Alabama Emergency Response Commission (AERC) Updates

The AERC met on Dec 11th of this year. Recordings of the AERC meetings can be found on ADEM's YouTube channel. The Alabama Emergency Management Agency (AEMA) announced their new Local Emergency Planning Committee (LEPC) Manager, Joey Simmons. During the LEPC Update, he reported there are 21 counties with inactive LEPCs. AEMA has an updated website for LEPC information. For questions about who/where to submit EPCRA documents for inactive counties, contact the Emergency Management Agency (EMA) in your facility's county.

John De Block with the National Weather Service in Birmingham (NOAA) was the guest speaker. He reminded attendees of the importance of getting severe weather notifications through multiple sources and not relying only on their phones. He referenced several helpful tools on https://www.weather.gov/bmx/ for getting accurate and up-to-date weather information.

In response to an increased number of questions pertaining to lithium-ion batteries and concerns about their safety, the AERC would like to highlight free training courses being offered by the Transportation Community Awareness Emergency Response (TRANSCAER) initiative. TRANSCAER exists to make sure that communities are informed about the products being moved through their area by road and rail, and the measures that are in place to ensure their safe transportation. TRANSCAER members work with municipal officials, emergency responders, and residents along transportation routes, to assist in developing and evaluating their community emergency response plans. TRANSCAER also hosts dozens of outreach events across the US and Canada each year and their goal is to ensure that transportation safety best practices are shared, and that consistent, state-of-the-art training and emergency preparedness activities are carried out across North America.

TRANSCAER launched a new online training course called, "Lithium-Ion Battery Response for Emergency Responders". TRANSCAER describes the course as being, "… designed to address the fundamental skills necessary to recognize and safely perform a risk-based response to incidents involving lithium-ion batteries, regardless of size". Lithium-ion batteries have become a critical part of our daily lives, and their growing use will increasingly impact emergency responders, emergency medical technicians, local emergency planning committees, and other safety professionals. The course is 2.5 hours in length and has 6 modules.

According to Lorraine Carli with the National Fire Protection Association (NFPA), "Lithium-ion batteries are increasingly found in the many devices and systems we use every day. With this greater use, however, we are seeing an uptick in related fires, prompting people to contact us frequently with questions about battery safety." The NFPA also offers several resources that provide information to promote safer use of lithium-ion batteries across a wide range of applications.

Due to the increase in fires at recycling and waste facilities across the country, industry groups have worked together to develop the "Avoid the Spark. Be Battery Safety Smart" campaign. This campaign seeks to educate the American consumer about battery safety and proper management of used lithium-ion batteries. The main message of the campaign is that batteries can and should be recycled when they reach the end of their useful life. For more information go to the Call2Recycle website.

In addition, the EPA created a website dedicated to addressing various safety and regulatory concerns/updates pertaining to lithium-ion batteries. Many lithium-ion batteries on the market today are

likely to meet the definition of hazardous waste under the Resource Conservations and Recovery Act (RCRA) and would likely be considered ignitable and reactive hazardous wastes. The EPA currently recommends businesses consider them as "universal waste". Regulatory oversight of these batteries is changing rapidly and therefore it is recommended to check the EPA's site regularly for updates. The EPA has sponsored several webinars that facilities may find useful:

- An Introduction to Lithium Batteries and the Challenges that they Pose to the Waste and Recycling Industry
- Management Challenges for Lithium Batteries at Electronics Recyclers
- EPA Lithium-Ion Battery Disposal and Recycling Workshop Summary Report

If you have any questions, concerns, or topics that need to be brought up at the next AERC meeting, please contact Beth Donaldson.

***** This newsletter is distributed via e-mail for ease of distribution and to reduce paper waste. Any words in blue throughout this document are hyperlinks that can be clicked on for additional information. The link will open in a different window. Sometimes popup blockers disable links from opening. If this occurs, hold down the "CTRL" button while clicking on the hyperlink to bypass this issue. If you need further assistance, contact Beth Donaldson. Please feel free to forward this information to other stakeholders. *****

Regulatory Updates

- The EPA will be making technical amendments to EPCRA Tier II Reporting to conform to the OSHA Hazard Communication Standard. This conformation process occurs every few years, and this time it will add several more health and physical categories to Tier II Reports and Safety Data Sheets (SDSs). These changes will not go into effect until reporting year 2026, which means they will be due by March 1, 2027.
- On April 17, 2024, the EPA designated two per- and polyfluoroalkyl substances perfluorooctanoic acid ("PFOA") and perfluorooctanesulfonic acid ("PFOS") as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act. As a result of this designation CERCLA and EPCRA reporting requirements apply to releases of PFOA or PFOS or their salts and structural isomers. Any entity that releases a pound or more of PFOA or PFOS, or their salts or structural isomers, in any 24-hour period must report those releases consistent with CERCLA 103 and EPCRA 304 and their implementing regulations. For more information click here.
- The Per- and Polyfluoroalkyl Substances (PFAS) Final PFAS National Primary Drinking Water Regulation is in flux and change periodically. Review the EPA's website for updates on new developments.
- The U.S. Chemical Safety Board (CSB) released finalized reports for several chemical release incidents:
    - The 4/8/2021 resin plant vapor cloud explosion and fire at the Yenkin-Majestic Paint and OPC Polymers Corporation. One employee was fatally injured and eight were transported to area hospitals for injuries. The blast shook neighboring buildings and at least one nearby business sustained damage. To watch the CSB's video click here and for the final report click here.
    - The 7/31/2024 ammonia release at Cuisine Solutions Inc, a food preparation plant, caused 40 people to be evacuated to the hospital, four of which had to be admitted.

- The 5/30/2024 molten salt eruption at TS USA, a liquid nitriding facility, fatally injured a worker.
- The three catastrophic chlorine and hydrogen fluoride incidents at Honeywell Geismar, a chemical manufacturing plant, fatally injured one worker and seriously injured another.
- The 11/19/2023 renewable diesel and hydrogen fire at Marathon Martinez Renewable Fuels, a renewable biofuel industry, seriously burned one operator.

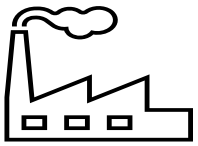
Reminders

- ADEM's EPCRA website is updated periodically throughout the year and contains FAQs and useful information on EPCRA reporting requirements.
- The AERC requires all EPCRA correspondence to be submitted electronically either through AL312@adem.alabama.gov or E-Plan. The only two acceptable forms of submission for Tier II reporting to the AERC are Tier2Submit or E-Plan. For all EPCRA reporting, you must also check with your LEPC and Local Fire Department (if applicable) to see what format they require for compliance. Retain proof-of-receipt from all three entities.
- Tier II forms are due by March 1st. All forms received after March 1st are considered late.
- Verify all street addresses as well as latitude and longitude coordinates! If you do not have a street address, please register an e911 address so that First Responders can easily locate your facility.
- Please note: if you submit a Tier II form that is lacking any required categories/fields or contains inaccurate information, it can be considered invalid and rejected. If a document is rejected, please make accurate and timely corrections as soon as possible, and resubmit.
- If using Tier2Submit to file a Tier II report, be sure to download the latest version from the EPA's website annually.
- If using E-Plan to file a Tier II report for the very first time, but previously filed using Tier2Submit, your information will already be in the E-Plan system and you can get linked to it. Contact the EPCRA coordinator for assistance so you aren't duplicating your effort.
- TRI forms are due July 1st and must be filed through EPA's TRI-MEweb system.
- Please note: if you are filing a Trade Secret form for the TRI, you must mail the sanitized form to ADEM. This is the only EPCRA form that is allowed and required to be submitted by paper. Please do not include unsanitized forms. Address to EPCRA Coordinator at 1350 Coliseum Blvd. Montgomery, AL 36110.
- The EPA established legally enforceable levels for six PFAS in drinking water on 4/10/2024 under the National Primary Drinking Water Regulation (NPDWR). They have announced there is new funding available to help states and territories implement PFAS testing and treatment at public water systems and to help owners of private wells address PFAS contamination.

Training Opportunities

- Ready.gov offers free resources for facilities to assist with developing emergency response plans.
- The Tier2Submit 2025 tutorial will be available here.
- E-Plan offers free webinars annually in January and February for facilities titled, "How to Comply with E-Plan Tier II Reporting".
    - January 2, 2026 /10:00 AM-11:00 AM CST
    - January 16, 2026 / 3:00 PM-4:00 PM CST
    - January 29, 2026 / 8:00 AM-9:00 AM CST
    - February 13, 2026 / 12:30 PM-1:30 PM CST
    - February 27, 2026 / 3:30 PM-4:30 PM CST
- The CSB has developed a new interactive training application focused on OSHA's Process Safety Management (PSM) regulations. The PSM standard outlines requirements for the management of hazards associated with highly hazardous chemicals. The training covers the 14 elements of PSM using the 2005 explosion at BP's Texas City refinery as a model. For more information about the CSB Process Safety Application and to install the program, click here.
- The Cybersecurity and Infrastructure Security Agency's (CISA) ChemLock program provides a variety of free training pertaining to analyzing and evaluating risk at your facility for chemical terrorism events and mitigating chemical security risks. For more information or to request specific training for your facility, please visit the ChemLock Training webpage.
    - ChemLock: Introduction to Chemical Security Course provides an introduction to identifying, assessing, evaluating, and mitigating chemical security risks. This overview identifies key components and best practices of chemical security awareness and planning to help kickstart chemical security discussions at a facility. This course runs 1-2 hours in length and is appropriate for all personnel regardless of their level of involvement with dangerous chemicals.
        - January 22, 2026 / 12:00-2:00 PM ET
        - April 28, 2026 / 12:00-2:00 PM ET
    - ChemLock: Secure Your Chemicals Security Planning Course walks through how to create a tailored, scalable security plan that meets the business model and unique circumstances of a facility.
        - March 25, 2026 / 1:00-2:30 PM ET
        - June 30, 2026 / 1:00-2:30 PM ET

Voices from Industry



Voices from Industry is a segment that allows industry representatives to suggest a topic that might be valuable to others. This year's article requester would like to remain anonymous, but they wanted highlight some of the key lessons for industry highlighted by the Chemical Safety Board (CSB).

The CSB is an independent federal agency tasked with investigating chemical incidents and determining their probable cause. The CSB focuses on large industrial accidents, aiming to prevent future disasters through

root cause analysis and safety recommendations. Their mission is to, "Drive chemical safety excellence through independent investigations to protect communities, workers, and the environment". The CSB has performed close to 200 investigations into major chemical incidents in its' history and has made over 1,000 safety recommendations in that time.

Please note the following key lessons and photographs have been pulled directly from finalized investigations conducted and issued by the CSB and all wording has been preserved for accuracy. Key lessons cited below are limited to their articles referenced earlier in this publication.

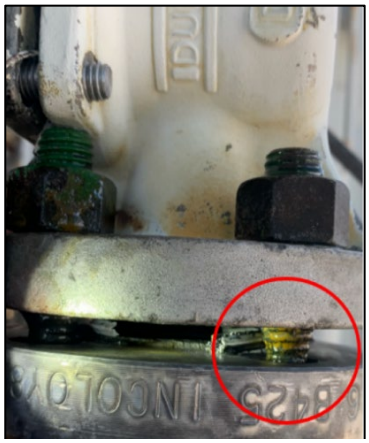
Key Lessons for Industry

1. *Companies should ensure that they measure and store process data so that when an incident or process upset occurs, they can analyze the data, determine the causes, and make changes to stop the upset or prevent another incident. The inability to access such process data can mask serious process control problems. Employees cannot respond to a process upset or prevent future ones if they cannot see how a process upset developed. Investigating an incident without sufficient process data hampers investigation and makes a repeat incident more likely to occur.*
2. *Distinctive alarms or alarms specific to particular release scenarios allow workers to properly respond to a release quickly. Different release scenarios should be documented in the Emergency Action Plan, and may include multiple distinct alarms and responses, such as one for shelter-in-place and one for evacuation.*
3. *Mechanical Integrity programs should be thorough, and companies should ensure that their testing and inspection methodologies are designed to detect expected damage mechanisms and failure modes. Mechanical Integrity programs must successfully identify and resolve equipment deficiencies prior to failure.*
4. *Once a deficiency is identified, robust mechanical integrity programs must ensure that corrective actions are identified and tracked to completion. It is not enough to simply identify a deficiency if that deficiency goes unmanaged and unmitigated.*
5. *Companies should ensure that their mechanical integrity systems communicate the need for corrective action to all stakeholders when safety-critical equipment is either approaching or has reached a point that requires corrective action.*
6. *Companies should develop and implement systems to manage organizational and personnel change. It is crucial to ensure that process safety-related responsibilities and tasks are not lost during such changes.*
7. *Capital projects that are intended to address mechanical integrity deficiencies are important safety tasks. Companies must ensure that all safety-related tasks, including safety-related projects, are included in their management of organizational change (MOOC) programs so that they are properly managed, tracked, and reassigned when necessary.*
8. *To ensure that one incident does not cause or lead to another, companies should develop and implement resilience programs to recognize and prevent or minimize disruption to their routine process safety management activities and other systems that contribute to process safety, such as capital project management.*
9. *No process safety management system can succeed without effective and consistent implementation. Companies must ensure that they not only develop effective systems, but that those systems are implemented, consistently followed, and validated.*

10. *Companies should have an incident investigation program that generates formal reports, performs causal analysis, and reviews corrective actions. The findings of the investigations should be communicated, including translation, throughout the site and to other facilities within the company.*
11. *Process equipment must be configured with safe operating limit (not-to-exceed limit) alarms that alert personnel that the equipment has reached an unsafe condition, troubleshooting efforts need to end, and predetermined actions must be taken swiftly to shut down or return the equipment to a safe state.*
12. *Companies should implement Walk the Line practices to minimize equipment lineup errors. Walk the Line activities include verifying valve positions before starting up a unit, understanding operating procedures and equipment routings, and properly communicating and documenting shift turnover information.*

Ammonia Release at Cuisine Solutions, Inc

Molten Salt Eruption at TS USA



Stud corrosion on flange assembly at Honeywell Geismar after HF release

Fired Heater Tube Rupture and fire at Marathon Martinez Renewables

If you have a topic that you think should be included in the next newsletter, please submit all suggestions to Beth Donaldson. Topic suggestions can remain anonymous, and all ideas are welcome for consideration.

This newsletter brought to you by the Alabama Emergency Response Commission (AERC) /ADEM / Beth Donaldson / 1350 Coliseum Blvd. Montgomery, AL 36110