



Hazardous Materials

Information we need. So we can better serve you
and our community.

kteague

Right to Know

Caldwell County Emergency Management Hazardous Materials – Information Sheet

LEPC

Our Local Emergency Planning Committee needs the information that you can provide through e-plan. This information is data based so we know how to save lives and property in an emergency.

Classes of Chemicals:

Class A - Compressed Gas

Class B - Flammable and Combustible Material

Division 1: Flammable Gas

Division 2: Flammable Liquid

Division 3: Combustible Liquid

Division 4: Flammable Solid

Division 5: Flammable Aerosol

Division 6: Reactive Flammable Material

Class C - Oxidizing Material

Class D - Poisonous and Infectious Material

Division 1: Materials causing immediate and serious toxic effects

Subdivision A: Very toxic material

Subdivision B: Toxic material

Division 2: Materials causing other toxic effects

Subdivision A: Very toxic material

Subdivision B: Toxic material

Division 3: Bio-hazardous Infection Material

Class E - Corrosive material

Class F - Dangerously reactive material

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NC General Statutes

Department of Labor

§ 95-191. Hazardous Substance List.

(a) All employers who manufacture, process, use, store, or produce hazardous chemicals, shall compile and maintain a Hazardous Substance List which shall contain the following information for each hazardous chemical stored in the facility in quantities of 55 gallons or 500 pounds, whichever is greater:

- (1) The chemical name or the common name used on the MSDS or container label;
- (2) The maximum amount of the chemical stored at the facility at any time during a year, using the following ranges:

Class A, which shall include quantities of less than 55 gallons or 500 pounds;

Class B, which shall include quantities of between 55 gallons to 550 gallons, and quantities of between 500 pounds and 5,000 pounds; and

Class C, which shall include quantities of between 550 gallons and 5500 gallons, and quantities between 5,000 pounds and 50,000 pounds; and

Class D, which shall include quantities of greater than 5500 gallons or 50,000 pounds; and

- (3) The area in the facility in which the hazardous chemical is normally stored and to what extent the chemical may be stored at altered temperature or pressure.

(b) The Hazardous Substance List shall be updated quarterly if necessary, but not less often than annually; however, if a chemical is deleted from, or added to, the Hazardous Substance List, or if the quantity changes sufficiently to cause the chemical to be in a different class as defined in subsection (a) of this section, the employer shall update the Hazardous Substance List to reflect those changes as soon as practicable, but in any event within 30 days of such change.

(b1) In lieu of the information required by subdivisions (a)(1) through (a)(3), employers may substitute the information specified in section 312(d)(2) of the Superfund Amendments and Reauthorization Act of 1986, P.L. 99-499.

(c) The Hazardous Substance List may be prepared for the facility as a whole, or for each area in a facility where hazardous chemicals are stored, at the option of the employer but shall include only chemicals used or stored in North Carolina. (1985, c. 775, s. 1; 1987, c. 489, s. 3.)

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§ 95-194. Emergency information.

(a) An employer who normally stores at a facility any hazardous chemical in an amount of at least 55 gallons or 500 pounds, whichever is greater, shall provide the Fire Chief of the Fire Department having jurisdiction over the facility, in writing, (i) the name(s) and telephone number(s) of knowledgeable representative(s) of the employer who can be contacted for further information or in case of an emergency and (ii) a copy of the Hazardous Substance List.

(b) Each employer shall provide a copy of the Hazardous Substance List to the Fire Chief. The employer shall notify the Fire Chief in writing of any updates that occur in the previously submitted Hazardous Substance List as provided in G.S. 95-191(b).

(c) The Fire Chief or his representative, upon request, shall be permitted on-site inspections at reasonable times of the chemicals located at the facility on the Hazardous Substance List for the sole purpose of preplanning Fire Department activities in the case of an emergency and insuring by inspection the usefulness and accuracy of the Hazardous Substance List and labels.

(d) Employers shall provide to the Fire Chief, upon written request of the Fire Chief, a copy of the MSDS for any chemical on the Hazardous Substance List.

(e) Upon written request of the Fire Chief, an employer shall prepare an emergency response plan for the facility that includes facility evacuation procedures, a list of emergency equipment available at the facility, and copies of other emergency response plans, such as the contingency plan required under rules governing the management of hazardous waste adopted pursuant to Article 9 of Chapter 130A of the General Statutes. A copy of the emergency response plan or any prefire plan or emergency response plan required under applicable North Carolina or federal statute or rule or regulation shall, upon written request by the Fire Chief, be given to the Fire Chief.

(f) The Fire Chief shall make information from the Hazardous Substance List, the emergency response plan, and MSDS's available to members of the Fire Department having jurisdiction over the facility and to personnel responsible for preplanning emergency response, police, medical or fire activities, but shall not otherwise distribute or disclose (or allow the disclosure of) information not available to the public under G.S. 95-208. Such persons receiving such information shall not disclose the information received and shall use such information only for the purpose of preplanning emergency response, police, medical or fire activities.

(g) Any knowing distribution or disclosure (or permitted disclosure) of any information referred to in subsection (f) of this section in any manner except as specifically permitted under that subsection (f) shall be punishable as a Class 1 misdemeanor. Restrictions concerning confidentiality or nondisclosure of information under this Article 18 shall be exemptions from the Public Records Act contained in Chapter 132 of the General Statutes, and such information shall not be disclosed notwithstanding the provisions of Chapter 132 of the General Statutes. (1985, c. 775, s. 1; 1987, c. 489, ss. 4-6; 1993, c. 539, s. 672; 1994, Ex. Sess., c. 24, s. 14(c); 2002-165, s. 1.2.)

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Local EM Planning Committees

Although the primary responsibility for accident prevention lies with the facility, local government agencies, emergency responders and Local Emergency Planning Committees (LEPC) play an important role in ensuring the health and safety of their community. Local emergency responders coordinate emergency response and prepare the community for potential consequences of accidental releases.

Use the information in Risk Management Plans to:

- Coordinate emergency response activities of regulated facilities with the community's plan
- Share chemical risk information with public
- Update community emergency preparedness activities
- Chemical Accident Prevention Program
- New regulations in the Chemical Accident Prevention Program build on existing chemical information and emergency planning requirements (Emergency Planning and Community Right-to-Know Act, EPCRA).
- In 1986, Local Emergency Planning Committees (LEPC) were established to create emergency plans based on chemical information provided by facilities using certain chemicals above specific quantities. EPCRA also required facilities to submit information about annual releases of toxic chemicals, available from the Environmental Protection Agency (EPA) Toxic Release Inventory.
- The Chemical Accident Prevention Program requires regulated facilities to submit Risk Management Plans which summarizes release prevention program, emergency response program and potential impact of accidental release. To find out if your home, school or business is located in a vulnerable area of a potential accidental release, contact your LEPC, call the EPA hotline at (800) 424-9346 or check the Vulnerable Zone Indicator System.
- Data contained in Risk Management Plans, except accidental release scenarios, are available on the Internet. Due to security concerns, electronic and hard-copy distribution of hypothetical chemical release data to the public is prohibited. However, this information may be viewed, but not photocopied, at a federal reading room or by contacting your Local Emergency Planning Committee.
- Information about chemical risks provide neighbors and businesses with the knowledge to protect their families and property, hold facilities responsible for reducing risk, and increase awareness of chemical safety. If you are interested in helping to protect your community get involved with your Local Emergency Planning Committee.

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Chemical Accident Prevention Provisions Overview



Overview

When Congress passed the Clean Air Act Amendments of 1990, it required EPA to publish regulations and guidance for chemical accident prevention at facilities using extremely hazardous substances. The Risk Management Plan Rule (RMP Rule) was written to implement Section 112(r) of these amendments. The rule, which built upon existing industry codes and standards, requires companies of all sizes that use certain flammable and toxic substances to develop a Risk Management Program, which includes a(n):

- Hazard assessment that details the potential effects of an accidental release, an accident history of the last five years, and an evaluation of worst-case and alternative accidental releases;
- Prevention program that includes safety precautions and maintenance, monitoring, and employee training measures; and
- Emergency response program that spells out emergency health care, employee training measures and procedures for informing the public and response agencies (e.g the fire department) should an accident occur.

By June 21, 1999, a summary of the facility's risk management program (known as a "Risk Management Plan" or "RMP") was to be submitted to EPA, which will make the information publicly available. The plans must be revised and resubmitted every five years.

The Risk Management Program is about reducing chemical risk at the local level. This information helps local fire, police, and emergency response personnel (who must prepare for and respond to chemical accidents), and is useful to citizens in understanding the chemical hazards in communities. EPA anticipates that making the RMPs available to the public stimulates communication between industry and the public to improve accident prevention and emergency response practices at the local level.

The regulation includes a List of Regulated Substances under section 112(r) of the Clean Air Act, including their synonyms and threshold quantities (in pounds) to help assess if a process is subject to the RMP rule or the general duty clause. States who have taken

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delegation of the Clean Air Act, Section 112(r) program may have additional requirements for the federally listed chemicals, and/or additional listed chemicals.

Key Provisions

Subpart A—General

- § 68.1 Scope
- § 68.3 Definitions
- § 68.10 Applicability
- § 68.12 General requirements
- § 68.15 Management

Subpart B—Hazard Assessment

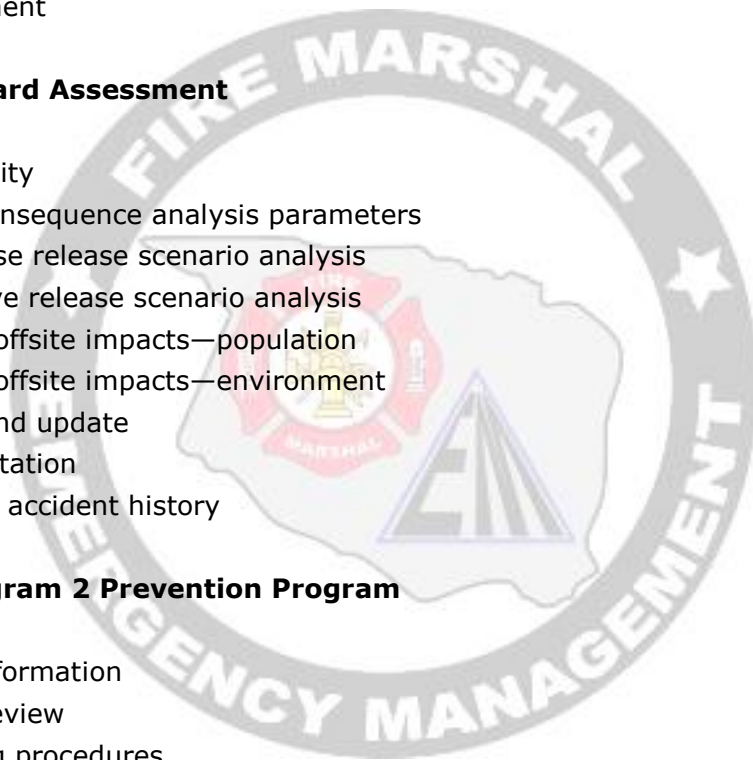
- § 68.20 Applicability
- § 68.22 Offsite consequence analysis parameters
- § 68.25 Worst-case release scenario analysis
- § 68.28 Alternative release scenario analysis
- § 68.30 Defining offsite impacts—population
- § 68.33 Defining offsite impacts—environment
- § 68.36 Review and update
- § 68.39 Documentation
- § 68.42 Five-year accident history

Subpart C—Program 2 Prevention Program

- § 68.48 Safety information
- § 68.50 Hazard review
- § 68.52 Operating procedures
- § 68.54 Training
- § 68.56 Maintenance
- § 68.58 Compliance audits
- § 68.60 Incident investigation

Subpart D—Program 3 Prevention Program

- § 68.65 Process safety information
- § 68.67 Process hazard analysis
- § 68.69 Operating procedures
- § 68.71 Training



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- § 68.73 Mechanical integrity
- § 68.75 Management of change
- § 68.77 Pre-startup review
- § 68.79 Compliance audits
- § 68.81 Incident investigation
- § 68.83 Employee participation
- § 68.85 Hot work permit
- § 68.87 Contractors

Subpart E—Emergency Response

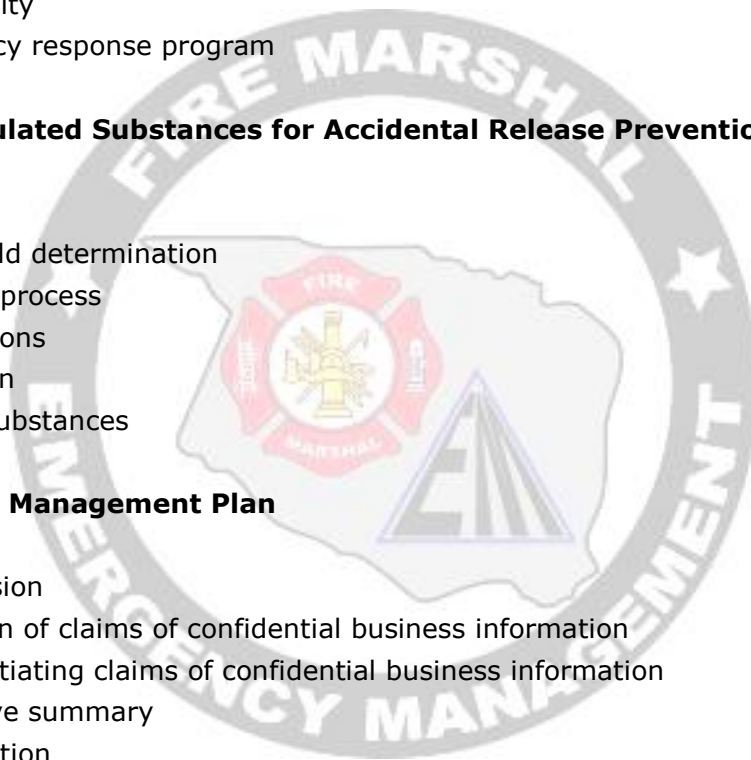
- § 68.90 Applicability
- § 68.95 Emergency response program

Subpart F—Regulated Substances for Accidental Release Prevention

- § 68.100 Purpose
- § 68.115 Threshold determination
- § 68.120 Petition process
- § 68.125 Exemptions
- § 68.126 Exclusion
- § 68.130 List of substances

Subpart G—Risk Management Plan

- § 68.150 Submission
- § 68.151 Assertion of claims of confidential business information
- § 68.152 Substantiating claims of confidential business information
- § 68.155 Executive summary
- § 68.160 Registration
- § 68.165 Offsite consequence analysis
- § 68.168 Five-year accident history
- § 68.170 Prevention program/Program 2
- § 68.175 Prevention program/Program 3
- § 68.180 Emergency response program
- § 68.185 Certification
- § 68.190 Updates
- § 68.195 Required corrections



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Subpart H—Other Requirements

§ 68.200 Recordkeeping

§ 68.210 Availability of information to the public

§ 68.215 Permit content and air permitting authority or designated agency requirements

§ 68.220 Audits

