

Safer Communities by Chemical Accident Prevention RMP Proposed Rule Fact Sheet

EPA is proposing to strengthen its Risk Management Program (RMP) regulations ([40 CFR Part 68](#)) following a review of the existing RMP requirements. These proposed amendments, the [Safer Communities by Chemical Accident Prevention \(SCCAP\)](#) proposed rule, further protect vulnerable communities from chemical accidents, especially those living near facilities with high accident rates. The proposed rule also includes new provisions that have not been addressed in prior RMP rules. EPA believes these revisions will foster safer communities by reducing the frequency and severity of accidental chemical releases. The Agency looks forward to working with communities with environmental justice concerns, public health advocates, and other stakeholders during the public comment process.

What does the RMP rule regulate?

Currently, EPA regulates approximately 12,000 facilities subject to RMP regulations throughout the country such as agricultural supply distributors, water and wastewater treatment facilities, chemical manufacturers and distributors, food and beverage manufacturers, chemical warehouses, oil refineries, and other chemical facilities. RMP facilities are those facilities that use extremely hazardous substances above the regulated threshold and are required to develop a Risk Management Plan which:

- Identifies the potential effects of a chemical accident;
- Identifies steps the facility is taking to prevent an accident; and
- Specifies emergency response procedures should an accident occur.

The Agency's RMP rule protects public health and the environment by requiring industrial facilities with high accident rates to prevent accidental air releases of dangerous chemicals that could cause deaths, injuries, property and environmental damage, or require evacuations in surrounding communities.

Who lives near RMP facilities?

Historically underserved and overburdened populations disproportionately live within close proximity to RMP facilities compared with other populations. While the average percentage of historically underserved and overburdened racial and ethnic persons in the U.S. is 37%, 50% of inhabitants located within one mile of RMP facilities fall into that category. For facilities where chemical accidents have occurred between 2004 and 2020, the percentage of historically underserved and overburdened populations living near these facilities is even higher (57%). Communities living near RMP facilities are most at risk of exposure in the event of an accidental chemical release.

What are the proposed changes in the SCCAP Proposed Rule?

EPA is proposing to strengthen RMP regulations to require some facilities to do more to prevent chemical accidents, particularly types of facilities that have had the most frequent or severe accidents. The proposed rule includes new safeguards that have not been addressed in previous RMP rules, such as empowering workers in safety decisions and increasing transparency by increased access to RMP facility information for fence-line communities.

The proposed rule also includes:

- Promoting environmental justice through increased availability of information, such as the requirement for facilities to provide chemical hazard information, names of regulated substances, accident history and emergency response information upon request of community members located within 6-miles as well as to make the information available in the language preferred by the requestor.
- Requiring safer technologies and alternatives analysis for certain facilities with high accident rates.
- Advancing greater employee participation and opportunity for decision-making in facility accident prevention requirements.
- Requiring third party audits for facilities with a bad track record of accidents.
- Emphasizing the requirement for regulated facilities to evaluate risks of natural hazards and climate change, including any associated loss of power.
- Enhancing facility planning and preparedness efforts.

EPA expects that benefits of the provisions may reduce potential exposure to accidental chemical releases for historically underserved and overburdened populations.

How can I comment on the proposed rule?

EPA welcomes comments from all stakeholders during a robust public comment period. The public may comment on the proposed rule at www.regulations.gov (Docket ID No. EPA-HQ-OLEM-2022-0174) until 60 days after publication in the Federal Register. EPA is also holding three [virtual public hearings](#) on the proposed rule on September 26, 27, and 28, 2022.

Where can I get more information?

- SCCAP Proposed Rule (Prepublication Version): https://www.epa.gov/system/files/documents/2022-08/Prepub%20Version%20RMP%20SCCAP%20Proposed%20Rule_0.pdf
- SCCAP Proposed Rule Docket: www.regulations.gov/docket/EPA-HQ-OLEM-2022-0174
- EPA RMP SCCAP webpage: www.epa.gov/rmp/risk-management-program-safer-communities-chemical-accident-prevention-proposed-rule
- EPA RMP webpage: www.epa.gov/rmp