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GET INVOLVED!

By Lee Pyle, SCS Tracer Environmental

Changes are coming — stay alert and get involved.

EPA’s Risk Management Program (RMP) regulation (40 CFR Part 68) was published on June 20, 1996, and required existing facilities to submit a Risk Management Plan on or before June 21, 1999, with new facilities submitting prior to exceeding the threshold quantity (10,000 pounds for ammonia). There has not been much activity with this rule since that time that affected the ammonia refrigeration industry, until now.

Following the West Texas explosion that occurred on April 17, 2013, President Obama signed Executive Order 13650 which mandated that both EPA and OSHA take a closer look at their respective regulations. More specifically, this order directed EPA to:

- improve operational coordination with state, tribes, and local partners,
- enhance federal agency coordination and information sharing,
- modernize policies, regulations and guidance, and
- work with stakeholders to identify best practices.

Those items seem subtle and non-eventful, however, translated into additional regulations reveal that some of the changes that will affect our industry might be very overbearing. Some changes proposed include the following:

- Third Party, Independent Audits following an RMP accident.
- Mandating Root Cause Analysis for near miss incidents.
- Safety Technology Alternatives Analysis (currently this line item does not affect ammonia refrigerated facilities/processes).
- Mandating annual coordination by facilities with Local Emergency Planning Committees (LEPC) to clarify response needs, emergency plans, roles and responsibilities.
- Mandatory Emergency Response Exercises: All facilities would be required to conduct a notification drill annually with criteria for table top emergency response exercises annually and field exercises every five years.
- Information sharing with your LEPC. Facilities would be required to submit incident investigation reports and emergency response exercise results. In addition to the LEPC submittals, the public would have access to hazard information, summaries of emergency response exercises and LEPC information.
- Increasing access to existing public information.

These changes will affect every RETA member with over 10,000 pounds of ammonia (but don’t rule out the General Duty Clause enforcement). This is your opportunity to express your concerns with the potential burden of these modifications. Let your voice be heard by submitting your comments in writing by May 13, 2016. Anyone is free to comment on the proposed changes. You may submit comments on line, via docket EPA-HQ-OEM-2015-0725 in the Federal eRulemaking Portal: <http://www.regulations.gov>.

ALSO – you're not finished. IIAR is in the process of making new standards for our industry (not bulletins, but STANDARDS).

International Institute of Ammonia Refrigeration (IIAR) Standard 6, *Inspection, Testing, and Maintenance of Closed-Circuit Ammonia Refrigeration Systems* will dictate the minimum criteria for maintenance and inspection activities for your system. It is a great standard for refrigeration contractors and PSM consultants, but it will become the industry standard (aka Recognized and Generally Accepted Good Engineering Practices – RAGAGEP) for our industry. Because this document will be prepared to meet ANSI Standards, a public comment period is required to show industry consensus. When you as an industry member do not take the time to comment on these items, your silence is classified as consent.

IIAR is also in the process of developing a RAGAGEP standard for our industry. This is beneficial because it allows US to help define our future when it comes to being regulated.

Become an active member in your industry's future and take the time to review these new rules and standards coming soon to our neighborhood.

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