

ENVIRONMENTAL PROTECTION  
AGENCY

40 CFR Part 68

[OAR–2003–0044; FRL–7536–9]

RIN 2050–AF09

Accidental Release Prevention  
Requirements: Risk Management  
Program Requirements Under Clean  
Air Act Section 112(r)(7); Amendments  
to the Submission Schedule and Data  
Requirements

AGENCY: Environmental Protection  
Agency (EPA).

ACTION: Proposed rule.

**SUMMARY:** On June 20, 1996, EPA published risk management planning regulations mandated under the accidental release prevention provisions of the Clean Air Act (CAA). These regulations require owners and operators of stationary sources to submit risk management plans (RMPs) to be made available to federal, state and local emergency planning and response agencies and to the public through a central location. The first submissions were received in early 1999. EPA is now proposing to modify the re-submission schedule under the risk management program for sources who have significant accidents and for those who change the information for the emergency contacts. EPA is also proposing to add three data elements to

the RMP, make several revisions to the submission format for the RMP, and remove the regulatory requirement to discuss the off-site consequence analysis in the executive summary of the RMP. EPA intends to issue a final rule addressing all of these proposed changes in time for the majority of facilities to complete their 5-year anniversary re-submissions by June 21, 2004. The modifications proposed today seek to improve the accident prevention and reporting programs of regulated sources, and to assist federal, state, and local RMP implementation in light of new homeland security concerns.

**DATES:** Comments must be submitted on or before September 15, 2003. If requested within 7 days from publication date, EPA will hold a public hearing on August 15, 2003 to discuss the modifications in this proposed rule. Consult the sources of information in **FOR FURTHER INFORMATION CONTACT** for the time and location of the hearing, if such hearing is requested.

**ADDRESSES:** Comments may be submitted by electronic mail (e-mail) to *a-and-r-Docket@epa.gov*, Attention Docket ID No. OAR–2003–0044. Submit comments by postal mail to: U.S. Environmental Protection Agency, EPA West (Air Docket), 1200 Pennsylvania Ave., NW., Room B108, Mail Code 6102T, Washington, DC 20460, Attention Docket ID No. OAR–2003–0044. Follow the detailed instructions, and find more options, provided in

section I.C of the **SUPPLEMENTARY INFORMATION** section.

**FOR FURTHER INFORMATION CONTACT:** For general information, contact the Emergency Planning and Community Right-to-Know Hotline at (800) 424–9346; in the Washington, DC metropolitan area, contact (703) 412–9810. The Telecommunications Device for the Deaf (TDD) Hotline number is (800) 535–7672. You may also access general information online at the Hotline Internet site, *http://www.epa.gov/epaoswer/hotline/*. For questions on the contents of this notice contact Vanessa Rodriguez, Chemical Emergency Preparedness and Prevention Office, Mail Code 5104A, U.S. EPA, 1200 Pennsylvania Avenue, NW., Washington, DC 20004, (202) 564–7913, Fax (202) 564–8233, *rodriguez.vanessa@epa.gov*. You may also wish to visit the Chemical Emergency Preparedness and Prevention Office (CEPPO) Internet site at *http://www.epa.gov/ceppo*.

**SUPPLEMENTARY INFORMATION:**

**I. General Information**

*A. What Are the Affected or Regulated Entities?*

Entities potentially affected by this action are those stationary sources that are subject to the chemical accident prevention requirements at 40 CFR part 68. Affected categories and entities include:

CATEGORY EXAMPLES OF AFFECTED ENTITIES

Chemical Manufacturers .....	Basic chemical manufacturing, petrochemicals, resins, agricultural chemicals, pharmaceuticals, paints, cleaning compounds.
Petroleum .....	Refineries.
Other Manufacturing .....	Paper, electronics, semiconductors, fabricated metals, industrial machinery, food processors.
Agriculture .....	Agricultural retailers.
Public Sources .....	Drinking water and waste water treatment systems.
Utilities .....	Electric utilities.
Other .....	Cold storage, warehousing, and wholesalers.
Federal Sources .....	Military and energy installations.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. This table lists the types of entities that EPA is now aware could potentially be affected by this action. Other types of entities not listed in the table could also be affected. To determine whether a stationary source is affected by this action, carefully examine the provisions associated with the list of substances and thresholds under 40 CFR 68.130 and the applicability criteria under § 68.10. If you have questions regarding the applicability of this action to a

particular entity, consult the person listed in the preceding **FOR FURTHER INFORMATION CONTACT** section.

*B. How Can I Get Copies of This Document and Other Related Information?*

1. *Docket.* EPA has established an official public docket for this action under Docket ID No. OAR–2003–0044. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although a part of the official docket, the public docket does not include Confidential Business

Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the Air Docket in the EPA Docket Center, (EPA/DC) EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC. 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 Public Reading Room is (202) 566–1744, and the telephone number for the Air Docket is (202) 566–1742.