

Summary of EPA’s Safer Communities by Chemical Accident Prevention (SCCAP) Risk Management Program Final Rule
40 CFR Part 68 Chemical Accident Prevention Provisions
(Effective Date: May 10, 2024)

RMP Rule Reference	Element/Topic	Summary of Additions/Changes
SUBPART A General		
68.3	Definitions	Added or revised definitions for active measures, inherently safer technology or design, natural hazard, passive measures, procedural measures, root cause, third-party audit.
68.10	Applicability (i.e., time frames for compliance)	Revisions effective as follows: <ul style="list-style-type: none"> • May 10, 2027 (3 years): backup power detection, third-party audit provisions, incident investigation root cause analysis (RCA), safer technology and alternatives analysis (STAA), Employee Participation provisions, availability of information provisions • March 15, 2027: Emergency field exercise • May 10, 2028 (4 years): Risk Management Plan provisions
SUBPART C (Program 2 Prevention Program)		
68.48	Safety Information	Must “ensure and document” that the process is designed in compliance with RAGAGEP.
68.50	Hazard Review	Hazard review must identify safeguards including “ standby or emergency power systems ” and ensure detection systems have “standby or backup power to provide continuous operation.”
		Hazard review must identify natural hazards that could cause or exacerbate an accident release.
		Hazard Review must identify Stationary Source Siting including “the placement of processes, equipment and buildings within the facility; and hazards posed by PROXIMATE stationary sources, and accidental release consequences posed by proximity to the public and public receptors.”
68.52	Operating Procedures	Procedures must document “when monitoring equipment associated with prevention and detection of accidental releases from covered processes is removed due to safety concerns from imminent natural hazards.”
68.58 and 68.59	Compliance Audits/Third-party audits	Third party audits will be required if a release occurs meeting the five-year accident history reporting criteria (68.42) or the implementation agency requires it. Includes many requirements for third-party auditors, teams and qualifications, audit report content, and how findings are to be addressed.
68.60	Incident Investigation	If an incident meets the five-year accident history reporting criteria (68.42), the incident investigation report must be completed within 12 months and must include root causes determined by a recognized method.
68.62	Employee Participation	Must develop a written employee participation plan
		Written EPP must include: (1) An annual written electronic notice that the plan is readily available to view and how to access (2) Training shall be held as often as necessary to ensure employees and management involved in the process are informed of the details of the plan.



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		O/O must develop and implement a process to allow employees and their representatives to report to either the O/O or EPA unaddressed hazards that could lead to a catastrophic release, accidents covered by 68.42 but not reported, and ANY other non-compliance. Employees may report anonymously or with attribution. Reports must be maintained for three years.
SUBPART D (Program 3 Prevention Program)		
68.65	Process Safety Information	Added language “and shall keep process safety information up to date.” Added language “shall ensure and document” that the process is designed and maintained in compliance with RAGAGEP.
68.67	Process Hazard Analysis	Added language on the inclusion of engineering and administrative controls....” and standby or emergency power systems. ” And “The O/O shall ensure monitoring equipment associated with prevention and detection of accidental release from covered processes has standby or backup power to provide continuous operation.”
68.67	Process Hazard Analysis	PHAs must address: Stationary Source Siting including “the placement of processes, equipment and buildings within the facility; and hazards posed by PROXIMATE stationary sources, and accidental release consequences posed by proximity to the public and public receptors.”
		PHAs must address natural hazards that could cause or exacerbate an accidental release.
		PHAs must address: Safer Technology and Alternative Analysis (STAA) Risk Management Measures (See Rule for details as this only applies to certain NAICS codes)
		PHAs must address: any gaps between the codes, standards, or practices to which the process was designed and constructed and the most current version of applicable codes, standards, or practices.
68.69	Operating procedures	Added language regarding the inclusion of safety systems and their functions “including when monitoring equipment associated with prevention and detection of accidental releases from covered processes is removed due to safety concerns from imminent natural hazards.”
68.79 and 68.80	Compliance Audits/Third-party Audits	Third party audits will be required if a release occurs meeting the five-year accident history reporting criteria (68.42) or the implementation agency requires it. Includes many requirements for third-party auditors, teams and qualifications, audit report content, and how findings are to be addressed.
68.81	Incident Investigation	If an incident meets the five-year accident history reporting criteria (68.42), the incident investigation report must be completed within 12 months and must include root causes determined by a recognized method.

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This document is a summary of the requirements of the final SCCAP rule under RMP and should not be considered comprehensive. Please see full text and explanations provided in the Federal Register.

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68.83	Employee Participation (Plan)	EPP must include: (1) An annual written electronic notice that the plan is readily available to view and how to access (2) Training shall be held as often as necessary to ensure employees and management involved in the process are informed of the details of the plan. (This must be in the written plan.)
		O/O must consult with employees knowledgeable in the process “on addressing, correcting, resolving, documenting and implementing recommendations and findings” of the PHA, compliance audits and incident investigations.
		Stop Work procedures – must be addressed in EPP
68.83	Employee Participation	O/O must develop and implement a process to allow employees and their representatives to report to either the O/O or EPA unaddressed hazards that could lead to a catastrophic release, accidents covered by 68.42 but not reported, and ANY other non-compliance. Employees may report anonymously or with attribution. Reports must be maintained for three years.
68.85	Hot Work Permit	Hot work permits must be retained for three years after the completion of hot work operations.
SUBPART E Emergency Response		
68.90	Applicability	For NON-RESPONDING , mechanisms in place to provide timely data and information.... on the nature of the accidental release.
68.90 and 68.95	Applicability and Emergency Response Program	The emergency response program must include procedures for informing the public and appropriate....agencies about accidental releases Including PARTNERING with these response agencies to ensure that a community notification system is in place to warn the public within the area potentially threatened. Documentation must be maintained. Non-responding facilities have a similar obligation under 68.90.
68.95	Emergency Response Program	Emergency Plans shall include providing timely data and information detailing the current understanding and best estimates of the nature of the release and be coordinated within the community emergency response plan. On request the O/O shall promptly provide information necessary for developing the community emergency response plan.
68.96	Emergency Response Exercises	The first field exercise must be conducted by March 15, 2027 (which is ten years after the 2017 amendments). The word “shall” is now used in reference to documenting the “evaluation” of exercises.



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SUBPART G Risk Management Plan		
68.160	Registration	Must now report on the method of communication and location of the notification that chemical hazard information available to the public residing, working, or spending significant time within six miles of the stationary source. See next section for requirements on public notification.
68.175	Prevention Program/Program 3 (PHA)	Must provide information in the RMP on IST or Design measures implemented since the last PHA and the technology category.
68.175	Prevention Program/Program 3 (PHA)	Must report in the RMP on recommendations declined from natural hazard, power loss, and siting hazard evaluations and justifications.
68.175	Prevention Program/Program 3 (PHA)	Must report in the RMP on recommendations declined with regard safety gaps between codes, standards and practices to which the process was designed and the most current version of applicable codes, standards, or practices.
68.175	Prevention Program/Program 3 (Compliance Audit)	Must identify in the RMP whether the most recent compliance audit was a third-party audit and on findings declined from third party audits and justifications.
SUBPART H Other Requirements		
68.210	Availability of Information to the Public	Chemical hazard information – must provide on request to any member of the public residing, working, or spending significant time within six miles of the fence line of the stationary source, information on Regulated Substances Information (NAMES), Safety Data Sheets, Accident History Data (68.42), Information on the Emergency response program (responding/non-responding, name and phone numbers of organizations with which coordinated, procedures for informing public of releases); a list of scheduled exercises occurring within one year, LEPC contact information.
		The information must be made available in ENGLISH or in at least any two other commonly spoken languages, as requested.
		Notifications of availability of information – O/O must provide ONGOING notification on a company website, social media platforms, or other publicly accessible means that: information specified is available and to whom, specify information elements that can be request, provide instructions on how to request, and identify where to access information on community preparedness if available including shelter-in place and evacuation procedures.
		Time frame to provide 45 days
		Records must be maintained for five years.



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Acronyms

AERP	Ammonia Emergency Response Plan (Publix term)
CDX	Central Data Exchange
FEMA	Federal Emergency Management Agency
FR	Federal Register
IST	Inherently Safer Technology
LEPC	Local Emergency Planning Committee
O/O	Owner/Operator
PHA	Process Hazard Analysis
P&IDs	Piping and Instrumentation Diagrams
RAGAGEP	Recognized and Generally Accepted Good Engineering Practices
SCCAP	Safer Communities by Chemical Accident Prevention
STAA	Safer Technology and Alternative Analysis