

Ten Reasons for a National, Public Data System for Risk Management Plans Clean Air Act, 112(r)

Under the Clean Air Act of 1990, 112(r), facilities that use large amounts of extremely hazardous substances must prepare Risk Management Plans (RMP), including worst-case accident scenarios. These RMPs tell workers and the public about the safety systems that ensure there will not be an “American Bhopal.” By law, the RMPs are public information.¹

A national, public RMP data system enables Local Emergency Planning Committees (LEPC), community groups, reporters, employees, state and Federal regulatory agencies, the Chemical Safety Board, and other stakeholders to:

1. Assure the integrity of the information being offered – who can say that information reported by different firms is not wildly divergent if there is no national data system for comparisons?
2. Learn about reductions in hazards achieved elsewhere in the country at similar facilities (i.e., reductions in worst-case scenario footprints, etc.). This helps to ensure that local communities are not isolated from developments elsewhere.
3. Measure reductions in accident potentials. Both worst-case accident scenarios and more-likely-case scenarios are the key tools for measuring hazard reduction and prevention.
4. Target hazard reduction programs to the worst hazards, and assess the impact of hazard reduction programs and activities (i.e., EPA, state, and regional bulletins, conferences, and educational programs—which work?). EPA cannot run an effective prevention program through a dispersed RMP management system.
5. Comply with the Government Performance and Results Act (GPRA) of 1993. The GPRA holds agencies accountable for managing activities effectively, including goals and results, and for measuring results to ensure public accountability. Failure to establish a national, public data system will frustrate the goals of the GPRA. Without an effective national data system, EPA will not be able to assign priorities for risk reduction, let alone act on them. Without public access to national data, people will not be able to gauge EPA’s success in reducing hazards. In addition, Congress has criticized the agency for failing to integrate the information it now collects. Failure to establish effective data systems will perpetuate this problem.
6. Establish efficient management of RMP information. Neither EPA nor states and localities were given any funds to manage Risk Management Plans. Therefore, the system for managing and updating RMP information must be very practical. Central, electronic management is far cheaper than inconsistent, dispersed management, and does not dump the burden of that access onto localities.

7. Conduct efficient education and training. Common training on data access and use is essential to help the RMP program succeed. The different systems, access procedures, software (or shoeboxes), etc., that would arise from multiple local systems would obstruct such common education and training.
8. Assure timely access to RMP information, and provide the information in whatever format people need, e.g., on-line, on diskette, or on paper. Central electronic access provides timely access and flexibility; dispersed access does not.
9. Produce in-depth or summary reports by geographic area, company, or industry. Vulnerable zones may cover multiple local and state jurisdictions. They may include interstate highways and other transportation routes, as well as schools, hospitals, and other facilities visited by the general public. People may want to assess chemical hazards along the Mississippi River, in the Great Lakes basin, or around the Chesapeake Bay. Dispersed access would thwart such cross cutting analyses.
10. Obtain the information without burdening LEPCs. LEPCs should be one point of access to Risk Management Plans, not the only point. LEPCs are neither funded nor required under the Clean Air Act 112(r) to disseminate information. In many areas, LEPCs do not exist as effective entities. Further, major studies have shown weak communications between LEPCs and the public. RMP information should help LEPCs plan for emergencies, not burden them with information management tasks that are by law the responsibility of a Federal agency.
1. Clean Air Act, 112(r)(7)(B)(iii) and 114(c); and 61 FR 31728 (68.210) and 61 FR 31717 (68.3).

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