify and invite the appropriate state/federal counterparts to the inspections. RMP and GDC inspections are conducted to ensure regulatory compliance with the Chemical Accident Prevention Provisions.
9) Every fiscal year the EPA Oil Spill Prevention Program develops an Inspection Target Plan, which contains a list of regulated facilities selected for Spill Prevention, Control and Countermeasures (SPCC) and/or Facility Response Plans (FRP) inspections, in addition to Government Initiated Unannounced Exercises (GIUEs). Once the target plan is approved by management, it is distributed to the inspectors. As part of the inspection preparation, and just prior to the inspections, inspectors notify and invite the appropriate state/federal counterparts to the inspections. SPCC/FRP inspections and GIUEs are conducted to ensure regulatory compliance with the Oil Pollution Prevention Regulations.
10) OSHA receives valuable inspection information from EPA's Risk Management Program (RMP) and the DHS CFATS program. When OSHA Area Office Directors receive the information, they review the inspection history, note violations, and share relevant PSM history with the RMP coordinator or CFATS point of contact.
11) Prior to conducting an inspection, the inspecting agency may request an inspection history from the R3WG members. When a request for inspection history is received, the receiving agency will respond to the inspection agency with information on prior violations, date of last inspection and the results of the last inspection.

### 4.2.4 Handling Referrals

1) DHS, EPA and OSHA inspectors, in the course of conducting separate inspections or responding to incidents, may discover situations involving potential violations of the other Agency's laws or regulations. In those instances, referrals to the responsible program contacts may be appropriate. Where DHS, EPA and OSHA have conducted joint or coordinated inspections, they may share, in accordance with relevant statutes, regulations, and policies, inspection reports, as appropriate, including copies of any photographs and documents.
2) When inspectors discover a pattern which may be of concern or interest to the other agencies they are encouraged to contact other Agencies' field points of contact, or members of the R3WG to inform each other of these findings.
3) Each Regional Working Group agency may evaluate referrals from the other agencies concerning potential violations of their Agency's regulatory requirements and, when appropriate and when resources allow, conduct investigations or inspections and enforcement actions:
    a) When a referral is received from an EO Working Group member or other source, the referral is evaluated to determine authority/jurisdiction;
    b) If a facility is regulated, the referral is routed to the appropriate program, area office, state plan, or regulatory inspector for action;
    c) When a referral is received from another working group member, the receiving agency will inform the referring agency of the status within a reasonable timeframe of receiving the referral;
    d) The agency receiving the referral may share the outcomes that result from the action including inspection reports, enforcement actions, administrative orders and/or citations with the referring agency; and
    e) As required, the inspection reports and other materials will be handled in accordance with relevant statutes, regulations and policies and according to the report's sensitivity/classification level.

### 4.2.5 Handling Confidential or Privileged Information

1) Subject to any constraints regarding confidentiality or privileges, the Parties expect to exchange information relating to potential inspection targets, complaints, inspections, investigations, violations discovered, imposition of monetary penalties or other legal actions taken to enforce pertinent laws and regulations, and other information necessary to ensure effective and coordinated law enforcement.
2) If requested, EPA may provide to OSHA and DHS non-confidential data collected under EPCRA, Clean Air Act (CAA) Section 112(r)'s Risk Management Plan program and other federal statutes. The agencies will discuss the possible exchange of confidential or privileged information on a case-by-case basis. DHS-Infrastructure Protection (IP) - Infrastructure Security Compliance Division (ISCD) will share its list of regulated facilities to those that have taken the Chemical-terrorism Vulnerability Information (CVI) certification training and have established need-to-know requirements: CVI is the information protection category used to ensure secure handling of certain sensitive Chemical Facility Anti-Terrorism Standards (CFATS) related information.
3) DHS provides online CVI training and establishes need-to-know requirements as prescribed under 6 CFR PART 27.

4) Except in emergency or exigent circumstances, only CVI authorized users with a "need-to-know" are permitted to access the Chemical Security Assessment Tool (CSAT) Top-Screen, Security Vulnerability Assessment (SVA), and Site Security Plan (SSP), certain correspondence, and other types of CVI as specified in CFATS.
5) Persons potentially eligible to access CVI include facility employees; Federal employees, contractors, and grantees; and State/local government employees.
6) All information will be handled in accordance with Agency procedures, FOIA, and Privacy Act requirements and other relevant statutes and regulations, where applicable.

### 4.2.6 Coordinating Drills and Exercises

1) EPA conducts exercises under CERCLA and OPA, and often invites OSHA, FEMA, USCG, state and local government agencies depending on the nature of the exercise. EPA supports local emergency management agencies in planning and carrying out drills and exercises through EPA's Area Planning efforts lead by EPA On-Scene Coordinators. Many of these exercises focus on responder safety and response to spills/releases and the National Incident Management System. EPA will invite DHS to future exercises depending on the regulatory nature of the event.
2) The EPA Oil Spill Prevention program coordinates with USCG on unannounced facility drills and exercises called Government Initiated Unannounced Exercises (GIUE). They also notify state and local agencies of these drills.
3) EPA plans to share the results of their exercises at the quarterly R3WG meetings or sooner if circumstances warrant.
4) OSHA has a regional response team and participates in exercises when possible.
5) DHS requires designated CFATS covered facilities to conduct their own drills and exercises and tailor the exercise to their specific facility security risk management program. When requested, DHS provides guidance for the types of drills that would be appropriate for a facility's respective security risk(s). There is no mandate for the facility to invite DHS to observe the exercise however, DHS encourages the practice and does occasionally receive invitations to physically observe on site. EPA and OSHA have not previously been invited to observe, but DHS will encourage the facilities to extend an invitation.
6) Best practices and lessons learned from drills and exercises may be shared with other R3WG representatives. There is not a requirement for CFATS covered facilities to share exercise reports. However, if a facility shares a report, DHS will share with other R3WG representatives if the facility has no objection.
7) If a facility does not know exactly who to invite to an exercise, R3WG representatives should provide assistance to ensure the exercise has proper attendees such as Federal, state, city, and county officials.

### 4.2.7 Operational Cross-Training

1) R3WG agencies cooperate in developing and conducting periodic training programs for each other's personnel in the respective laws, regulations, and compliance requirements of each Agency, as appropriate, to ensure that valid referrals are made when potential violations are found and to support joint enforcement and inspection initiatives.

2) The R3WG agencies may, on an annual basis, or when significant changes occur that warrant training at a more frequent interval, cross train inspectors and responders. Cross-training is considered a valuable tool in identifying risks beyond the mandates of an individual agency. When inspectors from one agency are aware of the concerns and emphasis of sister agencies, they are better prepared to identify and share risks that fall outside their agency's authority, jurisdiction, or mandate. This training can be provided at agency all-hands meetings, web based meetings, conference calls or informational handouts and may cover relevant topics such as:
   a) Basics of other agencies' programs;
   b) Interagency referrals and notification and target deadlines;
   c) Frequent or critical violations outreach;
   d) Top 10 chemical facility safety/security concerns for each agency;
   e) Coordination of inspections and outreach; and
   f) EO 12898 Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations.
3) R3WG Members intend to make each other aware of local training opportunities that could be useful for enhancing each other's effectiveness. For example, if EPA offers training in National Fire Protection Association standards to its employees, EPA may inform OSHA about such training.

### 4.2.8 Improve Inter-Agency Information Sharing

1) Subject to any constraints regarding confidentiality or privileges, the R3WG agencies agree to exchange information relating to potential inspection targets, complaints, inspections, investigations, violations, penalties, or other legal actions taken to enforce laws and regulations, and other information necessary to ensure effective and coordinated law enforcement or other regulatory enforcement authority operations.
2) R3WG will share information with other regional workgroups. The intent of this process is based on the concept that many large employers operate facilities in multiple states or regions and may suffer from similar risks due to common corporate practices or policies that cross geographic boundaries.
3) The semi-annual RRT3 meeting is acknowledged as a rich environment for information exchange that involves a broad range of stakeholders from the local level to the Federal level. The R3WG members agree to fully support the semi-annual RRT3 meetings and engage all attendees in an effort to educate them on Federal plans and intentions, and solicit information that would inform inspection targeting and communication of risks.
4) R3WG members will continue to exchange and update names and telephone numbers of appropriate regional enforcement and response field personnel, including personnel in OSHA regional and area offices. The lists will also mention the employees' areas of substantive expertise. R3WG members distribute these contact numbers to appropriate field personnel.

## 4.3 Improve Data Management

1) DHS provides access to the CFATS Share database upon successful completion of CVI training and establishment of a need to know basis. Facility information in the CFATS Share database is routinely

updated. It is recommended that EPA and OSHA reconcile upcoming inspections or interactions with the CFATS database on a monthly basis. Reconciliation of facilities of interest is currently the primary use of the information shared via the CFATS database. CFATS Share will be migrated to IP Gateway in the future.

2) DHS and EPA have access to OSHA's Integrated Management Information System (IMIS). The IMIS database is available on the public OSHA.gov webpage and allows a search to be conducted for OSHA inspection history of a given employer.
3) EPA provides members of R3WG access to information within the following systems upon request:
   a) Release or incident related information which is tracked on several processes and platforms: Emergency releases (one-time) or releases above reportable quantity (RQ) are documented through the National Response Center (NRC), Superfund Enterprise Management System (SEMS) tracks Site and cleanup information for sites subject to removal or remedial action (formerly CERCLIS);
   b) Training, Outreach and Exercise or National Contingency Plan and CERCLA related Area Planning efforts are beginning to be tracked through the EPA R3 Office of Preparedness and Response Geographic Information System Flex Viewer);
   c) EPCRA, RMP, and the Oil Spill Prevention Programs track outreach and enforcement documents regionally, through the Integrated Compliance Information System (ICIS), a national database, which requires permission by need to know request and requires user name and password. More information is available through: http://compliance.supportportal.com/link/portal/23002/23009/Article/22390/What-is-ICIS-and-how-do-I-access-it;
   d) The Oil Spill Prevention Program uses the national oil database, to track and produce reports on compliance activities including inspections, exercises, and drills. EPA can produce reports using this database;
   e) RMP and General Duty Clause inspections have been tracked in the regional RMP database since 1999, and reports are locally available;
   f) The Central Data Exchange (CDX) system is a national system where RMP plans are registered in compliance with 40 CFR Part 68. DHS and OSHA have access to the EPA RMPCDX database for EPA RMP regulated facilities;
   g) EPCRA Program uses the national database CR-ERNS (Continuous Release-Emergency Response Notification system) database accessible through username and password, to track continuous releases;
   h) The Enforcement and Compliance History Online (ECHO) database is publicly available, and provides information on facility inspections, and compliance and enforcement activities;
   i) The Toxic Release Inventory (TRI) is a mandatory program that covers over 650 chemicals that cause cancer or other chronic human health effects, significant adverse acute human health effects or significant adverse environmental effects. Facilities that manufacture, process or otherwise use these chemicals in amounts above established levels must submit annual TRI reports on each chemical. The TRI chemical list doesn't include all toxic chemicals used in the U.S. more information is available through: http://www2.epa.gov/toxics-release-inventory-tri-program.

j) The database EnviroFacts makes information available to the public and pulls data from several EPA databases including SEMS, ECHO, ICIS, RCRAInfo, TRI and others and is accessible through http://www.epa.gov/enviro/

### 4.3.1 Long Term Tasks

1) Regional data management relies heavily on each Agency's National data coordination. Significant improvements to database function or interagency integration are not possible at the regional level. R3WG will continue to elevate these needs and recommendations through member agencies in its reporting.
2) EPA has additional programs involved in regulating chemicals at facilities including but not limited to, the Resource conservation and Recovery Act (RCRA), Air, Water, and the Toxic Release Inventory. EPA will continue to identify programs and identify areas where data sharing can improve, over the next years.
3) The R3WG members will encourage chemical facilities to foster relationships with state and local agencies to ensure facility familiarization and access to updated records prior to an incident.
4) R3WG will continue to identify ways to improve and share data with the general public, including specific non-confidential elements of Risk Management Program (RMP) data, and Process Safety Management (PSM).
5) CFATS Share will be migrated to IP Gateway.

## 4.4 Modernize Policies and Regulation

R3WG agencies will disseminate information on new national policies or regulations impacting Region 3 stakeholders in an effort to improve chemical facility safety and security. The Regional Response Team meetings may be used as an opportunity to provide training, information, best practices, and/or lessons learned.

### 4.4.1 Long Term Tasks

Regional policy and standards are limited by each Agencies' national policy positions. R3WG will identify potential improvements and continue to elevate through member agencies in its reporting.

## 4.5 Incorporate Stakeholder Feedback and Development of Best Practices

1) The R3WG will use the R3 Regional Response Team (RRT3), FEMA RISC, USCG Area Maritime Security Committee (AMSC), and Area Committee meetings to share the progress, lessons learned, best practices and to conduct training where applicable. R3WG will communicate risks to the RRT; lessons learned and best practices; provide training; update RRT members with policy or program changes; and, present top relative issues of importance from each of the Regional Working Group members. The RRT is a platform for communication both in respect to dissemination of risk and hazard information as well as gathering information on potential risks and hazards that may lead to a referral where warranted.

2) The R3WG encourages their field personnel to use existing field meetings such as with State Homeland Security Advisors, SERCs/TERCs/LEPCs, State police organizations, State environmental protection agencies, State fire marshals and others, to share information on existing resources and efforts.
3) The R3WG agencies often possess information that is neither tactical nor directly actionable, but is relevant for improving efficiency and increasing mission capability. These lessons learned or best practices will be shared at each quarterly workgroup meeting.
4) R3WG members will maintain associations and affiliations that can both help prevent incidents but also be a source for communicating risks such as the Fertilizer Safety and Health Partners (FSHP Alliance). Through the OSHA and FSHP Alliance, the participants are committed to providing partner members and others with information, guidance, and access to training resources that will help them protect the health, safety and security of workers, emergency responders, and the communities surrounding establishments in the agricultural retail and supply industry. Participants emphasize the safe storage and handling of fertilizer, as well as the sharing of emergency response information between the agribusiness communities and first responders, and understand the rights of workers and the responsibilities of employers under the Occupational Safety and Health Act (OSH Act).

### 4.5.1 Long Term Tasks

Offer LEPCs, SERCs and TERCs and industry audiences training and best practices covering:

1) EPA facility, preparedness, and response related programs authorized by the Emergency Planning and Community Right-to-Know Act (EPCRA), the Clean Air Act, the Risk Management Program (RMP), the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), and the Spill Prevention, Control and Countermeasure (SPCC) and Facility Response Plan (FRP) (programs under the Oil Pollution Act);
2) DHS security related regulatory programs such as CFATS and MTSA;
3) OSHA safety programs such as PSM;
4) How to access and use the various chemical regulatory databases (CFATS, RMP, PSM, and MTSA) and chemical facility information to help better protect communities;
5) Use of DHS IP Gateway to identify regulated and unregulated facilities;
6) Review available Federal support, authorities, roles, and responsibilities and identify regional resources for SERCs, TERCs to Sustain Planning including direct services from Federal Agencies or funding;
7) How to use of the Comprehensive Preparedness Guide 101 (CPG 101), Version 2.0 Developing and Maintaining Emergency Operations Plans; and
8) How to work with the State Administrative Agency to ensure the “Hazardous Chemical Release (accidental)” threat is appropriately captured and prioritized in the Threat and Hazard Identification and Risk Assessment (THIRA) process.

## 5.0 References

1) Executive Order 13650: Actions to Improve Chemical Facility Safety and Security – A Shared Commitment: Report for the President, May, 2014
2) Executive Order 13650: Improving Chemical Facility Safety and Security, August 1, 2013

3) "Memorandum of Understanding between United States Environmental Protection Agency Region 3 and the United States Department of Labor Occupational Safety and Health Administration, Region 3 Philadelphia," signed September 30th, 2014

## 6.0 Definitions

**Chemical Facility Anti-Terrorism Standards (CFATS), 6 CFR-Part 27** - The U.S. Department of Homeland Security implements a rule that imposes comprehensive federal security regulations for high-risk chemical facilities. This rule establishes risk-based performance standards for the security of our nation's chemical facilities. It requires covered chemical facilities to prepare Security Vulnerability Assessments, which identify facility security vulnerabilities, and to develop and implement Site Security Plans, which include measures that satisfy the identified risk-based performance standards. It also allows certain covered chemical facilities, in specified circumstances, to submit Alternate Security Programs in lieu of a Security Vulnerability Assessment, Site Security Plan, or both.

**Chemical Facility Safety and Security Executive Working Group** - Responsible for the overall execution of activities, as directed by the National EO Working Group, related to EO 13650, Improving Chemical Facility Safety and Security, at the regional level. There will be a national level and regional level body.

**Chemical Safety Information, Site Security and Fuels Regulatory Relief Act (CSISSFRA) –** The Chemical Safety Information, Site Security and Fuels Regulatory Relief Act establishes amended provisions for reporting and disseminating information under Section 112(r) of the Clean Air Act and amends 74 U.S.C. 7412(r)(4)(B) and 7412(r)(7)(H). The law has two distinct parts that pertain to:

- Flammable fuels; and
- Public access to Off-Site Consequence Analysis (OCA) data.

**Emergency Planning and Community Right to Know Act (EPCRA)** - The Emergency Planning and Community Right to Know Act was created to help communities plan for emergencies involving hazardous substances. EPCRA requires hazardous chemical emergency planning by federal, state and local governments, Indian tribes, and industry. It also requires industry to report on the storage, use and releases of hazardous chemicals to federal, state, and local governments. Specifically, EPCRA requires regulated facilities: 1) to notify the SERC and LEPC when extremely hazardous substances are present above threshold, per Sections 302 and 303; 2) to notify the SERC and LEPC when a reportable release of a hazardous substance occurs, per Section 304; 3) to submit to the SERC, LEPC and local fire department (Safety Data Sheets (SDSs) (or a list) and Tier II reports of hazardous substances present above threshold, per Sections 311 and 312; and 4) to submit to EPA reports concerning toxic chemicals, per Section 313. Each requirement has different compliance deadlines and not all requirements may be applicable to every regulated facility.

**Emergency Response or Responding to Emergencies** - Emergency Response or Responding to Emergencies according to [29 CFR 1910.120(a)(3)] means a response effort by employees from outside the immediate release area or by other designated responders (i.e., mutual-aid groups, local fire departments, etc.) to an occurrence which results, or is likely to result, in an uncontrolled release of a hazardous substance. Responses to incidental releases of hazardous substances where the substance can be absorbed, neutralized, or otherwise controlled at

the time of release by employees in the immediate release area, or by maintenance personnel are not considered to be emergency responses within the scope of this standard. Responses to releases of hazardous substances where there is no potential safety or health hazard (i.e., fire, explosion, or chemical exposure) are not considered to be emergency responses.

**Extremely Hazardous Substance (EHS)** - EPCRA Section 302 requires facilities to notify the SERC of the presence of any "extremely hazardous substance" (the list of such substances is in 40 CFR Part 355, Appendices A and B ) if it has such a substance in excess of the substance's threshold planning quantity, and directs the facility to appoint an emergency response coordinator and notify the LEPC of that individual's contact information.

**Federal Partners -** Federal agencies with responsibility for some facet of chemical safety and/or security as defined by EO 13650. These include, but are not necessarily limited to, EPA, DOJ, DOT, DOL/OSHA, USDA, and DHS.

**General Duty Clause (GDC)** - Under the Clean Air Act Section 112(r)(1), the General Duty Clause states: "The owners and operators of stationary sources producing, processing, handling or storing such substances [i.e., a chemical in 40 CFR part 68 or any other extremely hazardous substance] have a general duty [in the same manner and to the same extent as the general duty clause in the Occupational Safety and Health Act (OSHA)] to identify hazards which may result from (such) releases using appropriate hazard assessment techniques, to design and maintain a safe facility taking such steps as are necessary to prevent releases, and to minimize the consequences of accidental releases which do occur."

**Incident Commander** - The incident commander is the person responsible for all aspects of an emergency response; including quickly developing incident objectives, managing all incident operations, application of resources as well as responsibility for all persons involved. The incident commander sets priorities and defines the organization of the incident response teams and the overall incident action plan. The role of incident commander may be assumed by senior or higher qualified officers upon their arrival or as the situation dictates. Even if subordinate positions are not assigned, the incident commander position will always be designated or assumed. The incident commander may, at their own discretion, assign individuals, who may be from the same agency or from assisting agencies, to subordinate or specific positions for the duration of the emergency.

**Safety Data Sheet (SDS)/ Tier I/II Inventory Forms** - EPCRA requires that facilities which must prepare or have available a SDS for a hazardous chemical under the Occupational Safety and Health Act of 1970 must submit a SDS and Tier I/II inventory form for each such chemical present above certain thresholds to the appropriate LEPC, the Fire Department with jurisdiction over the facility, and the State Emergency Response Commission (SERC). Section 311 requires a one-time submittal of the SDSs or a list thereof and Section 312 requires annual reporting of chemical inventories. While EPCRA allows the submission of either a Tier I or Tier II form, currently all states within Region 3 require the submission of a Tier II form.

**National EO Working Group -** Responsible for the day-to-day execution of activities related to EO 13650, Improving Chemical Facility Safety and Security.

**National Incident Management System (NIMS)** – The NIMS identifies concepts and principles that answer how to manage emergencies from preparedness to recovery regardless of their cause, size, location or complexity.

NIMS provides a consistent, nationwide approach and vocabulary for multiple agencies or jurisdictions to work together to build, sustain and deliver the core capabilities needed to achieve a secure and resilient nation. Consistent implementation of NIMS provides a solid foundation across jurisdictions and disciplines to ensure effective and integrated preparedness, planning and response.

**The National Response System (NRS**) – The NRS is a multi-layered system of local, state, and Federal agencies, industry, and other organizations that share expertise and resources to ensure that threat to human health and the environment from oil and hazardous materials spills are minimized. At the heart of the system is the National Oil and Hazardous Substances Pollution Contingency Plan (the "National Contingency Plan" or NCP), which ensures that the resources and expertise of the Federal government are available immediately for oil or hazardous substance releases that are beyond the capabilities of local and state responders. The NCP provides the framework for the NRS and establishes how it works.

**Outreach -** Presentations, meetings, and other communication – formal and informal – conducted in order to both increase awareness of the program and to facilitate information sharing among Federal, State, and local entities.

**Regional Response Teams (RRTs**) – The RRT is responsible for developing regional planning and policy and coordination bodies to provide advice and assistance to the Federal On-scene Coordinator (FOSC). The RRTs ensure that the multi-agency resources and expertise of the NRS are available to support the FOSC as needed during a pollution incident. There are 13 RRTs, one for each of the ten EPA federal regions, plus one for Alaska, one for the Caribbean, and one for Oceania. The RRTs are comprised of representatives from the 15 Federal NRS member agencies, plus state representatives, and are co-chaired by the EPA and USCG. Each RRT develops a Regional Contingency Plan that describes the policies and procedures for a quick and effective response to pollution incidents. More detailed plans are developed at the sub-regional level by Area Committees (such as the USCG Area Committees, Area Maritime Security Committees, EPA Inland Zone Area Committees) and at the local level by LEPCs. The SERC supervises and appoints members to the LEPCs. Together, SERCs, LEPCs, and Area Committees ensure effective preparedness among all levels of government and between private sector and public response efforts.

**Risk Management Plan (RMP)** – The Risk Management Plan (RMP) Rule implements Section 112(r)(7) of the 1990 Clean Air Act amendments. RMP requires facilities that use extremely hazardous substances to develop a Risk Management Plan. These plans must be revised and resubmitted to EPA every five years. Section 112(r)(7) of the Clean Air Act Amendments requires EPA to publish regulations and guidance for chemical accident prevention at facilities that use extremely hazardous substances. These regulations and guidance are contained in the Risk Management Plan (RMP) rule. The information required from facilities under RMP helps local fire, police, and emergency response personnel prepare for and respond to chemical emergencies. Making RMPs available to the public also fosters communication and awareness to improve accident prevention and emergency response practices at the local level. The RMP rule was built upon existing industry codes and standards. It requires companies that use certain flammable and toxic substance to develop a Risk Management Program.

**Sector Coordinating Council (SCC)/Government Coordinating Council (GCC)** - The National Infrastructure Protection Plan's sector partnership model has membership that is representative of a broad base of owners, operators, associations, and other entities, both large and small, within a sector. The SCCs enable owners and operators to interact on a wide range of sector-specific strategies, policies, activities, and issues. The GCC is formed as the government counterpart for each SCC to enable interagency and cross-jurisdictional coordination. The GCC comprises representatives from across various levels of government (Federal, State, local, or tribal), as appropriate to the operating landscape of each individual sector.

**State Emergency Response Commission (SERC)** - The agency appointed by the Governor to oversee the administration of EPCRA at the state level. This commission designates and appoints members to LEPCs and reviews emergency response plans for cities and counties.

**State Entities -** Varied State organizations with responsibility for some aspect of chemical safety and/or security. Particular titles and functions of these agencies vary greatly by State and, as such, are not as well positioned for systematic information-sharing procedures as Federal entities are.

**Tribal Emergency Response Commission (TERC)** - The tribal agency that oversees the administration of EPCRA at the tribal level and provides coordination, assistance, and response for all-hazards emergency management. This commission reviews emergency response plans for tribal territories.

## 7.0 Abbreviations and Acronyms

| Abbreviation | Definition |
|---|---|
| **AC** | Area Committee |
| **AMSC** | Area Maritime Security Committee |
| **BATF** | Bureau of Alcohol, Tobacco, Firearms and Explosives |
| **BMAP** | Bomb Making Material Awareness Program |
| **CAA** | Clean Air Act |
| **CDX** | Central Data Exchange |
| **CERCLA** | Comprehensive Environmental Response, Compensation and Liability Act |
| **CFATS** | Chemical Facility Anti-Terrorism Standards |
| **CFR** | Code of Federal Regulations |
| **CPG** | Comprehensive Preparedness Guide |
| **CVI** | Chemical-terrorism Vulnerability Information |
| **CR-ERNS** | Continuous Release-Emergency Response Notification System |
| **CSAT** | Chemical Security Assessment Tool |
| **CSISSFRA** | Chemical Safety Information, Site Security and Fuels Regulatory Relief Act |
| **DHS** | Department of Homeland Security |
| **DOL** | Department of Labor |
| **ECHO** | Enforcement and Compliance History Online |
| **EHS** | Extremely Hazardous Substance |
| **EO** | Executive Order |
| **EOWG** | Executive Order Working Group |
| **EPA** | Environmental Protection Agency |
| **EPCRA** | Emergency Planning and Community Right-to-Know Act |

| | |
|---|---|
| **FBI** | Federal Bureau of Investigation |
| **FEMA** | Federal Emergency Management Agency |
| **FOSC** | Federal On-scene Coordinator |
| **FRA** | Federal Railroad Administration |
| **FRP** | Facility Response Plan |
| **FSHP Alliance** | Fertilizer Safety and Health Partners Alliance |
| **GCC** | Government Coordinating Council |
| **GDC** | General Duty Clause |
| **GIS** | Geographic Information System |
| **GIUE** | Government Initiated Unannounced Exercise |
| **HSCD** | Hazardous Site Cleanup Division |
| **HQ** | Headquarters |
| **ICIS** | Integrated Compliance Information System |
| **IMIS** | OSHA Integrated Management Information System |
| **ISCD** | Infrastructure Security Compliance Division |
| **IP** | Infrastructure Protection |
| **IPAWS** | Integrated Public Alert and Warning System |
| **LEPC** | Local Emergency Planning Committees |
| **MTSA** | Maritime Transportation Security Act |
| **NCP** | National Oil and Hazardous Substances Pollution Contingency Plan |
| NIMS | National Incident Management System |
| **NRC** | National Response Center |
| **NRS** | National Response System |
| **OCA** | Off-Site Consequence Analysis |
| **OHSP** | State Office of Homeland Security and Preparedness |
| **OPR** | EPA Office of Preparedness and Response |
| **OSC** | On Scene Coordinator |
| **OSH** | Occupational Safety and Health |
| **OSHA** | Occupational Safety and Health Administration |
| **PHMSA** | Pipeline and Hazardous Materials Safety Administration |
| **POC** | Point of Contact |
| **PREP** | National Preparedness for Response Exercise Program |
| **PSM** | Process Safety Management |
| **RCRA** | Resource Conservation and Recovery Act |
| **RISC** | FEMA Regional Interagency Steering Committee |
| **RMP** | Risk Management Program |
| **RMPCDX** | Risk Management Program Central Data Exchange |
| **RQ** | Reportable Quantity |
| **RRT** | Regional Response Team |
| **RWG** | Regional Working Group |
| **R3WG** | Regional Three Working Group |
| **SARA** | Superfund Amendments and Reauthorization Act |
| **SCC** | Sector Coordinating Council |
| **SDS** | Safety Data Sheet |
| **SEMS** | Superfund Enterprise Management System |
| **SERC** | State Emergency Response Commission |
| **SOCMA** | Society of Chemical Manufacturers and Affiliates |
| **SOG** | Standard Operating Guidance |
| **SPCC** | Spill Prevention, Control and Countermeasure |
| **SSP** | Site Security Plan |
| **SVA** | Security Vulnerability Assessment |

| | |
|---|---|
| **TERC** | Tribal Emergency Response Commission |
| **THIRA** | Threat and Hazard Identification and Risk Assessment |
| **TPQ** | Threshold Planning Quantity |
| **TRI** | Toxic Release Inventory |
| **TSA** | Transportation Security Administration |
| **U.S.C.** | United States Code |
| **USCG** | United States Coast Guard |
| **USDA** | United States Department of Agriculture |

# 8.0 Resources

## Community Planning and Preparedness Resources

- Regional Response Team 3 webpage.( http://www.rrt3.nrt.org/) Main Repository of R3WG publicly available information
- Computer-Aided Management of Emergency Operations (CAMEO). EPA system of software applications used to plan for and respond to chemical emergencies.
- Envirofacts. EPA system that provides search access to multiple environmental databases that may include data on such things as toxic chemical releases, water discharge permit compliance, hazardous waste handling processes, Superfund status, and air emission estimates, among others.
- FirstResponderTraining.gov. FEMA Website offering more than 150 courses to help build critical skills first responders need to function effectively in mass consequence events.
- Grants.gov. Provides a unified site for interaction between grant applicants and the U.S. Federal agencies that manage grant funds, including information on all available Federal grants specific to chemical safety and security that communities can use for community chemical safety and security planning.
- Homeland Security Information Network (HSIN). Federal, State, local, tribal, territorial, international, and private sector homeland security partners use HSIN to manage homeland security operations, analyze data, send alerts and notices, and in general, share the information they need to do their jobs.
- Integrated Public Alert and Warning System (IPAWS). FEMA system that provides public safety officials with an effective way to alert and warn the public about serious emergencies using the Emergency Alert System (EAS), Wireless Emergency Alerts (WEA), the National Oceanic and Atmospheric Administration (NOAA) Weather Radio, and other public alerting systems from a single interface.
- U.S. DOT/PHMSA Hazmat Grant Program. The U.S. Department of Transportation (DOT) Pipeline and Hazardous Materials Safety Administration's (PHMSA) Hazardous Materials Grant Program is comprised of three emergency preparedness grants: Hazardous Materials Emergency Preparedness (HMEP) Grant, Supplemental Public Sector Training (SPST) Grant, and Hazardous Materials Instructor Training (HMIT) Grant. Some examples of activities that are eligible for grant funding are: Multi-agency hazmat drills, Hazmat technician training, Hazmat drills and exercises, and Commodity flow studies.
- Chemical Facility Anti-Terrorism Standards (CFATS). The first DHS regulatory program focused specifically on security at high-risk chemical facilities. DHS determines a facility's initial risk profile by requiring facilities in possession of specific quantities of specific chemicals of interest to complete a preliminary risk assessment, known as a Top-Screen. Facilities initially determined by DHS to be high-risk must complete and submit a Security Vulnerability Assessment. If DHS makes a final determination that a facility is high-risk, the facility

must submit a Site Security Plan for DHS approval or an Alternative Security Program that includes security measures to meet applicable risk-based performance standards established by DHS.

- http://www2.epa.gov/rmp/executive-order-improving-chemical-facility-safety-and-security. EPA Policy Updates and EPCRA implementation information.
- https://www.osha.gov/dcsp/alliances/fshp/fshp.html. Fertilizer Safety and Health Partners (FSHP) Alliance.
- http://www.gcca.org/wp-content/uploads/2013/04/ammonia_safefty_poster_nep.pdf. Under the tab Products and Resources, there is some materials regarding Ammonia Safety that was developed through the OSHA and Global Cold Chain Alliance, including an Ammonia Safety Poster.

## Public Data Resources

- Facility Registry Service (FRS). EPA system that provides data about facilities, sites, or places of environmental interest to support EPA's mission of protecting human health and the environment.
- Substance Registry System (SRS). EPA system that provides information about substances that are tracked or regulated by EPA or other sources. It is the authoritative resource for basic information about chemicals, biological organisms, and other substances of interest to EPA and its state and tribal partners.
- Toxics Release Inventory (TRI). EPA system that tracks the management of certain toxic chemicals that may pose a threat to human health and the environment.

## Policies and Regulations Resources

- Request for Information on Process Safety Management and Prevention of Major Chemical Accidents
- Section 6(a) – Solicitation of Public Input on Options for Policy, Regulation, and Standards Modernization
- EPA's Risk Management Program (RMP) Request for Information (RFI) has been published in the Federal Register. The RFI seeks comment on potential revisions to EPA's RMP regulations and related programs to modernize its regulations, guidance, and policies, as required under Executive Order (EO) 13650: Improving Chemical Facility Safety and Security. The public comment period is for 90 days after publication. The RFI can be found at: https://federalregister.gov/a/2014-18037
- Request for Information on Process Safety Management and Prevention of Major Chemical Accidents*
- Comments on OSHA's Process Safety Management Request for Information
- Chemical Advisory: Safe Storage, Handling, Management of Ammonium Nitrate*
- Fertilizer Industry Guidance on Storage and Use of Ammonium Nitrate
- Safety and Security Guidelines for Ammonium Nitrate*

## Stakeholder Feedback Resources

- The Working Group developed an online repository so stakeholders involved in chemical facility safety and security can submit best practices as they are identified. This resource will allow stakeholders to research best practices submitted by their counterparts that may be applicable to their own processes. The newly launched repository can be found at https://www.osha.gov/chemicalexecutiveorder/LLIS/index.html.
- Lessons Learned Information System (LLIS). A system that captures user-submitted best practices related to chemical safety and security, including: methods, techniques, processes, systems, policies, tactics, or approaches that result in successful, productive, safer, and more secure operations.

# 9.0 Training Resources

**List of training available from DHS – EO-13650 Specific:**

**1. CFATS – Chemical-terrorism Vulnerability Information (CVI) Authorized User Training.**

The Chemical-terrorism Vulnerability Information is the training required to access CFATS information and provides information on to how to handle and protect CFATS information.

Link: https://csat.dhs.gov/apex/,DanaInfo=.arfizigFj0j36L1521Qy7D+f?p=128:1:0

**2. DHS – Chemical Security Awareness course.**

The Web-Based Chemical Security Awareness Training Program is an interactive tool available free to chemical facilities nationwide to increase security awareness. The training is designed for all facility employees, not just those traditionally involved in security. Upon completion, a certificate is awarded to the participant.

Link: https://chemsec.iac.anl.gov/chemsec/

**3. The following courses are available thru the DHS Protective Security Advisors (PSA's), who are located throughout the U.S. These are on-site training sessions and range from 1 to 3 days.**

**a. Private Sector Counterterrorism Awareness Workshop**

This workshop trains private sector security professionals on key elements of improvised explosive device (IED) awareness, surveillance detection methods, and soft target awareness. The material presented illustrates important prevention actions that reduce vulnerabilities and provides information resources to improve preparedness. (1-day, 100-250 participants)

b. **Bombing Prevention Workshop**

This workshop enhances knowledge of preventative measures and planning protocols to address IED threats. Participants, including regional public and private stakeholders, emergency management planners, and security enforcement personnel, review best practices for developing strategies or plans that require interagency collaboration across multiple localities, disciplines, and levels of government. The workshop concludes with a guided discussion, based on National Planning Scenario #12- Explosive Attack – IED Bombings, that establishes the foundation for regional stakeholders to implement a Bombing Prevention Plan. (1-day, 50 participants)

c. **Improvised Explosive Device Awareness/Bomb Threat Management Workshop**

This workshop improves participants' ability to manage IED threats by outlining specific safety precautions associated with explosive incidents and bomb threats. By reinforcing an integrated combination of planning, training, exercises, and equipment acquisition, this workshop maximizes available resources. (4-hours, 50 participants)

d. **Improvised Explosive Device Search Procedures Workshop**

This workshop enhances knowledge of IED awareness, prevention measures, and planning protocols by outlining specific search techniques that reduce vulnerability and mitigate IED attack risk. Culminating in a practical application of skills during which participants demonstrate search techniques, the workshop also emphasizes a team-building approach. (8-hours, 25 participants)

e. **Soft Target Awareness Course**

This course provides an information-sharing venue for critical infrastructure personnel to discuss terrorism prevention and protection information to enhance individual and organizational security awareness. Participants learn the importance of engaging in proactive security measures and how to better define individual roles in deterring, detecting, and defending facilities from terrorist acts. (Five [5], 4-hour sessions, 35 participants per session)

f. **Protective Measures Course**

This course teaches public and private sector security officers, mid-level safety and security supervisors, and property managers to identify vulnerabilities and employ appropriate protective measures dependent upon an individual facility's design and operation. (2-days, 35 participants)

g. **DHS – Surveillance Detection Training for Municipal Officials, State and Local Law Enforcement Course**

This course, designed for municipal security officials and State and local law, tribal, and territorial enforcement with jurisdictional authority over Level 1 and Level 2 critical infrastructure facilities, provides participants with the skills and knowledge to establish surveillance detection operations to protect critical infrastructure during periods of elevated threat. Consisting of five lectures and two exercises, the course increases awareness of terrorist tactics and attack history, and illustrates the means and methods used to detect surveillance**.** (3-days, 25 participants)

h. **DHS – Surveillance Detection Training for Critical Infrastructure Operators and Security Staff Course**

This course, designed for critical infrastructure operators and security staff of Level 1 and Level 2 critical infrastructure facilities, provides participants with the skills and knowledge to establish surveillance detection operations to protect critical infrastructure during periods of elevated threat. Consisting of five lectures and two exercises, the course increases awareness of terrorist tactics and attack history, and illustrates the means and methods used to detect surveillance**.** (3-days, 25 participants)

i. **Improvised Explosive Device Counterterrorism Workshop**

This workshop is designed to enhance the knowledge of State and local law enforcement and public-private sector stakeholders by providing exposure to key elements of the IED threat, surveillance detection methods and soft target awareness. The workshop illustrates by illustrating baseline awareness and prevention actions, the workshop reduce vulnerabilities and counter threats by enabling information-sharing resources to improve preparedness. This designed approach better allows the owners and operators of critical infrastructure to deter, prevent, detect, protect against, and response to terrorist use of explosives. (4 to 8-hours, 100 to 250 participants)

**List of Training Available From OSHA – EO 13650 Specific**

**Courses available through:**

**OSHA Training Institute**
**2020 South Arlington Heights Road**
**Arlington Heights, Illinois 60005-4102**

**847-759-7752**

**Ammonia Safety** (COURSE esh_sah_b48_sh_enus)

Ammonia is one of the world's most widely used basic chemicals. Anhydrous ammonia is utilized in a wide variety of commercial applications, from fertilizers to refrigerants to solvents. But ammonia can be hazardous. To protect human health and the environment, manufacturers, packagers, shippers, receivers, and others involved throughout the supply chain must adhere to the safe and appropriate use and handling of ammonia. This course will introduce you to the agencies that deal with regulations and standards for handling anhydrous ammonia, and will help acquaint you with the risks, controls, safe work practices, and emergency response procedures involved in dealing with this hazardous chemical. This course was developed with subject matter support provided by EnSafe Inc., a global professional services company focusing on engineering, environment, health and safety, and information technology.

**Emergency and Disaster Preparedness** (COURSE esh_sah_b18_sh_enus)

This course was designed and developed to provide instruction on emergency response, safety, reporting, and evacuation of company facilities and work areas in the event of a natural disaster, fire, bomb threat, or other emergency. The procedures contained in this training should be followed unless otherwise directed by your employer, police or fire department officials. The content in this course is designed to comply with the intent of the applicable regulatory requirements. Learner objectives are to discuss the purpose and scope of an emergency response plan, describe the purpose and scope of an emergency evacuation plan, recall the actions to take in specific emergency situations, describe the purpose and scope of a workplace violence prevention plan, and identify specific actions to take in the event of a bomb threat. This course was developed with subject matter support provided by EnSafe Inc., a global professional services company focusing on engineering, environment, health and safety, and information technology.

**0007 - Process Safety Management of Reactive Hazards** (Webinar DTE_0007)

This is a 2-hour archived webinar presentation recorded on September 15, 2008.

OSHA personnel are familiar with the concept of reactive materials, or those that can be hazardous by themselves when subjected to heat, pressure, shock, friction, catalysts, or contact with air or water. Organic peroxides and ethers are examples of such materials. Equally important is the concept of reactive interaction in which two or more materials chemically react to create a hazardous situation. This concept is behind such OSHA regulations as the requirement in 1910.253(b)(4)(iii) and 1926.350(a)(10) to store oxygen and fuel gas cylinders at least 20 feet apart.

Many workplaces have reactive materials and/or materials that are subject to reactive interactions. However, employers either do not recognize these hazards or have inadequate controls. Reactive incidents can occur in the practice of deliberate chemistry, such as in the manufacture of polymers, or when materials are inadvertently mixed during physical processing, or in storage. This archived webinar will enable the participant to recognize reactive material and reactive interaction chemical hazards, list sources of data about such hazards, and identify the types of safeguards needed to control the hazards.

**0017 - Process Safety Management of Chlorine Hazards** (Webinar DTE_0017)

Chlorine is the second most frequently involved chemical in accidents reported to the EPA under the Risk Management Program, which covers almost all the same chemicals as OSHA's PSM standard 1910.119--Process Safety Management of Highly Hazardous Chemicals. In addition to manufacturing and distribution facilities, it may be encountered on inspections of water and wastewater treatment facilities and swimming pools because of its powerful disinfection properties.

This 2-hour webinar will enable the participant to identify the hazards of chlorine, describe the processes and equipment used in industries where chlorine is typically encountered, and recognize common causes and signs of failure of process control, along with current compliance policy.

OSHA's experts on chemical accident investigations and chemical process safety will be available to answer your questions about this important topic.

**0056 - Revised Hazard Communication Standard - Aligning with GHS** (Webinar DTE_0056)

This 2 hour webinar will give a detail overview of the revised standard. Topics will include: what has not changed; newer changed definitions; hazard classification; new labeling requirements; specified format for safety data sheets; affected dates and other standards affected. Participants will have the opportunity to ask questions regarding the changes.

Objectives:
* List those HCS sections that have changed and describe the major changes
* Describe changes in requirements for labeling hazardous chemicals
* Describe changes in (Material) Safety Data Sheet requirements
* State effective dates for changes mandated by the revised HCS
* List other OSHA standards affected by the revised HCS

**0077 - Transitioning to Safer Chemicals** (Webinar DTE_0077)

Subject matter experts from OSHA's National Office will be presenting this 1 ½ hour webinar. The webinar provides an overview of OSHA's Safer Chemical Toolkit (http://www.osha.gov/dsg/safer_chemicals/), a seven-step process for transitioning to safer alternatives in the workplace. Presenters will walk through examples to demonstrate how the toolkit and other existing resources can assist in identifying chemical hazards, as well as investigating and assessing chemical and non-chemical alternatives.

Objectives:

Specifically, this webinar will enable you to:

* Articulate the seven-step process for transitioning to safer chemicals.
* Identify hazards associated with chemicals in the workplace.
* Identify and compare alternatives for replacing chemicals of concern.
* Discuss the selection and use of appropriate tools with employers and workers.

**0090 - Ammonia Refrigeration Systems, Technology, and Safety** (Webinar DTE_0090)

The goal of this 5-part webinar on ammonia refrigeration systems, technology and safety is to increase the participants' understanding of industrial ammonia refrigeration systems and technology. Particular emphasis will be placed on an understanding of the Recognized and Generally Accepted Good Engineering Practices (RAGAGEP) applicable to industrial ammonia refrigeration systems. An overview of common failure mechanics will also be presented.

**2010 - Hazardous Materials** (COURSE DTE_ELECTIVE_2010)

**Description:** This course covers OSHA general industry standards and integrates materials from other consensus and proprietary standards, including NFPA, API, and ANSI, that relate to handling, storage, use, and disposal of hazardous materials. These materials include flammable and combustible liquids, compressed gases, LP-gas, cryogenic liquids, anhydrous ammonia, and highly hazardous chemicals. Related processes such as spraying and dipping are covered, as well as electrical equipment and ventilation.

Students are introduced to Emergency Response Plans and Emergency Action Plans, including the HAZWOPER standard and multi-agency Integrated Contingency Plans.

**3300 - Safety and Health in the Chemical Processing Industries** (COURSE DTE_ELECTIVE_3300)

**Description:** This course focuses on the recognition, evaluation, and control of safety and health hazards in the chemical industry. The standard, 29 CFR 1910.119, is reviewed in detail. In addition, the course is designed to teach OSHA compliance personnel how to review safety analyses used in the management of highly hazardous chemicals. Topics include a review of the strengths and weaknesses of common analytical methodologies such as: What-If, Checklist, What If/Checklist, and Hazard Operability Studies (HAZOP). Students participate in exercises on reading process and instrumentation diagrams (P&IDs) and reviewing hazard analysis studies. A field trip is included to a worksite processing highly hazardous chemicals.

**3315 - EPA's Health and Safety - 40 Hr (HAZWOPER)** (COURSE DTE_3315)

**Description:** This 5-day course conducted by EPA's Environmental Response Training Program is designed for personnel involved with the investigation and remediation of uncontrolled hazardous waste sites and, to a lesser

extent, response to an accident involving hazardous materials. It provides basic information needed to meet the forty hours training requirements of 29 CFR 1910.120 (e)(3)(i) Hazardous Waste Operations and Emergency Response (HAZWOPER).

After completing the course, participants will be able to**:**

Identify methods and procedures for recognizing, evaluating, and controlling hazardous substances.
Identify concepts, principles, and guidelines to properly protect site or response personnel.
Discuss regulations and action levels to ensure health and safety of the workers.
Discuss fundamentals needed to develop organizational structure and standard operating procedures.
Select and use dermal and respiratory protective equipment.
Demonstrate the use, calibration, and limitations of direct-reading air monitoring instruments.

**3400 - Hazard Analysis in the Chemical Processing Industries** (COURSE DTE_ELECTIVE_3400)

**Description:** This course focuses on mechanical integrity and other significant safety and health issues at facilities regulated by 29 CFR 1910.119, Process Safety Management of Highly Hazardous Chemicals. Highlights include the analysis of requirements for materials, the study of specific equipment items identified as critical to process safety management, and the identification of how these materials and equipment fail. What must be done to prevent catastrophic failures in a variety of specific industries and processes is discussed in detail. A tour of a petroleum refinery is arranged.

**3430 - Advanced PSM in the Chemical Industries** (COURSE DTE_3430)

**Description:** This course is designed to address the recognition, evaluation, and control of hazardous operations in chemical processing facilities. The course focuses on providing the policies and procedures for conducting inspections scheduled in response to OSHA Notice 09-06 (CPL 02) PSM Covered Chemical Facilities National Emphasis Program, effective July 27, 2009. Topics will include: a review of chemical hazards using available resources external to OSHA; examination of the processes, equipment, available standards, and recognized and generally accepted good engineering practices (RAGAGEPs); use of the Dynamic List questions; and effective documentation of inspection findings. The application exercises simulate and support pre-inspection preparation, document management, and case file and report preparation. A variety of case study workshops, review of previous incident and inspection experiences, and participant experiences provide a forum for expanding the students' resources and references for conducting these critical inspections. Students must review four previously archived webinars/webcasts posted in Learning Link prior to attending this class: 0007 PSM of Reactive Hazards, 0014 PSM of Ammonia Refrigeration, 0017 PSM of Chlorine Hazards, and 0022 Chemical Industry NEP.

**6010 - Occupational Safety and Health Course for Other Federal Agencies** (COURSE DTE_GOVT_6010)

**Description:** This course is designed for full-time Federal agency safety and health officers or supervisors assigned responsibilities under Executive Order 12196 and 29 CFR 1960. The course provides an overview of the Occupational Safety and Health Act, Federal agency occupational safety and health responsibilities, and workplace inspection techniques. Participants are given instruction in various OSHA standards. Special emphasis

is directed at safety and health hazards that are causing serious injuries and illnesses in the Federal sector. The course features a mock inspection and use of laboratory equipment. This course is limited to Federal agency personnel only.

**8200 - Incident Command Systems I-200** (COURSE DTE_ELECTIVE_8200)

**Description:** ICS is a standardized on-scene incident management concept designed specifically to allow responders to adopt an integrated organizational structure equal to the complexity and demands of any single incident or multiple incidents without being hindered by jurisdictional boundaries. I-200 is the "Basic Course" covering the following subjects:

Module1 Orientation

Module 2 Principles and Features: Primary management functions, Management by Objectives, Unity and Chain of Command, Establishment and transfer of command, Organizational flexibility, Unified Command, Span of Control, Common terminology, Personnel accountability, Integrated communications, Resources management, The Incident Action Plan.

Module 3 Organization Overview: Terminology, Organizational Structure, How the organization initially develops at an incident, How the organization expands/contracts, Transfer of Command.

Module 4 Facilities: Command Post, Staging Area, Base, Camps, Helibase, Helispots.

Module 5 Incident Resources: Kinds of Resources, Resource status keeping, Resource typing for various incidents, Three ways of using resources on an incident, Resource Status Conditions, Changing and Maintaining status on resources.

Module 6 Common Responsibilities: Prior to leaving on assignment, At incident check-in, While working on the incident, During Demobilization. For further information, please contact the Director, Office of Construction Training.

Description: I-300 is the "Intermediate Course" & covers the following subjects:

Module 7 Organization & Staffing: Match responsibility statements to each ICS organizational element, List ICS positions & describe differences between deputies & assistants, Describe ICS reporting & working relationships for Technical Specialists & Agency Representatives, Describe reporting relationships & information flow w/in the organization.

Module 8 Organizing for Incidents: Describe steps in transferring & assuming incident command, List major elements included in the incident briefing, Develop a sample organization around a major event, Describe how incidents can be managed by appropriate & early designation of primary staff members & by proper delegation of authority, Describe how Unified Command functions on a multijurisdictional or multi-agency incident. List

minimum staffing requirements for each organizational element in at least two incidents of different sizes. Describe the role & use of forms in effective incident management.

Module 9 Resource Management: Identify & describe four basic principles of resource management, Identify basic steps involved in managing incident resources, Know contents of & how the Operational Planning Worksheet is used, Identify organizational elements at the incident that can order resources, Describe differences between single & multipoint resource ordering & the reasons for each, Describe why & how resources are assigned to staging areas, camps, & direct tactical assignments, Describe purpose & importance of planning for resource demobilization, Identify 5 key considerations associated with resource management & the reasons for each.

Module 10 Air Operations.

Module 11 Incident & Event Planning.

**8500 - Emergency Preparedness Refresher Training** (WBT DTE_8500)

**Description:** The course is designed to review concepts and policies related to OSHA's emergency response activities. This course is entirely web-based. Topics covered include a background review of national policies related to emergency response; the incident command system; OSHA policy, documents, and relationships with other agencies; and resources available during emergency response. The National Response Framework (NRF) and the NRF Worker Safety and Health Support Annex (WSHSA) are reviewed.

It is recommended that students complete OTI 8200 (Incident Command Systems I-200) or equivalent; and OTI 3600 (OSHA Technical Response to Emergencies) or have equivalent experience, before registering for this course.

**9056 - Hazard Communications - Aligning with GHS** (SEMINAR DTE_9056)

OSHA has completed a major revision to the Agency's Hazard Communication Standard (HCS). The revision aligns the standard with the United Nations' Globally Harmonized System of Classification and Labelling of Chemicals (GHS). While the basic approach to hazard communication remains the same in the revised rule, details regarding hazards classification, what is required to be communicated on a label, and the information on a safety data sheet, have been revised. At the end of the seminar, trainees will have a working knowledge of the GHS and the corresponding HCS revisions, including the detailed hazard classification criteria, and specifications for labels and safety data sheets (SDS).

By the end of the seminar, participants will be able to:
Identify key requirements in the GHS
Explain revisions made to the HCS
Discuss the enhanced benefits of the HCS resulting from the revisions
Explain the detailed criteria for defining hazards covered under the HCS
Explain new requirements for SDS

Describe changes in requirements for labeling hazardous chemicals

Intended audience: Individuals who have occupational safety and health responsibilities for reporting or referring potential hazards to safety officers in your agency.

Additional Training and Resources can be found at https://www.osha.gov/dte/index.html

**List of training available from EPA- EO 13650 Specific:**

**Chemical Emergency Preparedness Course (3 days) and Train the Trainer Component (.5 day)**

An EPA Region 3 course focuses on practical ways for Local Governments and Responders to prepare for chemical emergencies and is available to Federal, State, or Local Responders. The last half day of the course includes a train the trainer component.

POC: Richard Fetzer 215-814-3263 fetzer.richard@epa.gov

**Emergency Planning and Community Right to Know Act (EPCRA) -** Created to help communities plan for emergencies involving hazardous substances. Requires industry to report on the storage, use and releases of hazardous chemicals to federal, state, and local governments. http://www2.epa.gov/epcra

POC: Anne Gilley 215-814-3293 gilley.anne@epa.gov

**Risk Management Plan (RMP) -** Risk Management Program (RMP) – Provides requirements for facilities that hold or use very toxic and flammable substances above thresholds determined by the EPA to protect the public/environment from off-site releases. It requires industries, community members, and emergency responders have the proper tools to prevent and respond to chemical accidents before catastrophic releases occur. http://www2.epa.gov/rmp

POC: Kevin Daniel 215-814-3247 daniel.kevin@epa.gov

Michael Welsh 215-814-3285 welsh.mike@epa.gov

Mary Hunt 215-814-3425 hunt.mary@epa.gov

**Spill Prevention, Control, and Countermeasure (SPCC)-**Provides requirements for oil spill prevention, preparedness, and response to prevent oil discharges to navigable waters and adjoining shorelines. The rule requires specific facilities to prepare, amend, and implement SPCC Plans. The SPCC rule is part of the Oil Pollution Prevention regulation, which also includes the Facility Response Plan (FRP) rule. http://www.epa.gov/OEM/content/sp

POC: Arlin Galarza-Hernandez 215-814-3223 galarza-hernandez.arlin@epa.gov