

would simply click on the appropriate menu item or, if none is appropriate, briefly state the reason for the change.

This additional reporting element is intended to assist the Agency and other implementing agencies in understanding the reason a source is submitting a revised RMP or asking to remove an existing one. This information would also provide a check on the RMP submission to ensure that information is provided accurately. Further, this proposed reporting requirement would provide important information on changes occurring in industry, providing insight into chemical usage and process safety management. For example, monitoring the number of sources de-registering their RMPs because they have substituted the regulated substance for a non-regulated substance, or decreasing the quantity of a regulated substance in a process, would provide some indication of the extent to which inherently safer or alternative technologies are being utilized by the sources subject to the RMP. This information would be of interest to sources that could learn from identified trends and industry practices in the area of chemical process safety management. The Agency is requesting comments on this proposal.

The Agency also recognizes that the terminology used to identify the various types of submissions may cause some confusion, and is requesting comments that may help clarify those terms. Specifically, the Agency is considering changing the term revised registrations to de-registrations, which more clearly conveys the action being taken and is the term used in the implementation materials for the RMP.

3. Contractor Information

EPA is proposing to add a mandatory data element in the RMP for sources that use a contractor to help prepare their RMPs to so indicate.

Through RMP audits, implementing agencies have learned that many RMPs have been prepared in large part by contractors. Use of contractors for this purpose is allowed under the RMP rule. However, some implementing agencies have noted potential systemic errors in the way some contractors prepare RMPs. Concern has also been raised that, in some cases, sources whose RMPs are largely prepared by contractors are not sufficiently familiar with the contents of their RMPs. EPA is proposing to require an additional data element in the RMP for sources who use a contractor to help develop and fill out the RMP. Those sources would be required to provide the name of the contractor who helped

prepare the RMP and a phone number to contact the contractor.

This new data would allow the implementing agencies to monitor the use of contractors for RMP preparation and provide appropriate follow-up. For example, RMP auditors could use the information to more easily identify systemic errors linked to a particular contractor, and could then share this information with the source submitting the RMP, thus improving the overall quality of the sources' safety management programs. Ultimate responsibility for RMP implementation would continue to reside on the stationary source's owner or operator. EPA requests comments on this new requirement.

D. Revisions to RMP Submit Format Uncontrolled/Runaway Reactions

EPA is proposing to expand the list of possible causes of accidental releases to the reporting of sources' five-year accident history so an owner or operator can indicate whether an accident involved an uncontrolled/runaway reaction.

In its report, *Improving Reactive Hazard Management* (December 2002), the U.S. Chemical Safety and Hazard Investigation Board (CSB) recommended that EPA "[m]odify the accident reporting requirements in RMP*Info to define and record reactive incidents. Consider adding the term 'reactive incident' to the four existing 'release events' in EPA's current 5-year accident reporting requirements (Gas Release, Liquid Spill/Evaporation, Fire, and Explosion). Structure this information collection to allow EPA and its stakeholders to identify and focus resources on industry sectors that experienced the incidents; chemicals and processes involved; and impact on the public, the workforce, and the environment" (CSB recommendation 2001-01-H-R4).

Based on this recommendation, EPA is proposing to revise RMP reporting of the five-year accident history (40 CFR 68.42) to allow the owner or operator to indicate whether the accident involved an uncontrolled/runaway reaction.

The new element would provide sources with an additional choice to more accurately report accidents that involved uncontrolled or runaway reactions. This information is important when measuring whether the accidents involved simple releases of the chemical (e.g., broken valve, broken pipe) or were the result of a process upset. This new information would provide a better understanding of the types of accidents occurring at regulated sources.

III. Other Issues

Collection of OSHA Occupational Injury and Illness Data in Conjunction With the RMP Filing Required Under 112(r) of the CAA

EPA and others use the information reported in the RMP accident history in combination with other data to better understand accident risks and to gauge the trends with respect to risk and accident prevention across various industry sectors. Health and safety indicators could also provide information to industry, government, and other researchers in understanding the factors that affect chemical accident prevention. Under 29 CFR part 1904, the Occupational Safety and Health Administration (OSHA) requires employers to maintain logs of employee reportable injury and illness statistics (OII) for every calendar year. Employers need to have these records available for compliance officers to review upon inspections, and the records for each year must be kept for 5 years.

Three of these records are of special interest to EPA: (1) Total Incidence Rate, (2) Workdays Lost to Injuries, and (3) Illness and Workdays under Restricted Duties. EPA is considering whether future RMP submissions should be required to include data for these three records, aggregated for five most recent calendar years. With renewed emphasis on quantifying the risks and benefits related to chemical accidents, and on the trends in key sectors covered by existing regulations, these data, if collected, would allow an objective analysis of any statistical relationship between levels of reported injuries and illnesses, accidental releases and a variety of other elements driving chemical industry preparedness and prevention activities. The ability to link to injury and illness data and the indicators they provide on health and safety at chemical facilities could provide extremely valuable information both to EPA and to industry for understanding the factors that underlie chemical process safety. Given that RMPs are submitted by a large number of chemical facilities, providing OSHA OII data in RMPs would greatly facilitate analysis of trends in the U.S. chemical industry on accidental releases and the relationship of these, if any, to facility safety levels.

RMP submitters could provide the aggregate statistics requested with only minimal additional effort in filling out the RMP. For the government to obtain this data by other means would require significant effort. The Bureau of Labor Statistics (BLS) only collects this data from a representative sample of