

# California Hazardous Materials Regional Planning Project: Document Review

DOCUMENT TITLE	DOCUMENT DESCRIPTION	KEY POINTS
<b>Preparedness</b>		
<p>U.S. DHS National Protection and Programs Directorate U.S. Dept. Labor Occupational Safety and Health Administration U.S. EPA Office of Solid Waste and Emergency Response</p> <p><b>Executive Order 13650 Actions to Improve Chemical Safety and Security – a Shared Commitment</b></p> <p>May 2014</p> <p>99 Pages</p>	<p>This document was prepared under the authority of Executive Order (EO) 13650 - <i>Improving Chemical Facility Safety and Security</i>, which was issued by President Obama on August 1, 2013 in response to recent catastrophic chemical facility incidents, such as the West, Texas disaster. The EO directed the Federal Government to “to identify ways to improve operational coordination with State, local, tribal, and territorial partners; to enhance Federal agency coordination and information sharing; to modernize policies, regulations, and standards to enhance safety and security in chemical facilities; and to work with stakeholders to identify best practices to reduce safety and security risks in the production and storage of potentially harmful chemicals.” This report summarizes the progress of a Working Group established to implement the EO and includes findings, lessons learned, challenges, and priority next steps.</p> <p>The document provides a federal action plan with specific short-term (within 1 year), medium-term (prior to the end of FY 2016), and long-term (after FY 2016) actions to be taken by federal agencies to accomplish the Executive Order.</p> <p>The document contains a link to a repository for best practices (a bit sparse at this time and still being populated). The EO Working Group strongly encourages stakeholders to continue to contribute to this effort by submitting successful practices to the chemical facility safety and security online best practices forum at <a href="https://www.llis.dhs.gov/topics/chemical-facility-safety-and-security">https://www.llis.dhs.gov/topics/chemical-facility-safety-and-security</a></p> <p>In terms of supporting LEPCs and SERCs, this report lists several activities that the federal agencies will accomplish in the next year, including:</p> <ul style="list-style-type: none"> <li>• Work with SERCs and TERCs to develop on-line training, including supervising and coordinating the activities of LEPCs and collecting, managing, using, and making available chemical information.</li> </ul>	<ul style="list-style-type: none"> <li>• Commits federal agencies to specific activities to improve operational coordination, to modernize regulations, and to identify best practices.</li> <li>• Contains a link to a repository of best practices.</li> <li>• Useful Glossary of Terms with good descriptions of relevant programs and links to pertinent documents, laws, etc.</li> <li>• Useful appendix containing a list of resources and applicable links.</li> <li>• Lists significant chemical incidents in the U.S.</li> <li>• Contains section on frequent topics and themes heard</li> </ul>

# California Hazardous Materials Regional Planning Project: Document Review

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	<ul style="list-style-type: none"> <li>• Develop guidance and training for, and hold regional workshops with, LEPCs and TEPCs to reinforce their authorities, roles, and responsibilities and identify barriers to meet their requirements for development and implementation of local emergency response plans.</li> <li>• DHS will add two layers of data to the Infrastructure Protection Gateway. One layer will be available to the LEPCs and TEPCs and will identify regulated and unregulated facilities on a geospatial map and supply the facility name and address. A second layer will be available to SERCs and TERCs and will also provide chemical information.</li> <li>• Strengthen technical assistance and guidance to LEPCs and TERCs to help local and tribal emergency planners understand and use chemical facility information to help better protect communities.</li> </ul> <p>One short-term goal to strengthen planning and preparedness is to compile preparedness funding information sources, including grants, technical assistance, fee systems, mutual aid opportunities and private sector funding, for use by LEPCs and SERCs.</p> <p>A medium-term goal is to develop a compendium of best practices for LEPCs and TEPCs on implementing chemical emergency prevention, preparedness, and response programs, including mechanisms for accessing funding and establishing modern notification systems.</p> <p>The report includes a section specifically on improving ammonium nitrate safety and security. This could be an issue in rural areas where the chemical is used in large quantities for fertilizer.</p> <p>Executive Order 13650 can be found online at: <a href="http://www.whitehouse.gov/the-press-office/2013/08/01/executive-order-improving-chemical-facility-safety-and-security">http://www.whitehouse.gov/the-press-office/2013/08/01/executive-order-improving-chemical-facility-safety-and-security</a></p> <p>This document can be found online at: <a href="https://www.osha.gov/chemicalexecutiveorder/final_chemical_eo_status_report.pdf">https://www.osha.gov/chemicalexecutiveorder/final_chemical_eo_status_report.pdf</a></p>	<p>during stakeholder meetings.</p>

# California Hazardous Materials Regional Planning Project: Document Review

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<b>Planning</b>		
<p>U.S. Environmental Protection Agency</p> <p><b>Measuring Progress in Chemical Safety: A Guide for Local Emergency Planning Committees and Similar Groups</b></p> <p>Document is undated, but website was updated on March 16, 2014.</p> <p>12 Pages</p>	<p>This is a U.S. EPA document describing “how LEPCs can measure their progress and determine if the actions they are taking continue to achieve the desired outcomes. This approach is based on ‘Guidance on Developing Safety Performance Indicators related to Chemical Accident Prevention, Preparedness and Response for Public Authorities and Communities’ published by the Organization for Economic Development (OECD) in December 2008. There is also Guidance on Developing Safety Performance Indicators for Industry. The full guidance may be found at <a href="http://www.oecd.org/ehs">www.oecd.org/ehs</a>. An interactive website allows LEPCs to select and customize their review program at <a href="http://oecdsafetyindicators.org/">http://oecdsafetyindicators.org/</a>.”</p> <p>This document refers to the OECD guidance and describes how to use the OECD guidance to develop “performance indicators” (goals) based upon the risks, capacities and conditions in the LEPC area, making the measurements relevant to the LEPC communities. The document offers specific examples of goals that may be relevant to an LEPC.</p> <p>This document can be found online at: <a href="http://www2.epa.gov/epcra/measuring-progress-chemical-safety-guide-local-emergency-planning-committees-and-similar">http://www2.epa.gov/epcra/measuring-progress-chemical-safety-guide-local-emergency-planning-committees-and-similar</a></p>	<ul style="list-style-type: none"> <li>• Planning approaches</li> <li>• Measuring LEPC performance</li> </ul>
<p>U.S. Environmental Protection Agency</p> <p><b>2008 Nationwide Survey of Local Emergency Planning Committees</b></p> <p>Document undated, but survey conducted in 2008</p> <p>47 Pages</p>	<p>In April 2008, EPA conducted a Nationwide Survey of LEPCs. EPA had surveyed LEPCs in both 1994 and 1999 to gauge levels of LEPC compliance and activity, and this was the first survey since then. The goals of the 2008 survey were to:</p> <ul style="list-style-type: none"> <li>• Track the progress of LEPCs by assessing their current activity; and,</li> <li>• Assess current LEPC practices and preferences regarding several important issues, including: communication with local citizens, proactive accident prevention efforts, and the effectiveness of selected EPA products and services.</li> </ul> <p>The survey was performed electronically. Approximately 40% of LEPCs responded. Key findings include:</p> <ol style="list-style-type: none"> <li>1. Dedicated membership is the greatest single factor contributing to an LEPC’s success</li> </ol>	<ul style="list-style-type: none"> <li>• Survey was performed electronically</li> <li>• Survey questions are available in document</li> <li>• LEPCs that have had hazmat incidents were the most active LEPCs</li> <li>• LEPCs report needing assistance</li> </ul>

# California Hazardous Materials Regional Planning Project: Document Review

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	<p>(33.3%).</p> <ol style="list-style-type: none"> <li>2. Nine out of every ten responding LEPCs met at least once in the past year — three quarters of those LEPCs met at least quarterly.</li> <li>3. Almost 60% of responding LEPCs reviewed and updated their emergency plan in the past 12 months.</li> <li>4. Three out of four responding LEPCs indicate that the majority of their membership is familiar with their emergency response plan.</li> <li>5. Over 75% of responding LEPCs exercised their emergency response plan in the past year with nearly seven of ten conducting full-scale exercises.</li> <li>6. The most active LEPCs are those that had at least one accident in the past five years.</li> <li>7. While three out of four LEPCs did not receive any technical assistance or guidance from the federal government in the past five years, of those that did, 58.6% report that the assistance came from EPA.</li> <li>8. Nearly 70% of responding LEPCs that receive EPCRA Tier I and Tier II data receive it in the paper format.</li> <li>9. Over half of responding LEPCs use CAMEO.</li> <li>10. Two out of five responding LEPCs have an operating budget of which 35.9% is direct funding.</li> <li>11. Since the last LEPC survey in 1999, the percentage of LEPCs that incorporate homeland security into their emergency response plans nearly doubled (from 40.3% in 1999 to 77.5% in 2008).</li> <li>12. Since 9/11, nearly half of responding LEPCs reported increasing their overall activity level. Only 4.0% said the overall activity level of their LEPC decreased since the events of 9/11.</li> </ol> <p>The areas in which responding LEPCs most need assistance are outreach and communication with the public (42.5%) followed by identification of and compliance assistance for non-reporting facilities (39.7%). Some LEPCs requested that EPA develop a compendium of LEPC Best Practices or operational guidance.</p>	<p>in public outreach and communication</p> <ul style="list-style-type: none"> <li>• LEPCs have requested that EPA prepare a compilation of best practices or operational guidance.</li> </ul>

# California Hazardous Materials Regional Planning Project: Document Review

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	<p>This document can be found online at:  <a href="http://www.epa.gov/oem/docs/chem/2008_lepcsurv.pdf">http://www.epa.gov/oem/docs/chem/2008_lepcsurv.pdf</a></p>	
<p>State of California                      Governor’s Office of                      Emergency Services</p> <p><b>Hazardous Materials Toolkit:                      Parts 1-4</b></p> <p>January 2014</p> <p>15 Pages                      78 Pages</p>	<p>The purpose of these documents is to provide reference tools and information useful for hazardous materials incident preparedness, response, mitigation, and recovery.</p> <p>The documents are divided into four parts:</p> <ol style="list-style-type: none"> <li>1. Part One provides background information on the Tool Kit and the information about the hazardous materials “encountered in emergency response within the State of California.”</li> <li>2. Part Two encompasses the concept of operations for a hazardous materials incident, including preparedness, response, recovery, and mitigation. This part integrates the steps in the concept of operations with the information that is required for a particular stage of emergency management, such as training, drills and exercises, notification, SEMS, NIMS, , and ICS.</li> <li>3. Part Three explains the roles of the various agencies involved in a hazardous materials incident, along with a description of the resources available during an incident.</li> <li>4. Part Four includes various attachments to the Tool Kit.</li> </ol>	<ul style="list-style-type: none"> <li>• Provides reference tools</li> <li>• Includes concept of operations</li> <li>• Includes agency roles</li> </ul>
<p>Texas Governor’s Division of                      Emergency Management</p> <p><b>Local Emergency Planning                      Committee (LEPC): A Primer                      for Local Planning for                      Hazardous Materials</b></p> <p>July 26, 2006</p>	<p>This document was prepared by the Texas Governor’s Division of Emergency Management. Like California, Texas had hazardous material emergency laws in effect prior to the adoption of EPCRA and the document describes both sets of laws related to the functions of the LEPCs. This document includes the information an LEPC needs to organize and function. It describes a useful working management structure for an LEPC, including subcommittee functions, bylaws, meetings, and recordkeeping. The document includes some template-ready forms and plans.</p> <p>As background, the document characterizes the role of the LEPC as “a partnership between local government and industry as a resource for enhancing hazardous materials</p>	<ul style="list-style-type: none"> <li>• Describes a useful working management structure for an LEPC</li> <li>• Describes attributes of a well-functioning LEPC</li> <li>• Good format with well-organized information on</li> </ul>

# California Hazardous Materials Regional Planning Project: Document Review

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123 Pages	<p>preparedness.” And industry’s role as “It is necessary for industry to be a part of this planning process to ensure facility plans are compatible with local emergency plans.”</p> <p>The document contains a section that describes the attributes of a successful LEPC, including:</p> <ul style="list-style-type: none"> <li>• Clearly defined goals;</li> <li>• Training in the legal basis of the LEPC and knowledge about what is expected of them;</li> <li>• Comprised of the people with responsibilities and interests from broad-based community representation;</li> <li>• Maintain a working relationship state and federal agencies responsible for their program, and with peers from other LEPCs;</li> <li>• Meetings that are scheduled at regular and convenient times;</li> <li>• Meetings that adhere to the agenda and are concerned with common interests; and,</li> <li>• Strong leadership and designated staff.</li> </ul> <p>The document has a good format, and presents information on EPCRA and State law, LEPC duties and organization, reporting requirements for businesses, emergency planning requirements and reviews, community-level hazards analysis, and training and exercises. There is a section on LEPC role in hazmat response options, including training, coordination, and funding.</p> <p>The document contains extensive, useful appendices, include:</p> <ul style="list-style-type: none"> <li>• Planning Principles and Perils: A Guide to Effective Planning</li> <li>• Hazardous Materials Planning Standards and Criteria</li> <li>• Sample LEPC Bylaws and Rules</li> <li>• Examples of LEPC Support/Funding Sources</li> <li>• State and Federal Hazardous Materials Reporting Requirements</li> <li>• Computer Applications in Hazardous Chemical Emergency Management</li> <li>• Community Awareness and Outreach</li> </ul>	<p>legal basis, LEPC duties, reporting requirements, levels of compliance, hazards analysis, risk management, and exercises and training</p> <ul style="list-style-type: none"> <li>• Extensive, useful appendices, including some templates</li> </ul>

# California Hazardous Materials Regional Planning Project: Document Review

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	<ul style="list-style-type: none"> <li>• National Response Plan</li> <li>• National Incident Management System (NIMS)</li> <li>• National Response System/National Oil and Hazardous Substances Pollution Contingency Plan (NCP)</li> </ul> <p>This document can be found online at:  <a href="http://www.txdps.state.tx.us/dem/CouncilsCommittees/lepc/lepc_handbook_texas_07262006.pdf">http://www.txdps.state.tx.us/dem/CouncilsCommittees/lepc/lepc_handbook_texas_07262006.pdf</a></p>	
<b>AREA PLANS</b>		
<p>Sacramento County Environmental Management Department</p> <p><b>Area Plan for Emergency Response to hazardous Materials Incidents in Sacramento County</b></p> <p>September 2012</p> <p>198 Pages</p>	<p>The Sacramento County Area Plan includes sections corresponding to Title 19 CCR §§ 2720 through 2728:</p> <ul style="list-style-type: none"> <li>• Description and implementation of the Area Plan, including integration of business plans;</li> <li>• Emergency response procedures, including approach, evaluation , and decontamination;</li> <li>• Pre-emergency planning, including pre-incident surveys, planning and coordination contractor access, and integrated response management;</li> <li>• Notification and coordination, including emergency communications, and responsibilities;</li> <li>• Training, including documentation and exercises;</li> <li>• Public safety and information, including perimeter security, safety information, information release, and evacuation;</li> <li>• Supplies and equipment, including lists, testing, and maintenance;</li> <li>• Incident critique and follow-up; and,</li> <li>• Appendices, including Guidelines for declaring an emergency, examples of notification diagrams, telephone numbers, checklists, sample forms, records for revisions and distribution, and terms and acronyms.</li> </ul>	<ul style="list-style-type: none"> <li>• Area Plan</li> </ul>

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	The Sacramento County Area Plan includes sections required by the Pesticide Drift Exposure Response Act, SB 391 (Florez-Escutia) for pesticide drift incidents.																	
<b>REGIONAL PLANS</b>																		
<p>California Governor’s Office of Emergency Services; the Cities of Oakland, San Francisco, and San Jose; the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Santa Cruz, Solano, and Sonoma</p> <p><b>San Francisco Bay Area Regional Emergency Coordination Plan : RECP Hazardous Materials Subsidiary Plan</b></p> <p>March 2008</p> <p>75 Pages</p>	<p>This document is a subsidiary to the San Francisco Bay Area Regional Emergency Coordination Plan (RECP), which was prepared in accordance with national and state emergency management systems and plans, and developed in the event of an incident in the Bay Area that requires the activation of the Regional Emergency Operations Center. The RECP encompasses the 16 counties in the CalOES Coastal Region:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">• Alameda</td> <td style="width: 50%;">• Napa</td> </tr> <tr> <td>• Contra Costa</td> <td>• San Benito</td> </tr> <tr> <td>• Del Norte</td> <td>• San Francisco</td> </tr> <tr> <td>• Humboldt</td> <td>• San Mateo</td> </tr> <tr> <td>• Lake</td> <td>• Santa Clara</td> </tr> <tr> <td>• Marin</td> <td>• Santa Cruz</td> </tr> <tr> <td>• Mendocino</td> <td>• Solano</td> </tr> <tr> <td>• Monterey</td> <td>• Sonoma</td> </tr> </table> <p>The RECP Hazardous Materials Subsidiary Plan provides a system for regional coordination and response. The RECP Hazardous Materials Subsidiary Plan clearly describes the capabilities and roles of the federal, state, and local agencies, which is also shown in a table format in the appendices. The concept of operations is detailed, along with establishment of incident command, depending on the type of incident. The document includes an appendix that identifies and describes the appropriate notification processes. There is also an appendix that provides information and guidance that is specific to the threat of an oil spill in Bay Area waters.</p> <p>The RECP can be found online at:  <a href="http://www.mtc.ca.gov/planning/emergency/RECP_BASE_PLAN.pdf">http://www.mtc.ca.gov/planning/emergency/RECP_BASE_PLAN.pdf</a></p>	• Alameda	• Napa	• Contra Costa	• San Benito	• Del Norte	• San Francisco	• Humboldt	• San Mateo	• Lake	• Santa Clara	• Marin	• Santa Cruz	• Mendocino	• Solano	• Monterey	• Sonoma	<ul style="list-style-type: none"> <li>• LEPC coordination plan</li> <li>• Roles and responsibilities for regional response</li> </ul>
• Alameda	• Napa																	
• Contra Costa	• San Benito																	
• Del Norte	• San Francisco																	
• Humboldt	• San Mateo																	
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	<p>The HazMat subsidiary can be found online at:  <a href="http://develop.oes.ca.gov/WebPage/oeswebsite.nsf/ClientOESFileLibrary/Coastal%20Region%20Branch/\$file/RECP%20Hazardous%20Materials%20Plan.pdf">http://develop.oes.ca.gov/WebPage/oeswebsite.nsf/ClientOESFileLibrary/Coastal%20Region%20Branch/\$file/RECP%20Hazardous%20Materials%20Plan.pdf</a></p>	
<p>Region IV Local Emergency Planning Committee</p> <p><b>Hazardous Materials Emergency Plan</b></p> <p>September 2011</p> <p>207 Pages</p>	<p>This document is the Hazardous Materials Emergency Plan for LEPC Region IV, which encompasses 11 counties and one city that have area plans:</p> <ul style="list-style-type: none"> <li>• Alpine</li> <li>• Amador</li> <li>• Calaveras</li> <li>• El Dorado</li> <li>• Nevada</li> <li>• Placer</li> <li>• Sacramento</li> <li>• San Joaquin</li> <li>• Stanislaus</li> <li>• Tuolumne</li> <li>• Yolo</li> <li>• City of Roseville</li> </ul> <p>The objectives of this document are to identify:</p> <ul style="list-style-type: none"> <li>• Facilities in the region that have extremely hazardous substances in a quantity greater than the California Accidental Release Program (CalARP) threshold quantities.</li> <li>• The routes used to transport extremely hazardous substances.</li> <li>• Facilities that may contribute or be subject to additional risk by their proximity to a CalARP facility.</li> <li>• Community and facility emergency coordinators who make determinations necessary to implement the plan.</li> <li>• Methods for determining the occurrence of a release and the areas likely to be affected by a release.</li> <li>• Emergency equipment and facilities and an identification of the persons responsible for the equipment and facilities.</li> <li>• Methods and procedures to be followed by facility owners and operators and local emergency and medical personnel to respond to a release of extremely hazardous substances, including evacuation plans.</li> <li>• Methods and schedules for exercising the emergency plan.</li> <li>• Training programs, including schedules, for training of local emergency response and medical personnel.</li> </ul> <p>The document identifies population centers, transportation routes, industry, and sensitive</p>	<ul style="list-style-type: none"> <li>• LEPC coordination plan</li> <li>• Roles and responsibilities for regional response</li> <li>• Lists of trained personnel and emergency response equipment</li> </ul>

# California Hazardous Materials Regional Planning Project: Document Review

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	<p>environmental centers in each jurisdiction. The document describes how the region will manage emergency operations and the hazmat response capabilities in the region. This document contains lists of personnel in the region that are trained for hazmat emergency response and list of equipment that is available within the region.</p> <p>This document can be found online at:  <a href="http://www.edcgov.us/Government/EMD/HazardousMaterials/Hazardous_Materials_Plans.aspx">http://www.edcgov.us/Government/EMD/HazardousMaterials/Hazardous_Materials_Plans.aspx</a></p>	
<p>Pima County Local Emergency Planning Committee</p> <p><b>Hazardous Materials Emergency Response Plan</b></p> <p>Updated December 2013</p> <p>76 Pages</p>	<p>This document was reviewed because neighboring states have similar issues and have developed some different approaches. Pima County is a rural county in Arizona that is crossed by major transportation routes where hazardous materials are transported.</p> <p>This document is a tool for guidance for the stakeholders within Pima County to prevent and respond to a hazardous materials release. The document includes: identifying the tasks to be performed and who is to perform them; the resources available; the conditions that may exist near potential release locations; and, planning for response and recovery.</p> <p>The document describes incident trends for transportation, pipeline, and fixed facilities. The document explains the overlap of hazardous materials laws and reporting requirements – EPCRA, RMP, CERCLA, facility plans, and state and local requirements. The document provides a capability assessment of the resources available.</p> <p>The document contains the usual plan elements: concept of operations;, organization and assignment of responsibilities; communications; administration, finance and logistics; plan maintenance and development; and, authorities and references.</p> <p>This document can be found online at:  <a href="http://www.pima.gov/lepc/pdf/Pima_Revised_HazMat_Plan_FINAL.pdf">http://www.pima.gov/lepc/pdf/Pima_Revised_HazMat_Plan_FINAL.pdf</a></p>	<ul style="list-style-type: none"> <li>• In situation overview section, illustrates how the results of a commodity flow study along with fixed facility reports were used to describe the area’s potential hazards.</li> </ul>

# California Hazardous Materials Regional Planning Project: Document Review

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<b>State Plans</b>		
<p>State of California Governor’s Office of Emergency Services</p> <p><b>State of California Hazardous Materials Incident Contingency Plan</b></p> <p>January 1991</p> <p>160 Pages</p>	<p>This document is intended for the State planning purposes. The purpose of this document is to “serve primarily as an umbrella and reference document, not as an operational tool.” It is to be used in conjunction with the California State Emergency Plan and jurisdiction-specific operational plans.</p> <p>The document has the following sections:</p> <ul style="list-style-type: none"> <li>• Basic Plan, including background information and roles and responsibilities</li> <li>• Managing Emergency Operations, incorporating ICS principles, for Command, Operations, Logistics, Planning, and Finance</li> <li>• Training Requirements and Personal Protective Equipment</li> <li>• Hazmat Response Position Descriptions</li> </ul> <p>Portions of the document, including threat assessment, description and roles of State agencies, oil spill response, legal basis and intersection with other laws, accessing resources, finance, communications, are out-of-date. If updated, this document would be useful in describing how the various plans, agencies, and resources are integrated.</p> <p>This document can be found online by looking for HazMat Incident Contingency Plan (HMICP) at: <a href="http://www.calema.ca.gov/hazardousmaterials/pages/hazardous-materials.aspx">http://www.calema.ca.gov/hazardousmaterials/pages/hazardous-materials.aspx</a></p>	<ul style="list-style-type: none"> <li>• Umbrella document that is to be used in conjunction with other jurisdiction-specific plans.</li> <li>• Out-of-date.</li> </ul>
<p>State of California California Department of Fish and Wildlife Office of Spill Prevention and Response</p> <p><b>California State Oil Spill Contingency Plan</b></p>	<p>The first part of the California State Oil Spill Contingency Plan provides information on what is a reportable oil spill, who is responsible for reporting, and the numbers and contacts for reporting.</p> <p>This document is a stand-alone plan that describes the state response to oil spills, including spills to land, highways and roads, railroads, surface water (marine and inland), and groundwater. The document also includes response to oil spills on Tribal Lands. The document defines the authorities, roles, responsibilities, capabilities and limitations of</p>	<ul style="list-style-type: none"> <li>• Initial section is in a convenient format relating to who has to report and the contact information for reporting.</li> <li>• Clear description of authorities, contingent on the</li> </ul>

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<p>2013</p> <p>101 Pages</p>	<p>responding agencies, including state, federal and local agencies, and non-governmental agencies and volunteers.</p> <p>The document includes a description of the physical and chemical characteristics of oil, the movement of spilled oil in the environment, and the impact of spilled oil on wildlife and ecologically sensitive areas. The document describes the general response actions taken to contain, recover, and mitigate spilled oil. Included are checklists and decision trees for the use of dispersants. The document contains information on spill quantification and natural resource damage assessment and restoration. The Oil Spill Contingency Plan contains information on response funding and cost recovery, including state and federal funding sources.</p> <p>This document can be found online at: <a href="http://www.dfg.ca.gov/ospr/">http://www.dfg.ca.gov/ospr/</a></p>	<p>site of oil spill.</p> <ul style="list-style-type: none"> <li>• Useful section on capabilities and limitations of responding agencies.</li> <li>• Statutory requirements appendix is a useful format.</li> </ul>
<h3>Legal Basis</h3>		
<p>State of California Governor’s Office of Emergency Services</p> <p><b>Summary of Laws and Regulation for Hazardous Material Area Plans</b></p> <p>February 26, 2014</p> <p>14 Pages</p>	<p>This is a reference document that provides the laws that govern hazardous material area plans in California.</p> <p>Pertinent parts of statutory law are found in California HSC, §§25500 – 25519. Pertinent parts of regulatory laws are found in Title 19 CCR §§2720 – 2728.</p> <p>Excerpts include authorities, required content, minimum standards, and notification and coordination.</p> <p>Before relying on this document, the status of changes to the laws should be verified. This document can be found online by looking under “Area Plan: Publications” at: <a href="http://www.calema.ca.gov/HazardousMaterials/Pages/Publications.aspx">http://www.calema.ca.gov/HazardousMaterials/Pages/Publications.aspx</a></p>	<ul style="list-style-type: none"> <li>• Excerpts of the pertinent statute and regulation regarding hazmat area planning in California.</li> <li>• Verify before citing.</li> </ul>

# California Hazardous Materials Regional Planning Project: Document Review

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<p>National Association of SARA Title III Program Officials</p> <p><b>NASTTPO guidance on CFATS emergency planning</b></p> <p>January 13, 2008</p> <p>40 Pages</p>	<p>This document is a reference paper that provides a side-by-side comparison of the requirements of the Chemical Facility Anti-Terrorism Standards (CFATS), Emergency Planning and Community Right to Know Act (EPCRA), and the Risk Management Plan (RMP) under the Clean Air Act.</p> <p>The document describes the key requirements of CFATS. In the side-by-side comparison, the compared issues include:</p> <ul style="list-style-type: none"> <li>• Facilities regulated,</li> <li>• Chemical threshold quantities,</li> <li>• Calculation of thresholds,</li> <li>• Treatment of mixtures, and</li> <li>• Emergency planning/reporting</li> </ul> <p>In addition to the side-by-side comparison, the document includes a version of the EPA “List of Lists” edited to add the list of chemicals and thresholds from the CFATS program (as of the date of the document).</p> <p>This document can be found online at: <a href="http://nasttpo.com/pdfs/NASTTPO-guidance-CFATS-emc-planning.pdf">http://nasttpo.com/pdfs/NASTTPO-guidance-CFATS-emc-planning.pdf</a></p>	<ul style="list-style-type: none"> <li>• Comparison of key requirements of CFATS, EPCRA, and RMP.</li> <li>• Useful format for showing overlaps and gaps in coverage by the three laws compared.</li> </ul>
<b>Rail Transport</b>		
<p>The Pipeline and Hazardous Materials Safety Administration</p> <p>U.S. Dept. Transportation</p> <p><b>Safety Alert – Preliminary Guidance from Operation Classification</b></p>	<p>This document is a PHMSA safety alert to notify the general public, emergency responders and shippers and carriers that recent derailments and resulting fires indicate that the type of crude oil being transported from the Bakken region (underlying parts of Montana, North Dakota, Saskatchewan and Manitoba ) may be more flammable than traditional heavy crude oil. The safety alert cites recent derailments as the need to requirement to properly characterize, and, where appropriate, degasify hazardous materials prior to and during transportation. The safety alert describes the hazards of the material and states that the materials pose significant fire risk if released during an accident.</p>	<ul style="list-style-type: none"> <li>• Rail transport safety alert</li> </ul>

# California Hazardous Materials Regional Planning Project: Document Review

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<p>January 2, 2014</p> <p>2 Pages</p>	<p>The safety alert describes a program known as “Operation Classification,” which involves unannounced inspections and testing of crude oil samples to verify that the materials have been properly classified. Testing has focused on the gas content, toxicity, flammability, Reid Vapor Pressure, corrosivity, hydrogen sulfide content, and the composition of entrained gases in the material.</p> <p>This document can be found online at:  <a href="http://www.phmsa.dot.gov/pv_obj_cache/pv_obj_id_111F295A99DD05D9B698AE8968F7C1742DC70000/filename/1_2_14%20Rail_Safety_Alert.pdf">http://www.phmsa.dot.gov/pv_obj_cache/pv_obj_id_111F295A99DD05D9B698AE8968F7C1742DC70000/filename/1_2_14%20Rail_Safety_Alert.pdf</a></p>	
<p>International Association of Fire Chiefs</p> <p><b>Safety On Scene: Bakken Crude Oil – Rail Response Considerations</b></p> <p>Undated, but after January 2, 2014</p> <p>2 Pages</p>	<p>This document refers to the January 2, 2014 PHMSA safety alert that notified emergency responders that recent derailments and resulting fires indicate that the crude oil originating in the Bakken region (underlying parts of Montana, North Dakota, Saskatchewan and Manitoba) may be more flammable than crude oil from other regions. The IAFC prepared this Safety On Scene briefing for first responders. The briefing describes the issues and the appropriate responder preparedness.</p> <p>This document can be found online at:  <a href="http://www.iafc.org/files/1HAZ/safetyOnScene_haz_crudeOilBakken.pdf">http://www.iafc.org/files/1HAZ/safetyOnScene_haz_crudeOilBakken.pdf</a></p>	<ul style="list-style-type: none"> <li>• Rail transport safety alert</li> <li>• Preparedness</li> </ul>
<p>Congressional Research Service</p> <p>John Frittelli , Anthony Andrews, Paul W. Parfomak, Robert Pirog, Jonathan L. Ramseur, Michael Ratner</p> <p><b>U.S. Rail Transportation of</b></p>	<p>This document describes the issues surrounding the large and rapid increase of rail transport of crude oil in the U.S. “North America is experiencing a boom in crude oil supply, primarily due to growing production in the Canadian oil sands and the recent expansion of shale oil production from the Bakken fields in North Dakota and Montana as well as the Eagle Ford and Permian Basins in Texas. Taken together, these new supplies are fundamentally changing the U.S. oil supply-demand balance. The United States now meets 66% of its crude oil demand from production in North America, displacing imports from overseas and positioning the United States to have excess oil and refined products supplies in some</p>	<ul style="list-style-type: none"> <li>• Summary of Significant Oil by Rail Derailments in U.S. and Canada in 2013 and 2014</li> <li>• Discussion of issues related to the safety of rail transport of crude</li> </ul>

# California Hazardous Materials Regional Planning Project: Document Review

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<p><b>Crude Oil: Background and Issues for Congress</b></p> <p>May 5, 2014</p> <p>Document No. 7-5700</p> <p>25 pages</p>	<p>regions.” The report discusses the economics of moving oil by rail, concerns about oil spills, federal oversight of rail safety, and issues for Congress to consider. Among the issues presented to congress for consideration are: rail safety, tank car safety design, preventing derailments, railroad operations, incident and spill response, and rail vs. pipeline or waterborne transport.</p> <p>In addition to the concerns about Bakken crude, the report discusses the special concerns about the safety and environmental consequences of “dilbit,” a form of bitumen diluted with naphtha generated from the Alberta oil sands.</p> <p>Regarding federal oversight the report states: “The Federal Railroad Administration (FRA) has jurisdiction over railroad safety. It has about 400 federal inspectors throughout the country and also utilizes state railroad safety inspectors. State inspectors predominantly enforce federal requirements because federal rail safety law preempts state law, and federal law is pervasive. The FRA uses past incident data to determine where its inspection activity should be targeted, although the FRA Administrator stated that in light of the growth of crude-by-rail transportation, the agency also must look for ‘pockets of risk.’ FRA regulations cover the safety of track, grade crossings, rail equipment, operating practices, and movement of hazardous materials (hazmat). The Pipeline and Hazardous Materials Safety Administration within DOT (PHMSA) issues requirements for the safe transport of hazmat by all modes of transportation, which the FRA enforces with respect to railroads.”</p> <p>Congress is considering a bill that would require railroads to have at least two crew members on board all trains. “In addition, policy makers are discussing regulatory changes involving tank car design, prevention of derailments, and selection of preferred routes for transporting oil by rail. Congress may evaluate these changes in the reauthorization of the Rail Safety Improvement Act of 2008 (P.L. 110-432).”</p> <p>This document can be found online at: <a href="http://fas.org/sgp/crs/misc/R43390.pdf">http://fas.org/sgp/crs/misc/R43390.pdf</a></p>	<p>oil.</p> <ul style="list-style-type: none"> <li>• Not much of a discussion of the issues of state and local response to accidents in a regulatory environment where there is federal oversight and a lack of specific, timely information.</li> </ul>

# California Hazardous Materials Regional Planning Project: Document Review

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<p>State of California Interagency Rail Safety Working Group</p> <p><b>Oil by Rail Safety in California Preliminary Findings and Recommendations</b></p> <p>June 10, 2014</p> <p>19 Pages</p>	<p>“In January 2014, the Governor’s Office convened a Rail Safety Working Group to examine safety concerns and recommend actions the state and others should take in response to this emerging risk. This report contains a summary of initial recommendations from the Working Group.”</p> <p>The report describes recent oil-rail accidents and discusses the possible causes, including track failures, inadequate rail car equipment, and human error (such as leaving cars unattended without proper braking systems). The report states that some experts believe many recent rail car failures are due to unique risks posed by transporting oil from the Bakken shale formation, including the rupture of tank cars containing a pressurized liquid above its boiling point.</p> <p>The report cites NTSB findings of deficiencies in oil safety regulatory compliance, including improper characterization and labeling, inadequate level of protection, poor route planning, inadequate response plans, outdated tank cars, insufficient placarding, “a lack of critical information about the characteristics of crude oil being transported.” The report stated that there is a need to update federal environmental and emergency response plans.</p> <p>The report describes the routes that rail cars of crude oil take in California and the sensitive areas through which they transit, including mountainous areas, densely populated areas, sensitive ecological areas and waterways.</p> <p>Regarding response to a rail incident, the report states that the urban areas generally have good emergency hazmat coverage, but that there are no emergency hazmat teams near the high hazard rural areas in northern California.</p> <p>Among the report’s recommendations are:</p> <ol style="list-style-type: none"> <li>1. Increase the Number of California Public Utilities Commission Rail Inspectors;</li> <li>2. Improve Emergency Preparedness and Response Programs;</li> </ol>	<ul style="list-style-type: none"> <li>• Describes scope of oil shipping in the state by rail.</li> <li>• Describes recent oil-rail accidents.</li> <li>• Many high hazard areas not covered by emergency hazmat.</li> <li>• Includes recommendations for emergency preparedness and response programs.</li> </ul>



# California Hazardous Materials Regional Planning Project: Document Review

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	<ol style="list-style-type: none"> <li>a. Expand the Oil Spill Prevention &amp; Response Program to Cover Inland Oil Spills</li> <li>b. Provide Additional Funding for Local Emergency Responders</li> <li>c. Review &amp; Update of Local, State and Federal Emergency Response Plans</li> <li>d. Improve Emergency Response Capabilities</li> <li>e. Request Improved Guidance from United States Fire Administration on Resources Needed to Respond to Oil by Rail Incidents</li> <li>f. Increase Emergency Response Training</li> </ol> <ol style="list-style-type: none"> <li>3. Request Improved Identifiers on Tank Placards for First Responders</li> <li>4. Request Railroads to Provide Real-Time Shipment Information to Emergency Responders</li> <li>5. Request Railroads Provide More Information to Affected Communities</li> <li>6. Develop and Post Interactive Oil by Rail Map</li> <li>7. Request DOT to Expedite Phase Out of Older, Riskier Tank Cars</li> <li>8. Accelerate Implementation of New Accident Prevention Technology</li> <li>9. Update California Public Utilities Commission Incident Reporting Requirements</li> <li>10. Request Railroads Provide the State of California with Broader Accident and Injury Data</li> <li>11. Ensure Compliance with Industry Voluntary Agreement</li> <li>12. Ensure State Agencies Have Adequate Data</li> </ol> <p>This document can be found online at:  <a href="http://www.caloes.ca.gov/HazardousMaterials/Pages/Oil-By-Rail.aspx">http://www.caloes.ca.gov/HazardousMaterials/Pages/Oil-By-Rail.aspx</a></p>	
	<b>Fixed Facility</b>	
<p>California Interagency Working Group on Refinery Safety</p> <p><b>Improving Public and Worker Safety at Oil Refineries: Report of the Interagency</b></p>	<p>Following the catastrophic pipe failure at the Chevron refinery in Richmond on August 6, 2012, Governor Brown formed an Interagency Working Group on Refinery Safety to “identify means of improving refinery and agency performance.” The Working Group consisted of participants from 13 agencies and departments, as well as the Governor’s Office.</p> <p>The document contains a description of common themes heard in stakeholder meetings,</p>	<ul style="list-style-type: none"> <li>• Report provides list of California refineries with local regulatory jurisdictions, including CUPAs, Air Districts, and</li> </ul>

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<p><b>Working Group on Refinery Safety</b></p> <p>February 2014</p> <p>38 Pages</p>	<p>grouped by type of stakeholder – labor, community, industry, and State and local regulatory agencies. This document contains both internal and external investigative findings about the Chevron refinery incident.</p> <p>The findings include:</p> <ul style="list-style-type: none"> <li>• Multiple agencies have some responsibility for oversight of refineries. Some of the regulatory jurisdictions overlap.</li> <li>• The refinery’s requirements for reporting releases of hazardous materials needs to be more clearly defined. The local Area Plans do not specifically address the risks posed by refineries. The current air monitoring network does not provide real-time monitoring data.</li> <li>• Multiple risk management regulations, including CalARP, RMP, PSM, and local ordinances cover refineries, but there are gaps in the coverage and in the enforcement mechanisms. “Regulatory agencies face multiple issues related to inspection and enforcement capabilities”.</li> <li>• “There are shortcomings in existing emergency alert systems, public education and timely dissemination of health and safety information related to refinery emissions.”</li> </ul> <p>The document’s recommendations include:</p> <ul style="list-style-type: none"> <li>• Provide a central point in CalEPA to coordinate agencies’ activities related to refineries.</li> <li>• CalOES should clarify the reporting thresholds and should work with CUPAs on refinery-specific elements in the hazardous materials Area Plans.</li> <li>• Calif. ARB should continue to work on toxic air contaminant monitoring that will provide useful real-time information.</li> <li>• Existing regulations must be strengthened to cover the identified gaps, including six prevention strategies: (1) implement safer systems; (2) assess safety culture; (3) incorporate damage mechanism assessment into process hazard analyses; (4) perform complete root cause analyses after significant events; (5) account for</li> </ul>	<p>CalOSHA units.</p> <ul style="list-style-type: none"> <li>• Contains section on the major themes in stakeholder perspectives, including labor, communities, industry, and regulatory agencies.</li> <li>• Contains a list of specific recommendations regarding refinery safety and response.</li> <li>• Speaks to specific planning issues.</li> <li>• The document includes a table with a useful format showing the responsible agencies, applicable regulations, and purpose of the regulatory requirements.</li> </ul>

# California Hazardous Materials Regional Planning Project: Document Review

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	<p>human factors; and, (6) use structured methods to ensure safeguards in process hazard analyses.</p> <ul style="list-style-type: none"><li>• Strengthen Area Plans by adding refinery-specific elements for radio communications, unified command and joint operations centers, plans to protect people outside of the refineries, increased and improved drills and exercises, and preparation for airborne releases.</li><li>• Improve community education and public input in the planning process, increase public access to information, and enhance public information and protection during incidents.</li><li>• Establish Refinery Safety Forums for ongoing interaction among the stakeholders.</li></ul> <p>This document can be found online at: <a href="http://www.calepa.ca.gov/publications/Reports/2014/RefineryRpt.pdf">http://www.calepa.ca.gov/publications/Reports/2014/RefineryRpt.pdf</a></p>	

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<b>Additional Documents For Future Review</b>
<b>Plans</b>
State of California Emergency Plan
California Hazardous Materials and Oil Emergency Function Annex EF -10
California LEPC Regional Plans for Regions 1, 2, 5, 6
Area Plans, as needed to understand their fit to the applicable LEPC Regional Plan
Federal Region IX Contingency Plan
Plans from neighboring states
<b>Laws</b>
California Emergency Services Act
California Disaster Assistance Act
42 United States Code, Title 42, Chapter 116 - Emergency Planning and Community Right-to-Know
<b>Documents/Reports/Guidance</b>
Congressional Research Service, "U.S. Rail Transportation of Crude Oil: Background and Issues for Congress," May 5, 2014.
National Response Team, Hazardous Materials Emergency Planning Guide
U.S. EPA, Off-site Consequences Analysis Guidance
FEMA/U.S.DOT/EPA, Handbook of Chemical Hazard Analysis Procedures
FEMA/U.S.DOT/EPA, Technical Guidance for Hazards Analysis
FEMA Comprehensive Preparedness Guide 101 (CPG-101)
The RAND Corporation June 2013 memo, "Refinery Process Safety Performance and Models of Government-Industry Relations"
Michael Wilson, UC Berkeley report, "Refinery Safety in California: Labor, Community and Fire Agency Views" March 27, 2013 Revised June 4, 2013
<b>Databases</b>
Pipeline and Hazardous Material Administration, "Incident Reports Database Search," Office of Hazardous Materials Safety, June 2014, <a href="https://hazmatonline.phmsa.dot.gov/IncidentReportsSearch/search.aspx">https://hazmatonline.phmsa.dot.gov/IncidentReportsSearch/search.aspx</a>
<b>News Articles</b>
The Atlantic, "Freight Train Derails and Explodes in Lac Mégantic, Quebec," July 8, 2013, <a href="http://www.theatlantic.com/infocus/2013/07/freight-train-derails-and-explodes-in-lac-megantic-quebec/100548/">http://www.theatlantic.com/infocus/2013/07/freight-train-derails-and-explodes-in-lac-megantic-quebec/100548/</a>
McClatchyDC, "More oil spilled from trains in 2013 than previous 4 decades, federal data show," January 20, 2014. <a href="http://www.mcclatchydc.com/2014/01/20/215143/more-oil-spilled-from-trains-in.html">http://www.mcclatchydc.com/2014/01/20/215143/more-oil-spilled-from-trains-in.html</a>