



**Environmental Protection Agency**

**Public Listening Session**

**Risk Management Program Safer Communities by Chemical Accident Prevention Proposed  
Rule**

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**Prepared Verbal Remarks**

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Good morning and thank you for hosting today's listening session on a very important program which keeps our communities safe. The American Chemistry Council is concerned that EPA's dramatic departure from its existing data-driven and collaborative approach to risk management would undermine the effectiveness of this program. We urge EPA to rethink its approach and focus on building on the success of the current program, where data has shown a nearly 70% reduction of accidents at RMP facilities over two decades.

I would like to highlight three key concerns in my remarks today.

First, ACC disagrees with EPA's misrepresentation of the chemical industry as posing any outsized burden on communities where we operate safely. EPA have disregard that over 90% of chemical facilities have never reported an RMP-related accident, and that there has been no reported "cascading chemical release" at multiple sites within the proposed 1-mile criterion. ACC believes EPA's proposal to impose costly Inherently Safer Technology assessments and Third-Party Audits on all chemical manufacturing facilities co-located within this 1-mile threshold, is unwarranted and unduly burdensome.

Second, climate resiliency is adequately covered by the existing program. EPA has not demonstrated any deficiency in industry performance or provided sufficient evidence to warrant its particular emphasis on natural hazard factors in the RMP hazard assessment. EPA's natural hazard approach would have factored into only 2% of RMP incidents reported at chemical plants over the past seven years. By comparison, these same sites attributed 35% of RMP-reportable incidents to "human error" and 33% to "Equipment Failure" over the same period. Therefore, EPA's natural hazard approach appears unwarranted and may distract from higher priority safety initiatives.

Third, ACC fully respects our neighboring communities' need to know what materials are being used onsite. Our facilities already provide a variety of information, including chemical inventories, to government regulatory agencies, law enforcement, and local emergency planners. ACC is very concerned that EPA's proposed availability of this information to the public within a 6-mile radius from any RMP site would fail to build upon these programs in any safe and meaningful way. Instead, this information availability may create opportunities for someone to either learn about and misuse information about chemicals and their hazards, or disrupt responses to emergencies. EPA should follow existing laws and not make this change, or at a minimum must outline how this information will be utilized and what type of protections would be implemented to prevent misuse.

In summary, ACC hopes EPA will reconsider their most unwarranted proposed requirements. As an alternative, ACC encourages EPA to present sound data and analysis regarding whether and what type of additional guidance is necessary for facilities to undertake better-informed risk management decisions. Thank you.