

U.S. ENVIRONMENTAL PROTECTION AGENCY
INFORMATION COLLECTION REQUEST

Title: Risk Management Program Requirements and Petitions to Modify the List of Regulated Substances under Section 112(r) of the Clean Air Act (Renewal)

OMB Control Number: 2050-0144

EPA ICR Number: 1656.19

Abstract: This information collection request (ICR) covers information collection burden activities under the Risk Management Program rule, codified under 40 Code of Federal Regulations (CFR) part 68.

This ICR addresses the following information collection activities:

- (1) Documenting source¹ risk management programs and submitting source risk management plan (RMP) under the Clean Air Act (CAA) section 112(r)(7).
- (2) Collecting and submitting information to support petitions to modify the list of regulated substances under CAA section 112(r)(3).
- (3) Holding a public meeting within 90 days of an RMP-reportable accident with offsite impacts specified in Title 40 of the *Code of Federal Regulations* (40 CFR) 68.42(a).
- (4) Meeting and coordinating with local responders annually to exchange emergency response planning information.
- (5) Conducting an annual notification drill to verify emergency contact information.
- (6) Conducting and documenting emergency response exercises.

Part 68 provides a tiering approach of the regulatory requirements to take into consideration differences between various types and classes of stationary sources (also referred to as “sources” or “facilities”) as well as the risk posed by the different sources. The regulatory program consists of three tiers with sources being classified into program tiers based on the degree of risk posed by potential accidental releases and coverage by the Occupational Safety and Health Administration’s (OSHA’s) Process Safety Management (PSM) standard. Sources with covered processes classified as Program 1 (P1) pose less risk and face minimal compliance requirements. Sources with covered processes classified as Program 2 (P2) must implement a streamlined list of prevention program requirements. Sources with covered processes classified in Program 3 (P3) must complete a prevention program nearly identical to that required by the OSHA PSM Standard (29 CFR 1910.119). The rule also imposes emergency response program requirements only on facilities that use their own employees and resources to respond in whole or in part to releases of regulated substances.

The compliance schedule for the part 68 requirements requires sources to submit an RMP at least every five years, or earlier if they undergo certain changes to their covered processes. Sources use the U.S. Environmental Protection Agency’s (EPA’s) online system, RMP*eSubmit, for RMP submissions. EPA has assumed responsibility for maintaining a database of submitted RMPs, which are made available electronically to the implementing agency, States, local governments, and except for the Offsite Consequence Analysis data, the public.

¹ In this Supporting Statement, the term “source” refers to a “stationary source,” which is the Clean Air Act term for facility.

Most sources that will submit RMPs during this ICR renewal period also must comply with prevention program activities and onsite documentation of their prevention program (sources with only Program 1 processes do not have prevention program obligations under part 68).

This ICR estimates burden for existing and new sources that are required to comply with RMP requirements.

1. NEED AND AUTHORITY FOR THE COLLECTION

Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

Risk Management Plans²

Information collection for onsite documentation is authorized by CAA Sections 112(r)(7)(B)(i) and (ii), which state, “The Administrator shall promulgate reasonable regulations and appropriate guidance to provide ... for the prevention and detection of accidental releases of regulated substances....” and, “The regulations ... shall require the owner or operator ... to prepare and implement a risk management plan to detect and prevent or minimize accidental releases...” Information collection for submitting an RMP is authorized under CAA section 112(r)(7)(B)(iii), which, in the relevant part, states, “The owner or operator of each stationary source...shall register a risk management plan...with the Administrator before the effective date of the regulations...in such form and manner as the Administrator shall, by rule, require...and shall be available to the public under section 114(c).” Information collection for onsite documentation and submittal of RMPs also are authorized by CAA section 114(a)(1). The list and thresholds promulgated under CAA section 112(r)(3) determine which sources must comply with the accident prevention regulations; a source must comply with the CAA section 112(r)(7) regulations if it holds more than a threshold quantity of a listed substance in a process. State and local authorities will use the information in RMPs to modify and enhance their community response plans. The agencies implementing the RMP rule will use RMPs to evaluate compliance with part 68 and to identify sources for inspection because they may pose significant risks to the community. Citizens may use RMPs to assess chemical hazards in their communities.

Petitions

This information collection is authorized under CAA section 112(r)(3), which, in the relevant part, states, “The Administrator shall establish procedures for the addition and deletion of substances from the list established under this paragraph consistent with those applicable to the list in subsection (b).” The information collected during the petition process will provide the primary basis for EPA to determine whether it is appropriate to add or delete a chemical. To be consistent with the petition process under CAA section 112(b), EPA is required to consider and respond to petitions to modify the list of regulated substances within 18 months of submission of the petition; complete data supporting the petition are necessary to enable EPA to finish its review within that period.

2. PRACTICAL UTILITY/USERS OF THE DATA

Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

² EPA acknowledges that using the acronym, RMP, for both the Risk Management Program and Risk Management Plans, can create confusion. This Supporting Statement tries to be clear about when RMP refers to the Program vs the Plan.

Overview of Information Collected

Risk Management Plans

The information collected in the RMP is critical for assisting government agencies in assessing the quality and thoroughness of a source's hazard assessment, prevention program, and emergency response program. The information also is used by State and local emergency planners to prepare or modify community response plans, identify hazards to the community and provide a basis for working with sources to prevent accidents. The public uses the information to understand the risks posed by accidental releases and to respond to warnings and advice should a release occur.

Sources with greater than a threshold quantity of a listed substance in a process are required to comply with the risk management program beginning June 21, 1999. Compliance includes, among other activities, submitting an RMP to EPA by the initial compliance date and at least every five years thereafter. After submitting an RMP, a source must update it by the time it adds a listed substance new to the source in a process above a threshold quantity or for other reasons and within the timeframes specified in 40 CFR 68.190. Otherwise, sources are required to resubmit their RMP within five years of their last submission even if there were no significant changes to the source or its covered processes during the five-year period.

Risk Management Programs

Documentation of the implementation of risk management programs is necessary to assist government agencies in determining whether a source has complied with the regulations. In some cases (e.g., safety information and operating procedures), the documentation is a critical requirement of the rule and provides the basis for other rule elements. The documentation is also important to provide a basis for the facility's ability to ensure implementation (e.g., training and maintenance records), to audit compliance, and to review past activities. Furthermore, records of past analyses can limit the burden of updates by reducing the need to repeat analyses for elements that are unchanged since the previous review.

Petitions

EPA uses the information collected in support of a petition to modify the list of regulated substances to determine whether to grant or deny a petition to add or delete a chemical from the list.

3. USE OF TECHNOLOGY

Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

In 2009, EPA instituted RMP*eSubmit, a web-based RMP submission system, which allows sources to submit their RMP directly to EPA over the internet. RMP*eSubmit includes pick lists for chemical names, Local Emergency Planning Committees (LEPCs), and certain other data elements from which a source may choose its responses. RMP*eSubmit and accompanying documentation are available via EPA's website. The web-based system reduces burden for facilities by simplifying the RMP submission process. It also has improved data quality and security.

Other software applications allow processing of the RMPs and creation of a database, which are functions

performed by contractors who operate EPA's RMP Reporting Center to which facilities electronically submit their RMPs. The suite of applications also includes RMP*Info, a database with extracts from the main RMP database and query functions, and software to assist in querying the database.

The Agency performs the following activities:

- Makes available the RMP submission system, database, software and forms.
- Processes the RMPs submitted by sources into a database and makes the information available through various means.
- Answers any questions from sources concerning the submission process.
- Processes any claims of confidential business information.
- Notifies each submitter of the status of their RMP.
- Stores RMP submissions and retrieves information.
- Provides technical assistance to sources.
- Maintains the RMP database.

The EPA contractor who operates the reporting center processes electronically submitted RMPs. The Center also responds to questions from sources and handles any confidential business information (CBI).

EPA has also provided web-based access to the database for Federal, State and local government officials through RMP*Info; now available via the Agency's Central Data Exchange.

4. EFFORTS TO IDENTIFY DUPLICATION

Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

The Emergency Planning and Community Right to Know Act (EPCRA) was enacted in 1986 to promote community emergency planning and preparedness and provide local responders and the public with information about the chemical hazards in their community (42 U.S.C. 11002 et seq.). In 1990, sections 112(r) and 304 of the CAA were enacted to help prevent severe chemical facility accidents. Section 304 required OSHA to publish a chemical process safety standard (PSM standard) to prevent accidental releases of chemicals that could pose a threat to employees. Section 112(r) required the EPA to publish Accidental Release Prevention Program regulations to prevent chemical releases or minimize their consequences if they occur. CAA section 112(r) requires the owner or operator of an affected facility to develop and file an RMP with EPA, the U.S. Chemical Safety Board (CSB) (also established under the section), the State, and local response agencies. OSHA adopted its PSM standard (codified at 29 CFR 1910.119) in 1992 (57 FR 6403, Feb. 24, 1992). However, not all the information in the RMP registration section, and almost none of the information in the prevention program and hazard assessment sections of the RMP, is submitted to EPA under other regulations. The EPCRA section 312 Tier II forms, which also include some information similar to that in the RMP registration form, are submitted only to States and local planning authorities, not to EPA. Therefore, for EPA to best comply with the Act, the information requested for registration should be submitted in a concise and organized format, along with prevention program, hazard assessment, and emergency response program information, using the RMP form.

The OSHA PSM standard and EPA RMP regulations are closely aligned in content, policy interpretations, and enforcement. Congress recognized this relationship by requiring EPA to coordinate its requirements with those of OSHA in developing accident prevention regulations and requiring OSHA to coordinate with EPA when developing its PSM standard (see CAA section 112(r)((7)(D) and CAA section 304(a)). Therefore, since the inception of these regulations, EPA and OSHA have coordinated

closely on their implementation in order to minimize regulatory burden and avoid conflicting requirements for regulated facilities.

Confidential Business Information

Some sources may have submitted substantiation of CBI claims for chemical identity or other information to EPA Headquarters or Regions under other regulations similar to the substantiation information requested under these regulations. For EPA to best comply with the Act and most effectively evaluate such claims, the CBI substantiation must accompany the submission of the RMP.

5. MINIMIZING BURDEN ON SMALL BUSINESSES AND SMALL ENTITIES

If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

The RMP rule includes several measures to reduce the burden to small entities. Most sources subject to Program 3 requirements already are required to comply with the OSHA PSM standard, and therefore, have already completed the prevention program elements specified in Subpart D of 40 CFR part 68. All other small sources face reduced requirements under Programs 1 and 2. In addition, the quantity of information submitted in the RMP and the associated burden varies with the size of the source (i.e., smaller sources would generally have a lower burden). EPA has developed industry-specific guidance documents to help smaller sources comply with the rule. Therefore, the RMP regulations do not impose a disproportionate compliance burden on small sources. Also, as mentioned in section 3 of this document, the RMP online reporting system (RMP*eSubmit) was made available in 2009. This reduces burden for small entities because submitters can more easily revise and resubmit information online rather than print and/or mail EPA CDs with the changes.

6. CONSEQUENCES OF LESS FREQUENT COLLECTION

Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

Sources are required to register and submit an RMP only once every five years unless there are significant changes in the information provided. There is a statutory requirement for sources to register, submit, and update an RMP. Coordination with the local responders occurs annually; less frequent coordination may result in new responders being unaware of hazards at the facility and current responders being uninformed about changes at the facility. In addition, owners and operators of facilities with Program 2 and 3 processes conduct notification exercises annually. For responding facilities, table-top exercises occur at least once every three years and there is no required frequency for field exercises. Less frequent exercises may result in outdated emergency response contact information, personnel unacquainted with emergency response requirements, and poor response capability at the time of an accidental release.

7. GENERAL GUIDELINES

Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

CAA section 112(r)(7)(B)(iii) requires that sources update their RMPs periodically. To maintain consistency with OSHA PSM requirements, EPA's implementing rule requires sources to update process hazard analyses (PHAs) and hazard assessments every five years. Thus, sources are required to maintain such documentation for five years (and in the case of the PHA, for the life of the covered process), which is greater than the three years specified in the Office of Management and Budget's (OMB's) general guidelines.

8. PUBLIC COMMENT AND CONSULTATIONS

8a. Public Comment

If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the Agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the Agency in response to these comments. Specifically address comments received on cost and hour burden.

In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 et seq.), the Agency notified the public of the ICR renewal through publication of a Federal Register (FR) notice on April 17, 2025 (90 FR 16126). The public comment period extended through June 16, 2025. EPA received no comments in response to the Federal Register notice.

8b. Consultations

Describe efforts to consult with persons outside the Agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

In developing this ICR renewal, the Agency contacted several sources to obtain information on the number of hours they spend collecting data and submitting an RMP. EPA sent questionnaires to seven facilities that had indicated they were willing to provide feedback on the ICR's current burden estimates, including:

Behr Algona, Algona, WA
Dunreith Crop Center, Dunreith, IN
Farmers Union Oil Company, Willow City, ND
Gold-Eagle Cooperative, Titonka, IA
Motiva Enterprises Spartanburg Terminal, Spartanburg, SC
West Hickman Creek Wastewater Treatment Plant, Nicholasville, KY
Whirlpool Corporation, Ottawa OH

EPA received completed questionnaires from four sources. See Appendix A for more details on the burden estimates reported in the consultation questionnaires.

The sources that provided feedback on the ICR burden hour estimates are in various industry sectors, including petroleum bulk stations and terminals, general warehousing and storage, farm supplies merchant wholesalers, and other chemical and allied products merchant wholesalers. Employees at

covered sources spend time preparing and submitting an RMP, as well as complying with hazard assessment, management, and prevention program activities. Although currently covered sources already have a risk management program in place, these sources are expected to review and update it with any changes made and to resubmit the RMP by their resubmission deadline. For RMP-covered sources that are also covered under the OSHA PSM standard, which requires activities that are virtually identical to those required under Subparts C and D of part 68 for Program 3 sources, the burden associated with ongoing prevention program activities accrues to the OSHA PSM standard rather than this ICR. Therefore, burden hours reported by PSM-covered sources include only burden hours required to comply with part 68 requirements beyond those of OSHA PSM (e.g., hazard assessment, RMP submission, etc.).

The sources that provided feedback on the ICR overall provided burden hour estimates that were similar to the estimates in the existing approved ICR. All sources but one agreed with the ICR's estimates for rule familiarization and prevention program documentation. One source suggested fewer burden hours for rule familiarization, as compared to the estimate in the existing approved ICR, reasoning that it did not require as much oversight from management for rule familiarization as the ICR estimated. That source suggested more burden hours for prevention program documentation, as compared to the estimate in the existing approved ICR, because it claimed additional hours for technical staff and engineering. Another source suggested fewer burden hours for RMP preparation and submission for both new and existing sources and for public meetings. That source estimated significantly lower burden hours for public meetings due to the size of the communities that sources are located in. Two of the responding sources provided burden estimates of zero hours for activities that that specific source had not engaged in. Specifically, both sources provided a burden estimate of zero hours for public meetings; while one provided a burden estimate of zero hours for prevention program documentation and the other provided burden estimates of zero hours for confidential business information and deregistration. Given the relatively minor differences in the burden estimates provided, EPA is not making any changes to its burden estimates based on the consultations.

9. PAYMENTS OR GIFTS TO RESPONDENTS

Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

No payment or gift is given to respondents.

10. ASSURANCE OF CONFIDENTIALITY

Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or Agency policy. If the collection requires a systems of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.

Certain elements mandated in the regulation for the RMP may require the submittal of data viewed as proprietary, trade secret, or confidential (e.g., CBI). As described above, EPA has adopted procedures for sources to claim certain information as CBI.

11. JUSTIFICATION FOR SENSITIVE QUESTIONS

Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the Agency considers the questions necessary, the specific uses to be

made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

No questions of a sensitive nature are included in any of the information collection requirements covered in this ICR. The information submitted in an RMP includes information on a source's hazard assessment, prevention program, and emergency response program, and the information submitted in support of a petition to modify the list of regulated substances includes toxicity data and accident history data. The information collection requested complies with the Privacy Act of 1974 and OMB Circular A-108.

12. RESPONDENT BURDEN HOURS & LABOR COSTS

Provide estimates of the hour burden of the collection of information. The statement should:

- Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Generally, estimates should not include burden hours for customary and usual business practices.*
 - If this request for approval covers more than one form, provide separate hour burden estimates for each form and the aggregate hour burdens.*
 - Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included as O&M costs under non-labor costs covered under question 13.*
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Total Annual Responses Burden Estimate: 46,662 average annual response (139,986 total responses over 3 years).

Total Annual Hour Burden Estimate: 667,639 average annual burden hours (2,002,917 total burden hours over 3 years).

Total Annual Labor Cost Burden Estimate: \$52,574,628 average annual cost (\$157,723,883 total cost over 3 years).

In this section, EPA first describes the estimated respondent universe. EPA then estimates the annual hour burden and labor costs to respondents under the information collection requirements covered in this ICR.

12a. Respondents/North American Industry Classification System (NAICS) Codes

Risk Management Programs and Plans

The accidental release prevention program under the CAA was developed for sources that manufacture, react, mix, store, or use regulated substances in processes that require equipment designed, constructed, installed, operated, or maintained in specific ways to prevent accidental releases and ensure safe operations. The CAA requires sources to comply with the regulations if they have more than a threshold quantity of a regulated substance onsite to use in a process. Based on submissions of RMPs, the rule applies to manufacturers (i.e., sources categorized in North American Industry Classification System (NAICS) codes 31-33), as well as some non-manufacturers, including Federal sources, utilities (NAICS code 221: electric utilities, drinking water systems, wastewater treatment works), warehouses, large ammonia refrigeration systems (e.g., food processors and distributors), wholesalers, ammonia retailers, gas processors, and others.

Petitions

Any person may petition EPA to modify, by addition or deletion, the list of regulated substances. Potential petitioners are likely to include environmental groups, industry, and State and local agencies. Due to the nature of its activities, the chemical manufacturing sector is likely to be the primary industry producing, using, or storing listed regulated substances affected by the petition process. Since the list rule was promulgated in January 1994, however, only one petition has been submitted to EPA, and that petition later was withdrawn. Based on this record, EPA assumes that no additional petitions will be submitted in the three-year renewal period covered by this ICR.

Sources

EPA estimates that approximately 564 new sources will comply with the regulation during this three-year ICR period, or an average of approximately 188 each year.

Based on RMP reporting as of August 2024, approximately 11,510 sources currently are subject to 40 CFR part 68 requirements. The number of sources changes weekly and sometimes even daily, depending on the numbers of new sources that come into compliance and deregister. As previously indicated, RMPs are due every five years. Although not all covered sources will resubmit their RMPs during this ICR period, all sources are required to maintain onsite documentation. In addition, new sources will need to become familiar with the regulations (Exhibit 1). Program 2 and 3 facilities are required to conduct coordination activities and notification drills (Exhibits 9 and 10). Responding facilities are required to conduct emergency response exercises (Exhibit 11). All facilities must comply with the public meetings provision (Exhibit 12).

Based on the above, EPA assumes that all new sources (564) and all currently covered sources (11,510) will be subject to one or more RMP provisions during the three-year period covered by this ICR. Therefore, EPA estimates that there will be a total of 12,074 sources complying with RMP requirements during this ICR period (i.e., 564 + 11,510).

Implementing Agencies

Thirteen State and local agencies currently are approved to serve as the implementing agencies for part 68. EPA does not expect any additional agencies to seek delegation to implement the program during the period of this ICR. Delegated implementing agencies are required to implement and enforce the program for all or some of the sources in their States. Implementing agencies need to keep records of reviews, audits, and inspections conducted, any administrative and legal actions taken, and other correspondence between the agency and sources, other agencies, EPA, and the public. Implementing agencies also need to document their budgets for internal purposes, and any agreements they reach with other State, local, or Federal agencies. To become a delegated implementing agency, the State or local agency must be able to demonstrate to EPA that it has the personnel and other resources to perform these tasks.

EPA estimates that during the period covered by this ICR, 13 State and local agencies will maintain a delegation of authority from EPA to implement the RMP program in their States.

Local Emergency Planning Committees

Local responders incur burden for coordinating with respondents annually to determine how the source is addressed in the community emergency response plan and to ensure that local response organizations are aware of the regulated substances at the source, their quantities, the risks presented by covered processes, and the resources and capabilities at the source to respond to an accidental release of a regulated substance. Local responders also incur some burden for consulting with facilities to establish an appropriate frequency for field exercises.

During the period covered by this ICR, 2,426 LEPCs will participate in coordination activities and emergency exercises. This number is slightly lower than in the previous ICR renewal, likely due to fewer active RMP facilities covered by this ICR compared to the previous ICR.

Based on the above information, the total number of respondents for this ICR period is 14,513 (i.e., 12,074 sources + 13 implementing agencies + 2,426 LEPCs).

12b. Information Requested

Data requirements and respondent activities vary by program level. Program 1 requires the smallest amount of data and respondent time, while Program 3 requires the most. Sources with Program 3 processes are those that do not meet Program 1 eligibility requirements but are subject to the OSHA PSM Standard, or those in any of the ten NAICS codes listed in 40 CFR 68.10(d)(1). Program 2 processes are those that do not meet Program 1 or 3 eligibility requirements. See 40 CFR 68.10 for more detailed description of each Program.

Every five years, all sources are required to update and submit an RMP that includes basic facility data, an executive summary, five-year accident history, data on the worst-case release scenarios (a minimum of one for toxics and one for flammables), and data on emergency response regardless of their program classification. In addition, Program 2 and 3 sources also must submit data on alternative release scenarios (one for each toxic and one for flammables) and their prevention programs (by process). If a change at the source (e.g., a substantial change in the quantity held, a major modification of a covered process) meets one or more of the conditions specified in 40 CFR 68.190(b), the RMP must be revised and resubmitted. Depending on the event that triggers the need for an update, the source must resubmit the revised RMP either before the change is implemented (e.g., the addition of a new regulated substance) or within six months of the change (e.g., a major process modification).

All Program 2 and 3 sources are required to meet with public response agencies to coordinate emergency response plans. Program 2 and 3 sources also are required to conduct an exercise to check the information on their emergency notification lists annually. Sources are required to hold a public meeting within 90 days of any RMP-reportable accident with offsite impacts specified in 40 CFR 68.42(a) (i.e., known offsite deaths, injuries, evacuations, sheltering in place, property damage, or environmental damage). Responding sources are required to conduct and document emergency response tabletop exercises at least every three years and field exercises at an appropriate frequency, with no minimum frequency requirement.

Data Items

Risk Management Plans

Respondents are required to submit information to EPA in the registration, Executive Summary, and, depending on the program level, type of chemicals and history of accidents of the respondent's regulated process or processes, certain data sections of the RMP. Respondents that are no longer subject to the rule must submit a deregistration notice to EPA. See Appendix B for a detailed list of information items for RMP registration and data sections.

Risk Management Programs - Prevention Program Documentation

All covered sources with Program 2 or 3 processes are required to conduct and document a compliance audit within the three-year period of this ICR. These sources are also assumed to incur costs for incident investigation if they have an incident meeting the incident investigation criteria specified in 40 CFR 68.60 (for Program 2) or 68.81 (for Program 3). Other on-going costs for documentation for Program 2 processes are for maintaining up-to-date safety information and operating procedures. For Program 3 processes, most on-going costs of keeping Process Safety Information (PSI) and Operating Procedures up-to date, documenting refresher training, training of new employees, mechanical integrity, and management of change accrue to the OSHA PSM standard. Any source that has an emergency response plan is subject to the OSHA Hazardous Waste Operations and Emergency Response (HAZWOPER) standard (29 CFR 1910.120); all costs for updating the plan accrue to the OSHA standard. A few sources are expected to change their offsite consequence analysis (OCA) over the three-year period. The documentation for those costs is included in the RMP costs. Detailed information for Prevention Program Documentation for Program 1, 2 and 3 sources can be found in Appendix C.

Emergency Response Activities

All Program 2 and 3 responding facilities are required to plan for and conduct emergency response tabletop and field exercises. Documentation of both types of exercises is required. It is recommended, but not required, that exercise evaluation reports include:

- Lessons learned,
- Recommendations, and
- A schedule to resolve recommendations.

Confidential Business Information (CBI)

40 CFR 68.210 provides that information will be available to the public under CAA section 114(c), which provides for protection of trade secrets. To clarify procedures for submitting RMPs that contain CBI, EPA added two sections to the rule. In general, however, the existing rules governing CBI in 40 CFR part 2 will also apply and provide procedures for determining the appropriateness of CBI claims as well as the substantive criteria that must be met to assert such claims.

To qualify for CBI protection, the substantive criteria set forth at 40 CFR 2.301 must be met. These criteria generally require that the data not be available to the public through other means, that the source take appropriate steps to prevent disclosure, and that disclosure of the data would be likely to cause substantial harm to the source's competitive position.

To assert a CBI claim, a source is required to submit a sanitized version of its RMP, which EPA enters into the RMP database. The sanitized version will identify each data element, except chemical identity,

claimed as CBI by the notation “CBI” in the data field. For chemical identity, the source is required to provide a generic chemical category or class name in lieu of the actual chemical name. At the same time, the source is also required to submit to EPA the data claimed as confidential on a separate, paper form. The source must also substantiate why each item claimed as CBI meets the CBI criteria. Substantiation information may be claimed as CBI. If all or part of the substantiation is claimed as CBI, a sanitized version of substantiation must also be filed with EPA. Review of the CBI claims will be handled as provided for in 40 CFR part 2.

CBI claims must be made at the time of submittal. The source’s owner, operator, or senior official is required to certify the accuracy of the CBI substantiation claims.

Petitions

Any person may petition the Administrator to modify, by addition or deletion, the list of regulated substances in 40 CFR 68.130. Based on the information presented by the petitioner, EPA may grant or deny a petition. A list of the information items a petition is required to contain under 40 CFR 68.120(g) can be found in Appendix D.

12c. Respondent Activities

Rule Familiarization

All newly affected sources are expected to spend time reading and understanding the requirements when they first become subject to part 68. This is a one-time activity. Therefore, burden for rule familiarization for currently covered sources is not included in this ICR.

Risk Management Programs and Plans

Deregistration. Any source that is no longer subject to part 68 is required to notify EPA in writing within six months of the date on which it is no longer subject.

Program 1. Burden for new Program 1 sources to prepare and submit an RMP is included in this ICR. Burden for existing Program 1 sources that will be resubmitting their RMP in 2025, 2026, or 2027 is also included in this ICR. New and existing Program 1 sources are required to maintain records supporting the implementation of the risk management program, as explained in the previous section.

Program 2. Program 2 sources incur the burden of preparing or revising an RMP and maintaining specific onsite documentation of the items listed in the previous section.

Program 3. Program 3 sources incur the burden of assembling information to maintain onsite documentation (except that already required under OSHA PSM) and preparing and submitting an RMP.

Emergency Response Activities

Coordination Activities. All Program 2 and 3 sources are required to coordinate with local response agencies annually to share information and coordinate emergency response plans.

Notification Drills. All Program 2 and 3 sources are required to conduct a notification exercise annually to verify the accuracy of the contact information on the emergency notification lists (e.g., local responders, State and Federal agencies, mutual aid groups) to ensure that the information is current and correct.

Emergency Response Exercises. All Program 2 and 3 responding facilities are required to plan for and conduct emergency response tabletop and field exercises. Documentation of both types of exercises is required. Tabletop exercises are required to be conducted at least every three years. Facilities are required to consult with local emergency response officials to establish an appropriate frequency for field exercises. Facilities are permitted to meet the exercise requirements with joint and combined exercises to reduce costs (for both facilities and local responders).

Information Disclosure Activities

Public Meetings. Sources are required to hold a public meeting within 90 days of any RMP-reportable accident with offsite impacts specified in 40 CFR 68.42(a) (i.e., known offsite deaths, injuries, evacuations, sheltering in place, property damage, or environmental damage). Accident information specified in 40 CFR 68.42 (b) must be provided for only the most recent accident.

Confidential Business Information

Based on the CBI claims received in prior reporting years, EPA expects a small number of sources with processes in Program 2 and Program 3 may seek to claim certain RMP information as confidential business information during the three-year ICR renewal period (2025-2027). The required activities for such sources include the preparation of a sanitized RMP (estimated as described above for all sources) and a substantiation of the claim for each data element (and potentially the substantiation itself) claimed as confidential, the list of unsanitized data elements and the submission of these documents to EPA at the time of the submission of the RMP.

Petitions

To submit a petition to modify the list of regulated substances, a petitioner is expected to perform the following activities:

- Read EPA guidance document and consult with EPA
- Plan activities
- Prepare a literature search
- Conduct a literature search
- Process information
- Review and focus information
- Write petition
- Review and edit petition, and
- Submit petition to EPA and file.

12d. Respondent Burden Hours and Labor Costs

Familiarization with the Regulations (*New sources*)

This ICR estimates familiarization burden only for any new sources that may become subject to the regulations during the period covered by this ICR. The source-level burden for familiarization with the regulations is estimated to range from 12 to 32 hours for the various sectors covered by the regulations.

Exhibit 1: Hour Burden for Familiarization with the Regulations (*New sources*)

Respondent/ Facility Type	Hours Required Per Respondent	Number of Respondents		3-Year Annual Average Burden (hours)	3-Year Total Burden (hours)
		Year 1*	3-Year Total		
Small/ Medium Manufacturers	12	36	108	432	1,296
Large Manufacturers	32	23	69	736	2,208
Small/ Medium Non- Manufacturers	12	119	357	1,428	4,284
Large Non- Manufacturers	32	10	30	320	960
Total		188	564	2,916	8,748

* EPA assumed that the burden associated with this provision would be incurred by the same number of facilities in Years 1, 2, and 3.

Initial RMP Preparation and Submission (*New sources*)

Exhibit 2 presents the estimated source-level burden hours for preparing and submitting an RMP for new sources that are expected to be subject to the regulations during the period covered by this ICR. EPA estimates that the average unit burden to prepare and submit an RMP ranges from 8.25 to 33 hours for the various sectors covered by the regulations.

Exhibit 2: Hour Burden for Initial RMP Preparation and Submission (*New sources*)

Respondent/ Facility Type	Hours Required Per Respondent	Number of Respondents		3-Year Annual Average Burden (hours)	3-Year Total Burden (hours)
		Year 1*	3-Year Total		
Small/ Medium Manufacturers	16.25	36	108	585	1,755
Large Manufacturers	33	23	69	759	2,277
Small/ Medium Non- Manufacturers	8.25	119	357	982	2,945
Large Non- Manufacturers	12.5	10	30	125	375
Total		188	564	2,451	7,352

* EPA assumed that the burden associated with this provision would be incurred by the same number of facilities in Years 1, 2, and 3.

Prevention Program (New sources)

New sources also incur costs for developing documentation for prevention program elements. Estimates of the respondent burden hours for maintaining onsite documentation vary depending on the size of the source and the complexity of the onsite processes as well as whether the source is already covered by OSHA's PSM Standard. These sources are expected to incur the costs of maintaining onsite documentation only for those activities performed for processes and substances not covered under OSHA's PSM Standard. EPA developed an estimate, based on the number of PSM and non-PSM sources currently subject to the regulations, of the numbers of new sources in these categories. The estimated source-level burden for prevention program activities for new sources ranges from 7 to 188 hours.

Exhibit 3: Hour Burden for Prevention Program (New sources)

Respondent/ Facility Type	Hours Required Per Respondent	Number of Respondents		3-Year Annual Average Burden (hours)	3-Year Total Burden (hours)
		Year 1*	3-Year Total		
Small/ Medium Manufacturers	50	36	108	1,800	5,400
Large Manufacturers	188	23	69	4,324	12,972
Small/ Medium Non- Manufacturers	7	119	357	833	2,499
Large Non- Manufacturers	26	10	30	260	780
Total		188	564	7,217	21,651

* EPA assumed that the burden associated with this provision would be incurred by the same number of facilities in Years 1, 2, and 3.

RMP Submission and Prevention Program Documentation (Currently covered sources with resubmission deadlines in this ICR period)

The source-level burden for RMP preparation and submission ranges from 5 to 28 hours. The source-level burden for prevention program documentation ranges from 4.5 to 124 hours.

Exhibit 4: Hour Burden for RMP Preparation and Submission (Currently covered sources with resubmission deadlines in this ICR period)

Respondent/ Facility Type	Hours Required Per Respondent	Number of Respondents		3-Year Annual Average Burden (hours)	3-Year Total Burden (hours)
		Year 1*	3-Year Total		
Small/ Medium Manufacturers	10	235	705	2,350	7,050

Respondent/ Facility Type	Hours Required Per Respondent	Number of Respondents		3-Year Annual Average Burden	3-Year Total Burden (hours)
		Year 1*	3-Year Total		
Large Manufacturers	28	351	1,053	9,828	29,484
Small/ Medium Non- Manufacturers	5	996	2,988	4,980	14,940
Large Non- Manufacturers	8	164	492	1,312	3,936
Total		1,746	5,238	18,740	55,410

* EPA assumed that the burden associated with this provision would be incurred by the same number of facilities in Years 1, 2, and 3.

Exhibit 5: Hour Burden for Prevention Program Documentation (Currently covered sources with resubmission deadlines in this ICR period)

Respondent/ Facility Type	Hours Required Per Respondent	Number of Respondents		3-Year Annual Average Burden (hours)	3-Year Total Burden (hours)
		Year 1*	3-Year Total		
Small/ Medium Manufacturers	33	28	84	924	2,772
Large Manufacturers	124	12	36	1,488	4,464
Small/ Medium Non- Manufacturers	4.5	528	1,584	2,376	7,128
Large Non- Manufacturers	17	11	33	187	561
Total		579	1,737	4,975	14,925

* EPA assumed that the burden associated with this provision would be incurred by the same number of facilities in Years 1, 2, and 3.

Prevention Program Documentation (Currently covered sources with resubmission deadlines in 2028 and 2029)

These sources have submitted their RMPs prior to this ICR period because they were assigned a five-year resubmission deadline based on their last resubmission date. Therefore, these sources are required to conduct only certain onsite activities of their prevention program (compliance audits, refresher training, etc.) in this ICR period. Some of the prevention program elements must be conducted annually or every three or five years. EPA encourages sources to review all the prevention program elements and update them periodically even where they are not required to do so on any specific deadline or schedule.

Estimates of the respondent burden hours for conducting prevention program activities and maintaining onsite documentation also vary depending upon the size of the source and the complexity of onsite

processes, as well as whether the source is already covered by the OSHA PSM Standard.

Exhibit 6: Hour Burden for Prevention Program Documentation (*Currently covered sources with resubmission deadlines in 2028 and 2029*)

Respondent/ Facility Type	Hours Required Per Respondent	Number of Respondents		3-Year Annual Average Burden (hours)	3-Year Total Burden (hours)
		Year 1*	3-Year Total		
Small/ Medium Manufacturers	33	41	123	1,353	4,059
Large Manufacturers	124	25	75	3,100	9,300
Small/ Medium Non- Manufacturers	4.5	1,096	3,288	4,932	14,796
Large Non- Manufacturers	17	21	63	357	1,071
Total		1,183	3,549	9,742	29,226

* EPA assumed that the burden associated with this provision would be incurred by the same number of facilities in Years 1, 2, and 3.

Overdue Sources (*Expected to comply this ICR period*)

The source-level burden for overdue sources is the same as the burden to currently covered sources. Thus, for overdue sources, the source-level burden for RMP preparation and submission ranges from 5 to 28 hours. The source-level burden for prevention program documentation ranges from 4.5 to 124 hours.

Exhibit 7: Hour Burden for RMP Preparation and Submission (*Overdue sources expected to comply in this ICR period*)

Respondent/ Facility Type	Hours Required Per Respondent	Number of Respondents		3-Year Annual Average Burden (hours)	3-Year Total Burden (hours)
		Year 1*	3-Year Total		
Small/ Medium Manufacturers	10	10	30	100	300
Large Manufacturers	28	8	24	224	672
Small/ Medium Non- Manufacturers	5	47	141	235	705
Large Non- Manufacturers	8	2	6	16	48
Total		67	201	575	1,725

* EPA assumed that the burden associated with this provision would be incurred by the same

number of facilities in Years 1, 2, and 3.

Exhibit 8: Hour Burden for Prevention Program Documentation (*Overdue sources expected to comply in this ICR period*)

Respondent/ Facility Type	Hours Required Per Respondent	Number of Respondents		3-Year Annual Average Burden (hours)	3-Year Total Burden (hours)
		Year 1*	3-Year Total		
Small/ Medium Manufacturers	33	3	9	99	297
Large Manufacturers	124	1	3	124	372
Small/ Medium Non- Manufacturers	4.5	29	87	131	392
Large Non- Manufacturers	17	0	0	0	0
Total		33	99	354	1,061

* EPA assumed that the burden associated with this provision would be incurred by the same number of facilities in Years 1, 2, and 3.

Coordination Activities

All facilities with Program 2 or 3 processes are required to coordinate with local response agencies annually to determine how the source is addressed in the community emergency response plan and to ensure that local response organizations are aware of the regulated substances at the source, their quantities, the risks presented by covered processes, and the resources and capabilities at the source to respond to an accidental release of a regulated substance. The owner or operator is required to provide their source's emergency response plan, if one exists, updated emergency contact information, and any other information that local emergency planning and response organizations identify as relevant to local emergency response planning. The owner or operator also is required to document coordination activities.

Each facility type is expected to incur a different burden in addressing coordination activities. EPA estimates that facilities in the simple category will spend 13 hours in coordination activities, while facilities in the complex category will spend 47 hours in coordination activities.

Exhibit 9: Hour Burden for Coordination Activities

Respondent/ Facility Type	Hours Required Per Respondent	Number of Respondents		3-Year Annual Average Burden (hours)	3-Year Total Burden (hours)
		Year 1*	3-Year Total		
Simple	13	9,298	27,894	120,874	362,622
Complex	47	1,566	4,698	73,602	220,806

Respondent/ Facility Type	Hours Required Per Respondent	Number of Respondents		3-Year Annual Average Burden	3-Year Total Burden (hours)
		Year 1*	3-Year Total		
Total		10,864	32,592	194,476	583,428

* EPA assumed that the burden associated with this provision would be incurred by the same number of facilities in Years 1, 2, and 3.

Notification Drills

All facilities with Program 2 or 3 processes are required to conduct an annual notification exercise to verify that emergency contact information is up-to-date. This includes verifying that notification contact information for emergency responders, Federal, State and local response agencies, and other accidental release notification contacts is correct and includes functional phone numbers. All facilities with Program 2 or 3 processes are required to conduct a notification drill, during which a facility member checks each person and agency on its emergency contact list, to ensure that the contact information is accurate (e.g., that the person listed is still in that position and the phone numbers and email addresses are correct).

Each facility type is expected to incur the same burden in conducting notification drills: 2 hours per notification drill.

Exhibit 10: Hour Burden for Notification Drills

Respondent/ Facility Type	Hours Required Per Respondent	Number of Respondents		3-Year Annual Average Burden (hours)	3-Year Total Burden (hours)
		Year 1*	3-Year Total		
Simple	2	9,298	27,894	18,596	55,788
Complex	2	1,566	4,698	3,132	9,396
Total		10,864	32,592	21,728	65,184

* EPA assumed that the burden associated with this provision would be incurred by the same number of facilities in Years 1, 2, and 3.

Exercises

Responding facilities are facilities that intend to develop and implement the emergency response program required under 40 CFR 68.95 to respond to releases at their site. Such facilities are required to conduct an exercise of their emergency response program in accordance with 40 CFR 68.96. The owner or operator must conduct a tabletop exercise at least once every three years and must consult with local emergency response officials to establish an appropriate frequency for field exercises. In a field exercise, all the steps of a response are carried out (e.g., responders and equipment are deployed). The purpose of a field exercise is to evaluate the ability of the responders and other employees to implement the emergency response plan on which they have been trained. In a tabletop exercise, participants discuss response procedures without actually conducting response actions.

With no minimum frequency requirement for field exercises, facilities and local responders have the

option to choose when to conduct a full field exercise. Although facilities and responders may therefore choose to hold field exercises less frequently than every ten years, EPA has taken the conservative approach for burden estimation to assume that the average RMP facility will still conduct a field exercise every ten years. This assumption is based on the rationale that facilities, even without the minimum frequency requirement, will conduct field exercises at least this often in order to train new employees and community responders on the workings of the facility's emergency plan. The objectives of field and tabletop exercises include: identifying who would be contacted in an emergency, testing procedures and measures for emergency response after an accidental release of a regulated substance (e.g., what equipment would be deployed, who would be evacuated, how decisions on public notification would be made, who would contact the public, etc.), and identifying and testing proper first-aid and emergency medical treatment procedures necessary to treat accidental human exposures.

The burdens associated with both types of exercises vary with the size and complexity of a facility. Every phase of the process – planning, exercise, and post-action evaluation – will require more time for larger and more complex facilities. Smaller facilities have a limited number of possible scenarios (from leaks to slow releases to total failure of a storage vessel). Larger facilities – particularly those with complex chemical processes – have more potential failure modes and a greater possibility of the first release triggering additional releases or creating other risks. Management time is expected to be devoted to developing the exercise plan; engineers, production staff, and emergency responders are expected to plan and participate in the exercise.

Facilities are permitted to meet the exercise requirements with joint and combined exercises to reduce burden (for both facilities and local responders). EPA expects many facilities will take advantage of this alternative means of complying with the exercise requirement. While it is likely that many facilities will conduct joint exercises or conduct exercises less frequently than once every ten years, reducing burden on facilities and allowing for greater flexibility, EPA notes that it is also possible that some facilities may choose to conduct exercises independently and on a more frequent basis.

Each facility type is expected to incur a different burden in conducting facility exercises. EPA estimates that the burden to facilities in the simple category ranges from 46.77 to 112.17 hours, while the burden to facilities in the complex category ranges from 46.77 to 154 hours.

Exhibit 11: Hour Burden for Exercises

Respondent/ Facility Type	Hours Required Per Respondent	Number of Respondents		3-Year Annual Average Burden (hours)	3-Year Total Burden (hours)
		Year 1*	3-Year Total		
Simple Responding <20 FTE	46.77	1,261	3,782	58,977	176,932
Simple Responding 20-99 FTE	67.80	775	3,783	52,547	157,641
Simple Responding 100+ FTE	112.17	1,443	4,329	161,860	485,580
Complex Responding < 20 FTE	46.77	125	375	5,846	17,539

Respondent/ Facility Type	Hours Required Per Respondent	Number of Respondents		3-Year Annual Average Burden	3-Year Total Burden (hours)
		Year 1*	3-Year Total		
Complex Responding 20-99 FTE	67.80	443	1,329	30,037	90,110
Complex Responding 100+FTE	154	558	1,674	85,934	257,803
Total		4,605	13,815	395,201	1,185,603

* EPA assumed that the burden associated with this provision would be incurred by the same number of facilities in Years 1, 2, and 3.

Public Meetings

RMP facilities are required to hold a public meeting to provide accident information required under 40 CFR 68.42, no later than 90 days after any accident with offsite impacts specified in 40 CFR 68.42(a) (i.e., known offsite deaths, injuries, evacuations, sheltering in place, property damage, or environmental damage) that is subject to reporting under 40 CFR 68.42. Accident information specified in 40 CFR 68.42(b) must be provided for only the most recent accident and not for previous accidents covered by the five-year accident history requirement of 40 CFR 68.42(a).

EPA estimates that each facility spends time planning for the meeting, including time to decide when and where to hold the meeting, arrange the meeting space, develop and post notices of the meeting, and to develop materials to be presented and distributed. In addition, EPA assumes that at least two people from the facility will attend the meeting, which is estimated to take 4 hours of the attendees' time; even if the meeting is only 2 hours, attendees would have to arrive early and would stay after the official ending to talk with attendees, collect extra materials, and close the meeting space.

Each facility type is expected to incur a different burden in hosting public meetings. EPA estimates that facilities in the simple category will spend 20 hours hosting public meetings, while facilities in the complex category will spend 40 hours hosting public meetings. It is difficult to predict the exact number of public meetings that will be held because most facilities will not need to hold a public meeting as they will not have had an accident. Based on RMP reporting on accidents, EPA estimates the average number of public meetings held annually for this ICR period is 36 for simple facilities and 20 for complex facilities.

Exhibit 12: Hour Burden for Public Meetings

Respondent/ Facility Type	Hours Required Per Respondent	Number of Respondents		3-Year Annual Average Burden (hours)	3-Year Total Burden (hours)
		Year 1*	3-Year Total		
Simple	20	36	108	720	2,160
Complex	40	20	60	800	2,400
Total		56	168	1,520	4,560

* EPA assumed that the burden associated with this provision would be incurred by the same number of facilities in Years 1, 2, and 3.

Confidential Business Information (CBI) Claims

The requirement that sources submit substantiation with the CBI claim will impose costs on the source making the CBI claim. EPA received 13 CBI claims for the three-year period covered in the previous ICR renewal (2021-2023). EPA assumes that the number of CBI claims made during this ICR period (2025-2027) will be similar. Previous ICRs estimated respondents spend 9.5 hours per claim to develop and submit CBI substantiations. These requirements have not changed, so the same burden estimate is used for this ICR.

Exhibit 13: Hour Burden for CBI Claims

Respondent/ Facility Type	Hours Required Per Respondent	Number of Respondents		3-Year Annual Average Burden (hours)	3-Year Total Burden (hours)
		Year 1*	3-Year Total		
All Respondents	9.5	4	12	38	114

* EPA assumed that the burden associated with this provision would be incurred by the same number of facilities in Years 1, 2, and 3.

Petitions

Since 1994 when EPA initially published the list of RMP-regulated chemicals, EPA has received only one petition to remove a chemical from the list. The Agency does not expect to receive any petitions during the period covered by this ICR. Therefore, this ICR does not account for any burden for filing petitions.

Deregistration

Based on the number of deregistration letters EPA received in the period 2021 to 2023 (766), EPA estimates that 255 sources will deregister each year of the ICR renewal period. The deregistration form letter is available on the RMP information website for download, or sources can write their own letter. EPA estimates that technical staff will spend one hour to produce a deregistration letter.

Exhibit 14: Hour Burden for Deregistration

Respondent/ Facility Type	Hours Required Per Respondent	Number of Respondents		3-Year Annual Average Burden (hours)	3-Year Total Burden (hours)
		Year 1*	3-Year Total		
All Respondents	1	255	765	255	765

* EPA assumed that the burden associated with this provision would be incurred by the same number of facilities in Years 1, 2, and 3.

Implementing Agencies

Although EPA does not require States to obtain delegation to implement the RMP program, some State and local agencies have the delegated authority to implement the program. Because EPA will not be granting funds to implementing agencies as part of the delegation process, the burden that the implementing agencies will incur is added to the respondent burden in this ICR. For the States that do not obtain delegation of the program, EPA will be the implementing agency.

Implementing agencies are expected to conduct the following activities:

- **Initial reviews**, which are first checks of the RMPs to identify any problems (e.g., inconsistencies in reported data, failure to list obvious hazards such as flammability for a listed flammable material), are estimated to require between one and five hours, depending on the number and complexity of processes covered in the RMP.
- **Audits** are detailed reviews of the RMPs, requiring between two and 12 hours per RMP. Audits require technical staff capable of identifying data that may indicate safety problems (e.g., failure to report chemical or process hazards, which could indicate an inadequate PHA, or lack of normal process controls, which could indicate either an incomplete RMP or inadequate safety practices). Audits may be conducted entirely offsite or may include a site visit to review documentation and other aspects of the program. The results of the audits will help identify sources that may require inspection to determine whether the source complies with the rule and is operating safely.
- **Inspections** are site visits to review the activities and documentation. Inspections are estimated to take between eight and 50 hours.
- **Report writing** is assumed to be 12.5 percent of the inspection time and recordkeeping is assumed to be 10 percent of the inspection time.

EPA estimates that 13 State and local agencies will carry out RMP Program implementation duties during each year covered by this ICR. These 13 agencies cover a total of 1,865 sources, with an average of 143 sources per agency. The implementing agencies are expected to complete inspections of all sources within their jurisdiction in five years, which means each will have to review RMPs, inspect the facility, etc., for approximately 28 sources per year. EPA estimates that each implementing agency will spend an estimated 594 hours annually on these activities. This ICR accounts for reporting and recordkeeping burden and costs related to inspections over the next three-year ICR period.

Exhibit 15: Hour Burden for Implementing Agencies

Respondent/ Facility Type	Hours Required Per Respondent	Number of Respondents		3-Year Annual Average Burden (hours)	3-Year Total Burden (hours)
		Year 1*	3-Year Total		
All Respondents	20.7	373	1,119	7,722	23,165

* EPA assumed that the burden associated with this provision would be incurred for the same number of activities in Years 1, 2, and 3.

Annual hour burden to respondents by provision – Exhibit 16 summarizes the annual hour burden to respondents under the information collection requirements covered in this ICR. The source-level (unit) burden applied to various types of sources and sectors is based on the size of the source and on the number and complexity of the processes at the sources in each sector.

Exhibit 16: Hour Burden to Respondents by Rule Provision

Rule Provision	Number of Respondents/Activities		3-Year Average Annual Burden (hours)	3-Year Total Burden (hours)
	Year 1	3-Year Total		
Rule Familiarization	188	564	2,916	8,748
RMP Preparation and Submission	2001	6003	21,496	64,487
Prevention Program Documentation	1,983	5,949	22,288	66,863
CBI Claims	4	12	38	114
Deregistration Letters	255	765	255	765
Coordination Activities	13,290	39,870	194,476	583,428
Notification Drills	10,864	32,592	21,728	65,184
Exercises	7,031	21,093	395,201	1,185,604
Public Meetings	56	168	1,520	4,560
Implementing Agencies	373	1,119	7,722	23,165
Total*	36,045	108,135	667,639	2,002,917

*Totals may not sum due to rounding.

Labor Cost Calculation Methodology:

To calculate per-facility compliance costs, EPA used the Bureau of Labor Statistics (BLS) May 2023 National Occupational Employment and Wage Estimates to construct weighted wage rates for different occupation categories.³ For all information collection activities, labor hours were assumed to be distributed across six general labor categories: Management, Corporate Management, Attorneys, Engineers, Production Staff, and Local Responders. For each of the NAICS codes representing industries affected by the regulations (e.g., Food and Beverage, Agricultural Facilities), standardized BLS Occupation Titles were identified to match the general labor categories (Management, Corporate Management, Attorneys, Engineers, Production Staff, and Local Responders). The wage rates for each BLS Occupation Title were multiplied by a fringe benefits factor of 1.5 to create a loaded wage rate.⁴

For certain information collection activities, the weighted wage rates for complex facilities (NAICS codes 324 and 325) were estimated separately from simple facilities because wages paid by these facilities are higher than in wholesale and government sectors, which dominate the simple facilities category. After loaded wage rates were established for each industry, they were combined to form a weighted average based on the share of each industry within its universe of facilities, either simple or complex. Exhibit 17 presents the weighted-average loaded hourly wage rates for simple and complex facilities.

³ See https://www.bls.gov/oes/2023/may/oes_nat.htm.

⁴ The benefits multiplier is based on an average for the sectors as estimated by BLS in its Employer Costs for Employee Compensation. BLS includes items such as sick leave and vacation as benefits. See <https://www.bls.gov/news.release/ecec.toc.htm>.

Exhibit 17: Weighted-Average Loaded Hourly Wage Rates (2023 Dollars)

Labor Category	Simple Facilities	Complex Facilities
Management	\$96.20	\$123.78
Corporate Management	\$90.14	\$123.66
Attorneys	\$138.61	\$192.32
Engineers	\$63.79	\$90.48
Production Staff	\$33.39	\$57.23
Local Responders	\$66.39	\$66.39

Sources: https://www.bls.gov/oes/2023/may/oes_nat.htm and <https://www.bls.gov/news.release/eccec.nr0.htm>.

For the remaining information collection activities, EPA estimated loaded wage rates for different types of facilities: (1) small/medium manufacturers, (2) large manufacturers, (3) small/medium non-manufacturers, (4) large non-manufacturers, and (5) State/local government. EPA estimated the wage rates individually because wages vary across the five categories. For each of the five categories, one industry included in that category was chosen to represent the loaded wage rates.⁵ Exhibit 18 presents the loaded hourly wage rates for small/medium and large manufacturers and non-manufacturers and State/local government.

Exhibit 18: Fully Loaded Hourly Wage Rates (2023 Dollars)

Labor Category	Management	Technical
Large Manufacturers	\$122.09	\$87.95
Small/Medium Manufacturers	\$111.89	\$80.69
Large Non-Manufacturers	\$90.98	\$71.70
Small/Medium Non-Manufacturers	\$90.18	\$43.52
State/Local Government	\$106.80	\$73.79

To estimate the labor costs for each information collection activity, EPA multiplied the number of hours estimated in each labor category by the corresponding loaded hourly wage rate. The labor cost for each facility was then multiplied by the total number of affected facilities to arrive at the total labor costs.

⁵ Chemical manufacturing (NAICS 325) was used to represent large manufacturers, other facilities (all NAICS) were used to represent small/medium manufacturers, food manufacturing (NAICS 311) was used to represent large non-manufacturers, agriculture, forestry, fishing and hunting (NAICS 11) was used to represent small/medium non-manufacturers, and water, sewage and other systems (NAICS 2213) was used to represent State/local government.

**Exhibit 19: Total Burden and Cost for Respondent Burden,
3-Year Total and Average Annual (2023 Dollars)**

Rule Provision	Total Labor Burden (hours)		Labor Cost	
	3-Year Total	3-Year Average	3-Year Total	3-Year Average
Rule Familiarization	8,748	2,916	\$657,621	\$219,207
RMP Preparation and Submission	64,487	21,496	\$5,051,614	\$1,683,871
Prevention Program Documentation	66,863	22,288	\$4,831,151	\$1,610,384
CBI Claims	114	38	\$11,727	\$3,909
Deregistration Letters	765	255	\$54,851	\$18,284
Coordination Activities	583,428	194,476	\$55,901,057	\$18,633,686
Notification Drills	65,184	21,728	\$4,408,867	\$1,469,622
Exercises	1,185,604	395,201	\$84,674,907	\$28,224,969
Public Meetings	4,560	1,520	\$385,816	\$128,605
Implementing Agencies	23,165	7,722	\$1,746,274	\$582,091
Total*	2,002,917	667,639	\$157,723,883	\$52,574,628

* Totals may not sum due to rounding.

13. RESPONDENT CAPITAL AND O&M COSTS

Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet).

The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should consider costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling, and testing equipment; and record storage facilities. If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collections services should be a part of this cost burden estimate.

Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

Capital Costs

Capital costs usually include any produced physical good needed to provide the needed information, such as machinery, computers, and other equipment. EPA does not anticipate that respondents will incur capital costs in carrying out the information collection requirements covered in this ICR.

Because RMPs will be available electronically and EPA will provide them to anyone who does not have Internet access, State and local agencies are expected to incur no capital costs related to RMPs. Implementing agencies will also incur minimal capital costs to maintain documents on program implementation. Most files associated with program implementation are electronic and implementing agencies are assumed to already have computer systems, so the cost of these systems does not accrue to this ICR. Previous ICRs calculated the required number of file cabinets for the States, but because EPA now assumes that States store files electronically, the Agency does not include the costs of file cabinets in this ICR.

Operating & Maintenance (O&M) Costs

O&M costs are associated with a paperwork requirement incurred continually over the life of the ICR. They are defined by the Paperwork Reduction Act of 1995 as “the recurring dollar amount of costs associated with O&M or purchasing services.”

Sources are not required nor expected to use consultants to prepare and submit their RMP or their onsite documentation. The Risk Management Program has simplified the requirements and now allows sources to use prepared forms and models to eliminate the need for consultants. Sources are required to submit the data electronically online. EPA has developed an online reporting system to submit the RMP at no cost to the regulated community. Most sources already have access to the Internet; therefore, the connection charge associated with Internet access is not applied to this ICR. In previous ICRs, EPA estimated mailing costs as part of operating costs. However, sources no longer incur mailing costs because EPA now requires sources to submit their RMP online.

For this ICR, EPA estimates that renting a meeting room to host the public meeting will cost facilities \$657⁶. The annual O&M cost during the three-year clearance period is \$36,792 (\$110,376 total O&M cost over 3 years).

14. AGENCY COSTS

Provide estimates of annualized costs to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

14a. Agency Activities

EPA is the implementing agency for sources in those states not delegated to implement the program. Of the sources responding during this ICR period, approximately 9,645 will be managed by EPA. EPA

⁶ Based on a cost of \$550 in the Final Reconsideration Rule ICR (EPA ICR No. 2537.05), December 19, 2019. This cost was adjusted to represent 2023 value. See Bureau of Labor Statistics, “All items in U.S. city average, all urban consumers, not seasonally adjusted,” U.S. City Average, December 10, 2024. Available online at: https://data.bls.gov/timeseries/CUUR0000SA0?amp%253bdata_tool=XGtable&output_view=data&include_graphs=true.

expects to audit and inspect only approximately four percent of these sources (or 386 sources) annually during this ICR period.

EPA also incurs O&M costs associated with the requirements covered in this ICR. These O&M costs include costs for RMP software maintenance and development and operation of the RMP Reporting Center.

RMP*eSubmit is the current system for submitting RMPs. Other components of the suite of applications for the RMP system (SRMP) include RMP Maintain, an Oracle application maintaining a secure database with complete RMP data. RMP*Info is a user-friendly version of the database on the Agency's Central Data Exchange (CDX), which makes RMPs available to the government staff.

14b. Agency Labor Cost

EPA estimates a loaded average hourly labor cost of \$124.99 for management staff (GS-14, Step 7) and \$96.35 for technical staff (GS-12, Step 10). To derive these hourly estimates, EPA referred to the U.S. Office of Personnel Management (OPM) 2024 General Schedule (GS) Salary Table for Denver-Aurora, Colorado.⁷ EPA then applied the standard government overhead factor of 1.6 to the unloaded rate to derive loaded hourly rates.

The average burden to review an RMP, inspect the source and prepare a report, is 20.7 hours per source. Using the loaded labor rates, the cost to conduct one inspection is estimated to be \$2,023. Total annual burden for all 10 EPA Regions to inspect and prepare reports in this ICR period is estimated to be 7,991 hours at a cost of \$780,963 annually (23,972 hours at a cost of \$2,342,889 for three years).

14c. Agency Non-Labor Costs

Extramural costs for the software maintenance and development for the RMP program and the cost to operate the RMP Reporting Center, including answering questions from the public, etc., is estimated to be \$1,892,913 annually (\$5,678,738 for three years).

14d. Agency Total Costs

Total Annual Cost Burden Estimate: \$2,673,876 average annual cost (\$8,021,627 total cost over 3 years); includes \$1,892,913 average annual O&M cost (\$5,678,738 total O&M cost over 3 years) and \$780,963 average annual labor cost (\$2,342,889 total labor cost over 3 years).

15. REASONS FOR CHANGE IN BURDEN

Explain the reasons for any program changes or adjustments reported in the burden or capital/O&M cost estimates.

⁷ Available at https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2024/DEN_h.pdf.

Compared to the previous ICR renewal, this ICR includes a decrease of 36,336 average annual burden hours for all sources and States. Two primary reasons account for this decrease in burden. First, the burden varies from one ICR renewal to the next due to different resubmission deadlines based on the sources' RMP re-submission deadlines and other regulatory deadlines. Therefore, the burden changes each year depending on how many sources must submit their RMP and comply with certain prevention program requirements. Second, the number of sources subject to the regulations fluctuates regularly and is slightly lower than in the previous ICR (12,074 vs. 12,341 sources) due to the net change in new sources minus deregistered sources, as well as a lower number of new facilities anticipated to become subject to the RMP requirements during the three-year clearance period.

16. PUBLICATION OF DATA

For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

RMPs prepared and submitted pursuant to CAA section 112(r) are, by statute, available to the public. Members of the general public may obtain RMP data by visiting a designated federal reading room or by contacting their State Emergency Response Commission (SERC) or Local Emergency Planning Committee (LEPC) public contact. A member of the general public may also submit an official Freedom of Information Act request to obtain non-Offsite Consequences Analysis RMP data.

17. DISPLAY OF EXPIRATION DATE

If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

The Agency plans to display the expiration date for OMB approval of the information collection on all instruments.

18. CERTIFICATION STATEMENT

Explain each exception to the topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions."

This information collection complies with all provisions of the Certification for PRA Submissions.

Burden Statement

Burden Statement: The annual reporting and recordkeeping burden for this collection of information is estimated to be 667,639 hours and \$52,611,420 per year. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to

respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR part 9 and 48 CFR chapter 15.

To comment on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, EPA has established a public docket for this ICR under Docket ID Number EPA-HQ-OEM-2015-0725, which is available for online viewing at www.regulations.gov, or in person viewing at the Office of Land and Emergency Management (OLEM) Docket in the EPA Docket Center, EPA West, Room 3334, 1301 Constitution Avenue, NW, Washington, D.C. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the OLEM Docket is (202) 566-0270. An electronic version of the public docket is available at www.regulations.gov. This site can be used to submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. When in the system, select "search," then key in the Docket ID Number identified above. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, D.C. 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OEM-2015-0725 and OMB Control Number 2050-0144 in any correspondence.

Appendix A

Summary of Facility Consultations

EPA's contractor, ICF, initially contacted 17 active RMP facilities in a range of Program Levels, NAICS codes, and geographic areas. ICF sent out questionnaires to seven facilities that had indicated willingness to provide feedback on the ICR's existing burden estimates. ICF received completed questionnaires from four facilities, one from Program 1, two from Program 2, and one from Program 3.

Facilities provided burden estimates mostly similar to the existing ICR estimates. Some facilities provided burden estimates of zero hours for certain activities that those specific facilities had not ever engaged in.

The Program 1 facility agreed with the ICR's estimates for preparation and submission activities for which the facility provided feedback. The facility suggested fewer burden hours for rule familiarization because it did not require as much oversight from management for rule familiarization as the existing approved ICR estimated. The facility suggested more burden hours for prevention program documentation, as compared to the existing approved ICR, because it claimed additional hours for technical and engineering staff. The facility provided burden estimates of zero hours for prevention program documentation (Non-PSM sources) and public meetings because this specific facility did not engage in those activities.

One of the Program 2 facilities agreed with the ICR's estimates for all activities for which the facility provided feedback. The facility responded to all activities and wrote, "Each activity is a good estimate."

The other Program 2 facility agreed with the ICR's estimates for most activities for which the facility provided feedback. The facility suggested fewer burden hours for RMP preparation and submission for both new and existing facilities and for public meetings. The facility estimated significantly lower burden hours for public meetings due to the size of the communities that facilities are located in. The facility responded "N/A" to two activities, confidential business information and deregistration. The facility justified its "N/A" estimate for deregistration because the facility had not performed that activity.

The Program 3 facility agreed with the existing approved ICR's estimates for most activities for which the facility provided feedback. The facility provided burden estimates of zero hours for confidential business information, public meetings, and deregistration because this specific facility did not engage in those activities.

Below is the list of facilities which EPA contacted, and the exact burden estimates provided by those facilities that completed the questionnaire.

List of Facilities Contacted:

Behr Algona, Algona, WA [*Provided a written response to the consultation questionnaire*]
Dunreith Crop Center, Dunreith, IN [*No feedback was provided by this facility*]
Farmers Union Oil Company, Willow City, ND [*Provided a written response to the consultation questionnaire*]
Gold-Eagle Cooperative, Titonka, IA [*Provided a written response to the consultation questionnaire*]
Motiva Enterprises Spartanburg Terminal, Spartanburg, SC [*Provided a written response to the consultation questionnaire*]
West Hickman Creek Wastewater Treatment Plant, Nicholasville, KY [*No feedback was provided by this facility*]

Whirlpool Corporation, Ottawa OH [*No feedback was provided by this facility*]

Burden Estimates Provided:

1. Behr Algona (Program 1)

This facility is located in Algona, Washington and belongs to NAICS code 49311 (General Warehousing and Storage).

- New sources:
 - Rule familiarization (8 hours vs. ICR estimate of 12 hours)
 - RMP preparation and submission (9 hours vs. ICR estimate of 8.25 hours)
 - Prevention program documentation (15 hours vs. ICR estimate of 7 hours)⁸
- Currently covered sources:
 - RMP preparation and submission (5 hours vs. ICR estimate of 5 hours)
 - Prevention program documentation (Non-PSM sources) (0 hours vs. ICR estimate of 4.5 hours)
- Facilities:
 - Public meetings (0 hours vs. ICR estimate of 20 hours)
 - Deregistration (no response given)

2. Farmers Union Oil Company (Program 2)

This facility is located in Willow City, North Dakota and belongs to NAICS code 42469 (Other Chemical and Allied Products Merchant Wholesalers).

- New sources:
 - Rule familiarization (12 hours vs. ICR estimate of 12 hours)
 - RMP preparation and submission (8.25 hours vs. ICR estimate of 8.25 hours)
 - Prevention program documentation (7 hours vs. ICR estimate of 7 hours)
- Currently covered sources:
 - RMP preparation and submission (5 hours vs. ICR estimate of 5 hours)
 - Prevention program documentation (Non-PSM sources) (4.5 hours vs. ICR estimate of 4.5 hours)
- Facilities:
 - CBI (9.5 hours vs. ICR estimate of 9.5 hours)
 - Coordination activities (13 hours vs. ICR estimate of 13 hours)
 - Notification drills (2 hours vs. ICR estimate of 2 hours)
 - Public meetings (20 hours vs. ICR estimate of 20 hours)
 - Deregistration (1 hour vs. ICR estimate of 1 hour)

3. Gold-Eagle Cooperative Titonka (Program 2)

This facility is located in Titonka, Iowa and belongs to NAICS code 42491 (Farm Supplies Merchant Wholesalers).

- New sources:
 - Rule familiarization (12 hours vs. ICR estimate of 12 hours)
 - RMP preparation and submission (6 hours vs. ICR estimate of 8.25 hours)
 - Prevention program documentation (7 hours vs. ICR estimate of 7 hours)
- Currently covered sources:
 - RMP preparation and submission (3 hours vs. ICR estimate of 5 hours)

⁸ Feedback from a Program Level 1 facility (East Vacuum Liquid Recovery and CO2 Plant) in the previous ICR Renewal also indicated increased burden estimates for prevention program documentation due to four additional hours for engineering staff.

- Prevention program documentation (Non-PSM sources) (4.5 hours vs. ICR estimate of 4.5 hours)
- Facilities:
 - CBI (N/A vs. ICR estimate of 9.5 hours)
 - Coordination activities (13 hours vs. ICR estimate of 13 hours)
 - Notification drills (2 hours vs. ICR estimate of 2 hours)
 - Public meetings (6 hours vs. ICR estimate of 20 hours)
 - Deregistration (N/A vs. ICR estimate of 1 hour)
- 4. Motiva Enterprises Spartanburg Terminal (Program 3)**
This facility is located in Spartanburg, South Carolina and belongs to NAICS code 42471 (Petroleum Bulk Stations and Terminals).
 - New sources:
 - Rule familiarization (12 hours vs. ICR estimate of 12 hours)
 - RMP preparation and submission (8.25 hours vs. ICR estimate of 8.25 hours)
 - Prevention program documentation (7 hours vs. ICR estimate of 7 hours)
 - Currently covered sources:
 - RMP preparation and submission (5 hours vs. ICR estimate of 5 hours)
 - Prevention program documentation (Non-PSM sources) (4.5 hours vs. ICR estimate of 4.5 hours)
 - Facilities:
 - CBI (0 hours vs. ICR estimate of 9.5 hours)
 - Coordination activities (13 hours vs. ICR estimate of 13 hours)
 - Notification drills (2 hours vs. ICR estimate of 2 hours)
 - Emergency exercises (46.8 hours vs. ICR estimate 46.8 hours)
 - Public meetings (0 hours vs. ICR estimate of 20 hours)
 - Deregistration (0 hours vs. ICR estimate of 1 hour)

Appendix B

RMP Data Elements

Registration. Sources must submit the following information to EPA in the registration section of the RMP:

- Name and location of the stationary source, latitude and longitude, as well as the method used to determine the latitude and longitude and an indication of the specific location at the source that it represents.
- The name, telephone number, and mailing address of the owner/operator of the source.
- Name and title or position of the person responsible for RMP implementation at the source.
- Name, title, phone number, 24-hour telephone number and the email address of the emergency contact at the source.
- Name, mailing address, and telephone number of the contractor who prepared the RMP (if any).
- The source's (and parent company's, if applicable) Dun & Bradstreet number, which is a common identifier for sources and would allow EPA to cross-reference the data with other EPA databases
- For each covered process, the names, Chemical Abstracts Service (CAS) numbers, and quantities (to two significant digits) of all regulated substances and the applicable NAICS code(s)
- Number of full-time employees at the source.
- Whether the source is covered under the OSHA PSM Standard and EPCRA section 302.
- The source's CAA Title V permit number (if applicable).
- The type of and reason for any changes being made to a previously submitted RMP.

Voluntary data elements that may be provided as part of the registration include the LEPC for the planning district in which the source is located; and, to support communication with the public, a public contact phone number for the source, the website of the source or its parent company, and the e-mail address of the source.

Program 1. Sources with Program 1 processes are required to prepare an executive summary and include a five-year accident history and emergency response data in their RMP. In addition, for Program 1 processes, owners/operators are required to document the worst-case release in the RMP and certify that:

- (1) The worst-case release would not reach any public receptors.
- (2) The process has had no accidents in the previous five years that resulted in certain impacts offsite.
- (3) No additional measures are necessary to prevent offsite impacts from accidental releases.
- (4) In the event of fire, explosion, or a release of a regulated substance from the process(es), entry within the distance to the specified endpoints may pose a danger to public emergency responders. Therefore, public emergency responders should not enter this area except as arranged with the emergency contact indicated in the RMP.

Programs 2 and 3. Sources with Program 2 and Program 3 processes are required to submit an RMP that includes the following information:

- An Executive Summary.
- A five-year accident history for each incident that caused specific onsite or offsite impacts from a release of a regulated substance held above its threshold in a covered process.
- The results of the OCA (worst-case and alternative release scenarios).
- Information concerning the prevention program and process hazards, controls, mitigation systems, and detection systems identified during the PHA or hazard review for each covered process
- Information concerning emergency response steps and coordination with the LEPC plan.
- Certification of the accuracy of the information submitted.

The requested information in the RMP is critical in assisting government agencies in assessing the quality and thoroughness of a source's prevention, detection, and response program. The information will assist agencies in identifying sources that should be visited to ensure safe source operations.

Deregistration. Sources that are no longer subject to part 68 are required to notify EPA in writing within six months of the date on which they are no longer covered.

Appendix C

Risk Management Programs Prevention Program Required Documentation

Program 1. New Program 1 sources will need to maintain only onsite records of their worst-case release analysis, and their simplified RMP. Maintaining copies of these submissions is expected to require no additional effort.

Program 2. New Program 2 sources will need to maintain onsite records supporting the contents of their RMP and compliance with other rule requirements. These sources must also maintain records of any compliance audits performed and any accident investigation reports.

The onsite documentation associated with the risk management program for Program 2 sources consists of information that will be generated automatically during the development of the hazard assessment, operating procedures, compliance audits, and safety information. Each required data item is an integral element of a good program; maintenance of these data onsite will allow EPA or State or local authorities to conduct effective source audits without requiring submittal of sensitive business information. Under the requirements, Program 2 sources must maintain the following specific onsite documentation:

- Records of the hazard assessment, including data and assumptions used, and descriptions of alternative and worst-case release scenarios (updated once every five years).
- Documentation of the source's management system for implementation of risk management program requirements.
- Applicable parameters and other documentation associated with the safety information requirements.
- Written operating procedures for each Program 2 process.
- Hazard review report using models, checklists, or What Ifs (updated once every five years).
- Compliance audit reports.
- The emergency response plan, including procedures for warning employees and the public, a list of response personnel and equipment, and response action procedures.

Program 3. The RMP program identifies specific information that Program 3 sources are required to maintain onsite, as well as specific information to be included in the RMP. Most Program 3 processes are covered by OSHA's PSM standard. Therefore, these sources are expected to incur the costs of maintaining onsite documentation for only those activities performed for processes and substances not already covered under OSHA's PSM standard.

The onsite documentation consists of information that will be generated automatically during the development and performance of the hazard assessment, the PHA, safety information, operating procedures, the mechanical integrity and training programs, compliance audits, management of change, accident investigations, and emergency response program. Onsite documentation for Program 3 sources will include the following:

- Records of the hazard assessment, including data and assumptions used, and descriptions of alternative and worst-case release scenarios (updated once every five years).
- Documentation of the source's management system for implementation of risk management

program requirements.

- Chemical and process information, including equipment specifications, and diagrams of equipment, piping, pumps, valves, controls, and instrumentation (P&IDs) for each Program 3 process.
- Process hazard analysis report and management steps to address identified hazards (updated once every five years).
- Written operating procedures for each Program 3 process.
- Records of all training programs.
- Records of the mechanical integrity program, including inspection and testing schedules.
- Procedures for conducting pre-startup reviews.
- Procedures used for managing changes in processes, operations, and procedures.
- Compliance audit reports.
- Accident investigation procedures.
- The emergency response plan, including procedures for warning employees and the public, a list of response personnel and equipment, and response action procedures.

All the data elements listed above are integral to an efficient and effective risk management program. Sources and processes covered by OSHA's standard are already required to maintain all of this information (except the hazard assessment and management system) onsite and are assumed to incur only the additional costs to maintain onsite records of the hazard assessment and management system. For example, the ICR includes no additional costs associated with developing pre-startup review and management of change procedures because all Program 3 sources are already required to have such procedures in place under the OSHA PSM standard. For any source that has an emergency response plan subject to 29 CFR 1910.120, all costs for updating the plan accrue to the OSHA standard.

Appendix D

Required Information for Petitions

All petitions must contain the following information:

- Name and address of the petitioner and a brief description of the organization(s) that the petitioner represents, if applicable.
- Name, address, and telephone number of a contact person for the petition.
- Common chemical name(s), common synonym(s), CAS number(s), and chemical formula and structure.
- Action requested (addition or deletion of a substance)
- Rationale supporting the petitioner's position — how the substance meets the criteria for addition or deletion. A short summary of the rationale must be submitted along with a more detailed narrative.
- Supporting data — the petition must include sufficient information to scientifically support the request to modify the list. EPA believes that the information required to be submitted in support of a petition is the minimum information that would enable the Agency to determine whether to grant or deny a petition within the 18-month time frame. The information must include:
 - A list of all supporting documents.
 - Documentation of literature searches conducted, including, but not limited to, identification of the database(s) searched, the search strategy, dates covered, and printed results.
 - Effects data (animal, human, and environmental test data) indicating the potential for death, injury, or serious adverse human and environmental impacts from acute exposure following an accidental release. Printed copies of the data sources, in English, should be provided.
 - Exposure data or previous release accident history data indicating the potential for serious adverse human health or environmental effects from accidental releases. These data might include, but are not limited to, physical and chemical properties of the substance (such as vapor pressure); modeling results (including data and assumptions used and model documentation); and historical accident data, citing data sources.