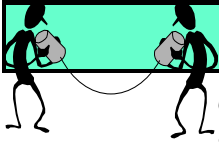




Vol. 1 No. 3

Planning, Prevention, and Preparedness Newsletter

July 2011



OUTREACH Luke Chavez 303-312-6512 / Bernadette Rose 303-312-6072

Outreach Kick-off In our inaugural newsletter, we spoke of finalizing an inter-agency agreement with Indian Health Services to assist the Program in meeting with all 27 tribal governments over the next couple of years. The goal of that Program is to create a foundation to better understand the priorities, risks, and vulnerabilities of the Region 8 tribes. This will help the Program to identify opportunities to improve planning and preparedness efforts through a region-wide approach and to strengthen partnerships. This past May, we took our first steps toward achieving that goal.

Kathie Atencio (EPA Preparedness Unit Chief) led three of us (Ray Figueroa (EPA), Brent Rohlfs (IHS) and Mary Ahlstrom (IHS Circuit Rider) on our first trip under this new initiative. On May 9-10, we visited with the Confederated Salish & Kootenai, and the Blackfeet Tribes in Montana.

Upon our arrival at the Confederated Salish and Kootenai Reservation, we were greeted by Dale Nelson who serves as the Tribal Disaster and Emergency Services Coordinator. He also serves on the State Emergency Response Commission, and is a member of the Indian Nations Working Group. There is a joint Tribal Emergency Response Commission/Local Emergency Planning Committee with the Tribes and four counties (Lake, Sanders, Flathead, and Missoula). Most of the Reservation is located in Lake County. There is a good working relationship with the Tribes and all four Counties – particularly with Lake County for many years. While there are Tribal and Lake County Emergency Operations Centers (EOC) the Tribal is normally the one used jointly.

The Confederated Salish and Kootenai Tribe, Lake County, and Sanders County have developed a joint Emergency Operations Plan that is updated regularly, and they conduct at least one exercise per year – exercising one section of the EOP each time (a crowd control tabletop exercise is planned due to the Dalai Lama visiting the area in the near future). The Tribes and counties have formal and informal MOUs for response with the HAZMAT teams. The Tribes and counties have no HAZMAT teams and utilize Kalispell and Missoula for that. These teams would like the Tribes/counties to set up decon in case of a response, and Homeland Security funding is being sought to purchase decon materials.

Most of the environmental concerns have to do with the amount of diesel trucked through the Reservation on a daily basis, derailments, and oil spills. Emergency management issues are flooding (as the snowpack is at 150% of normal), potential aircraft accidents, and terrorism.

(Left to right: Dale Nelson, Ray Figueroa, Mary Ahlstrom Brent Rohlfs)

At the Blackfeet Reservation we were greeted by Robert DeRosier the Emergency Manager who also serves as the Utilities Director, and is the Coordinator for the Indian Nations Working Group. (Cont. Pg. 2)

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TRAINING & EXERCISES Luke Chavez–Coordinator 303-312-6512 / chavez.luke@epa.gov

"Let our advance worrying become advanced thinking and planning." Winston Churchill



In need of Anhydrous Ammonia Emergency Responder training? Please check out TRANSCAER's training website. This training is now available to you online. Feel free to begin using and sharing this link to access the four training modules: http://transcaer.com/aa-tour. They will be in Colorado in July and August. Please check out

their calendar. GCAP has a website for free online training. The website is www.GcapCoolCast.com. We have created 30 minute downloadable podcast training sessions. Every week a new session will be downloaded. Some podcast already available are GCAPs trip to Japan, Natural Refrigerants, CO2 Cascade System, ASTI's One

Plan Coalition, L.A.N.C.E., and S.I.M.P.L.E., Ammonia Safety Days, and Boiler Safety. GCAP's training videos are still available to the industry free of charge.

Please visit for more information: http://www.ammoniatraining.com/Movie%20About%20Program.htm

REPORT
Need to Report a Possible Environmental Violation?
Fill out the form at www.epa.gov/tips/

Partner Corner

- More localized info? Check out these sites.
• Montana
• Wyoming
• North Dakota
• South Dakota
• Utah
• Colorado
• Denver

Kick-off (Cont. fm Pg. 1) The Tribe has an updated Emergency Operations Plan and has conducted exercises on terrorism and a dam failure. It has an MOU with Great Falls for HAZMAT Team response. While the Tribal Fire Department responds to incidents, the Tribal Environmental Department determines if there is an environmental impact issue. For larger spills the Tribal responders call the National Response Center. The Tribe attempts to have the responsible party or their insurance company hire a contractor to clean up the spill and is usually able to recover costs from the responsible party. The Tribal process for requesting disaster assistance has them going through BIA prior to contacting the state.

Among the environmental concerns we find issues with oil and gas wells (Many of the run off pits are near the river). A major pipeline runs through the Reservation, along with three minor transportation route (danger of spills of which there have been several HAZMAT and fuel). Derailments have occurred. Because of these concerns the Tribe is interested in being part of an Area Contingency Plan in the future. Among their emergency management concerns are found: terrorism (Tribe is located near the border), Sherburne Dam failure, and powder incidents (there have been a couple).

At the beginning of each meeting Kathie gave a presentation on EPA resources, and what those resources can offer to their community. The presentation was well received and well attended. After both meetings, interest was expressed in training that the EPA can offer. This included 40-hr HAZWOPER training or refresher either of which could be exported to them. They were also interested in emergency response, and basic understanding training on oil and gas issues and Methamphetamine response training.



These visits were quite instructional and productive for us and we look forward to assisting them in any way we can. *(More outreach on pg. 6)*


 **EPA Forms New Group to Increase Tribes' Role in Chemical Management and Pollution Prevention Activities**

The U.S. Environmental Protection Agency is forming a new tribal committee to provide tribes with an opportunity for greater input on issues related to toxic chemicals and pollution prevention. The move is part of Administrator Lisa P. Jackson's priority to build strong tribal partnerships and expand the conversation on environmental justice.

EPA is establishing a National Tribal Toxics Committee (NTTC) that will give tribes a forum for providing advice on the development of EPA's chemical management and pollution prevention programs that affect tribes. Given the uniqueness of tribal cultures, communities and environmental problems, the forum will help EPA better tailor and more efficiently address a variety of issues, including preventing poisoning from lead paint, expanding pollution prevention and safer chemical initiatives in Indian country, and better evaluating unique chemical exposures on tribal lands.

"This new committee will help increase our already close collaboration and communication with federally recognized tribes and intertribal organizations on critical issues relating to chemical safety and pollution prevention that affect Native peoples," said Steve Owens, assistant administrator for EPA's Office of Chemical Safety and Pollution Prevention. "We are committed to reducing toxic exposures and increasing pollution prevention among tribal communities, and to respecting tribal sovereignty, culture and heritage." A charter for the new NTTC is being developed and the membership of the council will be formed over the next several months.

More information: <http://www.epa.gov/oppt/tribal/> More information on EPA's partnership with tribes: <http://www.epa.gov/indian/>

 **EPA Releases Final Policy for Consultation and Coordination with Indian Tribes**

the EPA released its final policy on consultation and coordination with Indian tribes. EPA is among the first of the federal agencies to finalize its consultation policy in response to President Obama's first tribal leaders summit in November 2009, and the issuance of executive order 13175 to establish regular and meaningful consultation and collaboration with tribal officials in the development of federal policies that have tribal implications.

"EPA is dedicated to strengthening our collaboration with tribes and ensuring that they have a voice and a seat at the table on the issues that touch their health and their economy," said EPA Administrator Lisa P. Jackson. "President Obama has directed agencies across the federal government to revisit and update the ways we work together with tribal nations, a step that is critical to meeting the needs of today and ensuring our communities are cleaner, healthier and more prosperous heading into the future."

The final policy builds on EPA's 1984 Indian policy and is intended to make good on

the Obama administration's commitment to strengthen tribal partnerships by establishing clear agency standards for the consultation process, to promote consistency and coordination. The policy establishes a new, broader standard for the types of actions that may be appropriate for consultation and makes clear the two-way nature of government-to-government consultation by inviting tribes to request issues for consultation. Actions that may be appropriate for consultation include developing standards, guidance, policies, permitting decisions, and activities under international agreements. The policy also establishes a management, over-

sight and reporting structure that will help ensure accountability and transparency by identifying responsible individuals in each office and requiring EPA program and regional offices to identify actions appropriate for consultation at least twice a year.

More information on the policy: <http://www.epa.gov/indian/>

How many Hazardous Materials shipments are there in the U.S.?
There are some 1.5 million daily shipments of hazardous materials in the U.S



Emergency Planning & Community Right to Know Act (EPCRA)

Bradley Miller — 303-312-6483 / miller.bradley@epa.gov

EPA Removes Confidentiality Claims for More Than 150 Chemicals / Part of continuing effort to protect Americans' health by increasing access to chemical information

In order to ensure the public has as much information as possible about the health and the environmental impacts of chemicals, the EPA has made public the identities of more than 150 chemicals contained in 104 health and safety studies that had been claimed confidential by industry. Today's announcement is another in a series of unprecedented actions that EPA is taking to provide the public with greater access to information on the chemicals that are manufactured and used in the United States.

For these 104 studies,

the chemical identity will no longer be redacted, or kept from view. The chemicals involved are used in dispersant formulations and consumer products such as air fresheners, non-stick and stain resistant materials, fire resistant materials, nonylphenol compounds, perfluorinated compounds, and lead.

"This action to disclose the identity of more than 150 chemicals is an important step in EPA's commitment to give the American people access to critical information about chemicals that their children and families may be exposed to," said Steve Owens, assistant administrator for EPA's Office of Chemical Safety and Pollution Prevention. "A health and safety study with the

chemical name kept secret is completely useless to the public."

In 2010, EPA challenged industry to voluntarily declassify unwarranted claims of confidential business information (CBI). The agency also issued new guidance outlining plans to deny confidentiality claims for chemical identity in health and safety studies under the Toxic Substances Control Act (TSCA). Based on this guidance, EPA notified a number of companies in February 2011 that the agency had determined that their CBI claim was not eligible for confidential treatment under TSCA and that EPA intended to make the information public.

The health and safety studies include some declassified by the agency and other voluntary declassifications by companies in response to EPA's challenge. EPA is committed to posting new declassified materials under

TSCA on the agency website on a regular basis.

In addition to these actions, EPA over the past several months has taken a number of other steps to make chemical information more readily available. The agency has provided the public, for the first time ever, with free access to the consolidated TSCA Inventory on the EPA and Data.Gov websites. EPA also launched a new chemical data access tool that for the first time gives the public the ability to electronically search EPA's database of more than 10,000 health and safety documents on a wide range of chemicals that they may come in contact with every day. EPA will continue to take actions to increase the public's access to chemical information. More information: <http://www.epa.gov/oppt/existingchemicals/pubs/transparency.html>

(More chemicals on Pg. 5)

EPA Improves Access to Information on Hundreds of Chemicals / Searchable databases on chemical toxicity and exposure data now available

EPA is making it easier to find data about chemicals. EPA is releasing two databases — the Toxicity Forecaster database (ToxCastDB) and a database of chemical exposure studies (ExpoCastDB) — that scientists and the public can use to access chemical toxicity and exposure data. Improved access supports EPA Administrator Lisa P. Jackson's priorities of protecting Americans' health by assuring the safety of chemicals and expanding the conversation on environmentalism.

"Chemical safety is a major priority of EPA and its research," said Dr. Paul Anastas, assistant administrator of EPA's Office of Research and Development. "These databases provide the public access to chemical information, data and results that we can use to make better-informed and timelier decisions about chemicals to better protect people's health."

ToxCastDB users can search and download data from over 500 rapid chemical tests conducted on more than 300 environmental chemicals. ToxCast uses advanced scientific tools to predict the potential toxicity of chemicals and to provide a cost-effective approach to prioritizing

which chemicals of the thousands in use require further testing. ToxCast is currently screening 700 additional chemicals, and the data will be available in 2012.

ExpoCastDB consolidates human exposure data from studies that have collected chemical measurements from homes and child care centers. Data include the amounts of chemicals found in food, drinking water, air, dust, indoor surfaces and urine. ExpoCastDB users can obtain summary statistics of exposure data and download datasets. EPA will continue to add internal and external chemical exposure data and advanced user interface features to ExpoCastDB. The new databases link together two important pieces of chemical research — exposure and toxicity data — both of which are required when considering potential risks posed by chemi-

icals. The databases are connected through EPA's Aggregated Computational Toxicology Resource (ACToR), an online data warehouse that collects data on over 500,000 chemicals from over 500 public sources.

Users can now access 30 years worth of animal chemical toxicity studies that were previously only found in paper documents, data from rapid chemical testing, and various chemical exposure measurements through one online resource. The ability to link and compare these different types of data better informs EPA's decisions about chemical safety.

More information about the databases:

ToxCastDB: <http://actor.epa.gov/actor/faces/ToxCastDB/Home.jsp>

ExpoCastDB: <http://actor.epa.gov/actor/faces/ExpoCastDB/Home.jsp>

ACToR: <http://actor.epa.gov>

Failure to Report to the NRC. During the last issue there was a discussion of reporting requirements when there are spills of chemicals and/or oils. In certain situations penalties can be assessed for failure to report to the National Response Center (NRC). One such example is the settlement between EPA Region 8 and Cattleman's Choice Loomix, LLC for a facility located in Billings, MT. On February 4, 2010, approximately 26,000 pounds of hydrochloric acid was released from the facility due to equipment damage. The reportable quantity is 5,000 lbs. The Operator did not immediately notify the NRC as soon as it had knowledge of the release as required by Section 103(a) of CERCLA, 42 U.S.C. § 9603(a). The Operator was assessed a civil penalty of \$8,900.

EPA contains landfill fire on Pine Ridge Reservation The EPA has contained and smothered a landfill fire on the Pine Ridge Reservation in southwest South Dakota. The landfill is located 13 miles south of Red Shirt along BIA Highway 41. When EPA responders arrived on site on June 12, the fire had burned approximately 80%, or five acres, of the landfill. EPA observed

evidence of household hazardous waste, including pesticide containers, paint cans and small drums, throughout the burn zone. Responders also witnessed a noxious plume of smoke drifting across the nearby highway. Initial air monitor measurements taken on June 13 indicated elevated levels of particulates, volatile organic compounds, and carbon monoxide, and decreased levels of oxygen. Due to the unconsolidated nature of the waste in the landfill and the intensity of the fire, EPA determined the fire would likely burn for months if not addressed.

As part of the response, a borrow pit was established south of the current landfill in an area that has been designated for future expansion. Solid waste in the existing cell was excavated, placed and compacted in appropriate lifts within the cell, and covered with soil to smother the fire. EPA is now working on bolstering the cover over the landfill and making sure there are no hot spots that could reignite. Unburned trash is being managed to ensure it will not reignite.

The landfill is a Subtitle D solid waste facility that services 11 transfer stations and is the sole landfill for the Pine

Ridge Reservation. The landfill receives approximately 30-50 tons of solid waste daily and serves approximately 30,000 people, including the communities of Pine Ridge and Kyle. For further information on this site, please visit: http://www.epaossc.org/site/site_profile.aspx?site_id=7002



Oil Spill Near Billings, Montana

On July 1 a break occurred in a 12-inch pipeline owned by ExxonMobil that resulted in a spill of crude oil into the Yellowstone River approximately 20 miles upstream of Billings, MT. According to the company's estimates, 1,000 barrels of oil entered the river, which is in flood stage, before the pipeline was cut off.

EPA's primary concern is protection of human health and the environment, and the agency is conducting both air and water sampling to determine what impacts the spill may have on air or water quality, while also ensuring the responsible party is held accountable. EPA is also directing and overseeing cleanup ac-

tivities by approximately 350 responders on the scene and conducting cleanup activities. Personnel continue to walk the shores and deploy absorbent boom along the river banks to absorb oil that has collected in slow water areas along the shoreline. Responders continue to work to assess where the oil has traveled and what impact it may be having.

EPA Region 8 Administrator Jim Martin briefed Governor Schweitzer and other state officials on the cleanup operation and led the group to view on-site response activities.

The river has been divided into 4 divisions for planning and operational purposes. Initial cleanup activities are concentrated in the first two divisions -- from Laurel to Duck Creek Bridge and Duck Creek Bridge to Johnson Lane -- where responders have identified the most oil-impacted areas. The third river segment encompasses the area from Johnson Lane to Miles City and will also undergo reconnaissance and cleanup. The fourth division includes the remaining downstream portion of the river from Miles City to Glendive.

EPA is coordinating its response actions with the Department of the Interior, Fish and Wildlife Service and state and local agencies and will take whatever steps are necessary to ensure ExxonMobil, as the responsible party, addresses any and all potential impacts of this spill.

EPA responds to crude release near Rawlins, WY

The EPA responded to an oil spill affecting a portion of Emigrant Creek approximately 20 miles southwest of Rawlins, WY. EPA is overseeing cleanup actions at the spill site, including the removal of oil and the deployment of booms to capture releases to the creek. EPA will continue to coordinate response activities with the Bureau of Land Management (BLM), the Wyoming Department of Environmental Quality (WDEQ)

and local property owners through the next several weeks. EPA responded to a request for assistance from BLM's Rawlins field office for an oil spill response on an ephemeral tributary to Emigrant Creek, which flows into Little Sage Creek. BLM was notified of the spill on May 22 and upon investigation identified a discharge of oil near equipment owned and operated by Nadel and Gussman Rockies, LLC. BLM and the company conducted oil

containment and collection activities at the site. In addition, BLM and WDEQ collected water samples to assess water quality along the reach of the spill.

Site investigations suggest the oil discharge was from the Espy # 12 Tank Battery unit, a piece of equipment that separates water from oil. The oil flowed to Emigrant Creek and continued further downstream. Vegetation along the stream banks was oiled and strong petroleum odors were noted in the area

near the Tank Battery. Impacts are concentrated upstream of Bridger Pass Road; no oil or oil sheen has been observed at Teton Reservoir.

Based on site conditions and the apparent weathered nature of the oil, EPA suspects the discharge occurred at least several weeks prior to May 22 when the spill was reported by a concerned citizen. EPA has issued a compliance order requiring Nadel and Gussman Rockies, LLC to conduct cleanup actions at the site and will make determinations regarding additional (Cont. Pg. 5)

Oil spill (Cont. fm. Pg. 4) enforce actions as its investigation continues.

When EPA response staff arrived at the site several response activities had already been initiated. These included blocking a culvert at the Bridger Pass Road crossing and constructing a siphon to slow flow and collect oil. In addition, sorbent booms

were deployed and filter fences constructed at various locations to capture oil. Crews worked by hand to chip contaminated snow from the edges of the snowpack. Affected vegetation and streambeds were flushed to remove and collect as much oil as possible. EPA will oversee additional cleanup actions in close coordination with partners

and the company over the next several weeks. Boom maintenance will continue through spring runoff, as additional oil product will be released from the snowpack. Additional response actions are being considered to remove oil from vegetation and soils.

Any operator responsible for discharges of oil with the potential to reach surface waters is required to report the incident immediately to

the National Response Center at 800-424-8802. Failure to report a discharge is a violation of the Clean Water Act, which can result in higher penalties, greater cleanup costs and increased environmental damage

For more information and continued updates visit <http://www.epa.gov/yellowstoneriverspill/>

Texas: Drillers Must Disclose ‘Fracking’ Chemicals

Texas has become the first state to pass a bill requiring drillers to disclose the chemicals they use when extracting oil and gas from rock formations. Some state agencies have passed rules forcing some disclosure, but no other states have made it a law. Texas’ law will force drillers to post the chemicals and the amounts used beginning in July 2012. Hydraulic fracturing, or fracking, is being used in more states. In the fracking process, drillers pump chemical-laced water into the ground at high pressure to crack the rock. Environmental groups worry that the chemicals could taint water supplies. The industry says the process is safe.

EPA selects Colorado, North Dakota sites as case study locations for national hydraulic fracturing study

The EPA in keeping with the Administration’s focus on ensuring that domestic resources are leveraged safely and responsibly, announced the next steps in its congressionally mandated hydraulic fracturing study. EPA has identified seven case studies to help inform the assessment of potential impacts of hydraulic fracturing on drinking water resources. The sites identified were selected following extensive input from stakeholders, including the public, local and state officials, industry, and environmental organizations. To ensure the

agency maintains the current timeline for the study, the EPA will begin field work in some of the selected regions this summer. Natural gas plays a key role in the nation’s energy future. EPA is working closely with other federal partners to ensure that this important resource can be developed safely.

Las Animas County, CO, Dunn and Kildeer Counties, ND are among locations for the studies that will examine where hydraulic fracturing has occurred for any impact on drinking water resources due to gas extraction. The information gathered from these case studies will be part of an approach which includes literature review, collection of data

and information from states, industry and communities, laboratory work and computer modeling. The combination of these materials will allow us to do a more comprehensive assessment of the potential impacts of hydraulic fracturing on drinking water resources.

The study will continue to use the best available science, independent sources of information, and will be conducted using a transparent, peer-reviewed process, to better understand any impacts associated with hydraulic fracturing. The draft study plan and additional information: <http://www.epa.gov/hydraulicfracturing>

Federal Court Ruling - Los Angeles Emergency Plans Violate Americans with Disabilities Act: A federal judge has found that the city of Los Angeles is ill-prepared to meet the needs of residents with disabilities in the

event of an emergency. The decision came in a class action lawsuit brought against the city by two disability advocacy groups who claimed that the city’s emergency plans do not properly account for individuals with disabilities who may need accessible shelters, transportation, communications services or other assistance. “The city’s practice of failing to address the needs of individuals with disabilities discriminates against such individuals by denying them meaningful access to the city’s emergency preparedness program,” U.S. District Court Judge Consuelo B. Marshall said in the ruling. “Because of the city’s failure to address their unique needs, individuals with disabilities are disproportionately vulnerable to harm in the event of an emergency or disaster.”

Pipeline and Hazardous Materials Safety Administration (PHMSA)

The PHMSA has launched a new Pipeline Safety Awareness website that provides the public, community planners and developers an easy to understand, accessible place for information and guidance on locating area pipelines.

The web site provides the public with information about the location of pipelines and the safety record of the companies that operate them, safety advisories on specific pipelines, as well as maps, reports, research, frequently asked questions and other resources to help inform the public on their local pipeline infrastructure. PHMSA will update and add new information to the website as it becomes available.

The new website is part of the Department’s pipeline safety action plan to address immediate concerns in pipeline safety, such as ensuring pipeline operators know the age and condition of their pipelines; and proposing new regulations to strengthen reporting and inspection requirements. The website is <http://opsweb.phmsa.dot.gov/pipelineforum/>

Hazardous Materials Transportation and Pipeline Accidents are to be reported directly to the 24-hour National Response Center (NRC): at 1-800-424-8802. To reach the DOT's 24-hour Crisis Management Center, call 202-366-1863.

Outreach (Cont. fm Pg. 2) Fort Peck Assiniboine and Sioux Tribes Bernadette Rose, Dave Peck and Mary Ahlstrom traveled to Poplar, MT on June 13, 2011 to meet with Chris Headress, the Fort Peck Assiniboine and Sioux Tribes Emergency Manager (EM) and additional staff. Information presented was about the legal authorities under which EPA performs Emergency Response (ER), including response protocols, and functions, and Region 8's ER resources.

Mr. Headress told us that, although Ft Peck has had an active Tribal Emergency Response Committee (TERC) with representation from over 52 programs in the past, the TERC is not currently meeting. He is planning to have regular TERC meetings in the future and the most likely participants will be from the Tribe's Offices of Emergency Preparedness, Transportation, Housing, Elders, Law and Justice, Tribal Housing and Environmental Health. He stated that the Ft Peck Tribes actively participate in the Montana Indian Nations Annual Meeting, and that this group has a Tribal representative on the Montana State Emergency Response Commission (SERC). The Ft Peck Tribes previously attended Roosevelt County Local Emergency Planning Committee (LEPC) Meetings as well as MT SERC Meetings.

Ft Peck has an Emergency Operations Plan that uses Emergency Support Function (ESF) Guidelines and they are in the process of updating the Hazard Mitigation Plan. The Office of Environmental Protection has people who are HAZWOPER trained, but the Tribes do not participate in a Hazmat team. There are BIA, BLM and local non-Tribal community responders available to assist. MT has 6 regional HAZMAT teams located in Billings, Great Falls, Bozeman, Helena, Missoula, and Kalispell.

The Ft. Peck area is experiencing record flooding levels issues and Chris had been filling sandbags in the morning prior to the meeting. FEMA had already visited and assessed the situation assisted by the U.S. Army Corps of Engineers. We asked Chris if there were any additional items that we should be aware of and he stated that the Tribes are faced with serious drinking water issues. It is believed that the ground water has been contaminated by salt water, perhaps from oil operations. Because of this issue, Emergency Management is involved in construction of a hook-up to the new rural water system that will be pumping water from the Missouri River. The new system will service the communities in northeastern Montana including the Reservation. Other ongoing emergency priorities include winter and summer storms. Last year a tornado occurred that impacted a family farmhouse resulting in the death of two people and several head of cattle.

Finally, Chris and others expressed interest in obtaining the following from EPA: 8 Hour HAZWOPER Refresher training, and maps listing facilities that are located within the Reservation boundaries or that have the potential to impact the Reservation.

Three Affiliated Tribes

The team also traveled to New Town, ND to meet with Cliff Whitman, Three Affiliated Tribes Emergency Manager, and other staff. We found that the Tribes do not currently have an active TERC, nor is there an active LEPC closer than Williston, ND which is 40 miles NW of the Reservation.

The Tribes have a good working relationship with the State Oil and Gas Commission and Department of Health in relation to oil and gas issues. They have interacted with State Inspectors while they conduct inspections on fee-lands. They also have a good working relationship with Ray DeBoer at the ND State Emergency Management Office and BLM.

Three Affiliated Tribes recently updated their Emergency Operations Plan and are in the process of updating their Hazard Mitigation Plan. Some of their responders from New Town and Garrison Fire Departments are trained to Hazmat levels, but the Tribes utilize the Hazmat Team from Bismarck. As a side note, there is a smaller Hazmat Team in Minot and one in Fargo as well.

The Tribes have developed draft codes to cover oil and gas operations. The draft code is currently undergoing legal review within the Tribe. They are also drafting a resolution to deal with spills related to oil and gas operations. This resolution will include implementing regulations and fines. The Tribes have several emergency management issues including unreported oil spills at rid sites, truck and tanker accidents, illegal dumping of salt water and brine, and inverted mud spills on the soil. They are currently experiencing delays in responses due to highway closures caused by flooding.

Other EPA staff recently visited the Reservation to conduct SPCC inspections and to begin taking steps to update the Missouri River Area Contingency Plan. Last year the Brownfields Program worked with the Emergency Removal Program to remove asbestos from abandoned homes located on the Reservation. The Tribes are interested in future on-site training offered by EPA.

Chemicals (Cont. fm Pg.3) EPA Proposes to Review New Uses of 14 Chemicals Classified as Glymes / Action taken to better evaluate possible adverse health impacts The EPA is proposing to protect consumers by requiring companies to report new uses of chemicals known as glymes in consumer products. EPA's proposed action is based in part on concerns that additional uses of these 14 chemicals in consumer products could lead to harmful reproductive and developmental health effects. Glymes are chemicals used in a wide array of applications including printing ink, paints and coatings, adhesives, household batteries and motor vehicle brake systems.

The proposed regulatory procedure is known as a significant new use rule (SNUR) under the Toxic Substances Control Act. The SNUR would ensure that, prior to the manufacture, import, or processing of these chemicals for a significant new use, EPA will have 90 days to evaluate potential risks, and prohibit or limit the activity if warranted.

Comments on the proposal must be received on or before September 9, 2011. The proposal and supporting information can be found in docket number EPA-HQ-OPPT-2009-0767 on the Federal eRulemaking Portal, <http://www.regulations.gov>. For more information on the EPA's existing chemical programs: <http://www.epa.gov/oppt/existingchemicals/>



Preparedness Unit Mission Statement:

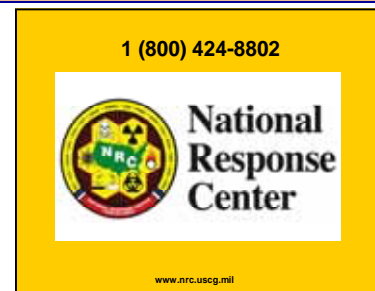
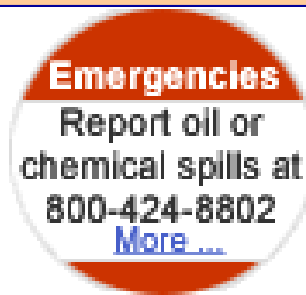
We will increase EPA Region 8 preparedness through:

- Planning, Training, Exercising, and developing outreach relations with federal agencies, states, tribes, local organizations and the regulated community.
- Assisting in the development of EPA Region 8 preparedness planning and response capabilities through the RSC, IMT, RRT, OPA, RMP, etc.
- Working with facilities to reduce accidents and spills through education, inspections and enforcement. To contact a member of our team:

[\(Click here for Org Chart\)](#)

Acronym List

- IMT Incident Management Team
- OPA Oil Pollution Act
- RRT Regional Response Team
- RSC Response Support Corps
- SPCC Spill Prevention, Control, and Countermeasures



Risk Management Program (RMP)
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Need More info on the Risk Management Program (RMP)?

RMP Reporting Center

The <http://www.epa.gov/emergencies/rmp> will be updated as new information becomes available. EPA maintains numerous listservs to keep the public, state and local officials, and industry up to date, including several that pertain to emergency management. You can sign up for our listserv to receive periodic updates: https://lists.epa.gov/read/all_forums/subscribe?name=callcenter_oswer

Reporting Center can answer questions about software or installation problems. The RMP Reporting Center is available from 8:00 a.m. to 4:30 p.m., Monday through Friday, for questions on the Risk Management Plan program: (703) 227-7650 (phone) RMPC@epacdx.net (e-mail)

Chemical Emergency Preparedness & Prevention Office (CEPPO) <http://www.epa.gov/emergencies/index.htm>

Compliance and Enforcement: <http://www.epa.gov/compliance/index.html>

Compliance Assistance: <http://www.epa.gov/compliance/assistance/index.html>

Call our hotline, the Superfund, TRI, EPCRA, RMP, and Oil Information Center (800) 424-9346 or (703) 412-9810 TDD (800) 553-7672 or (703) 412-3323 Mon-Thurs 10:00 am to 3:00 pm ET (except Federal Holidays) or see

www.epa.gov/superfund/contacts/infocenter/index.htm.

You can also call or write to:
 U.S. EPA Region 8
 1595 Wynkoop Street (8EPR-ER)
 Denver, CO 80202-1129
 800-227-8917
 CO, MT, ND, SD, UT, and WY

To report an oil or chemical spill, call the National Response Center at (800) 424-8802.

This newsletter provides information on the EPA Risk Management Program, EPCRA, SPCC/FRP (Facility Response Plan) and other issues relating to Accidental Release Prevention Requirements. The information should be used as a reference tool, not as a definitive source of compliance information. Compliance regulations are published in 40 CFR Part 68 for CAA section 112(r) Risk Management Program, 40 CFR Part 355/370 for EPCRA, and 40 CFR Part 112.2 for SPCC/FRP.