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# Chemical Accident Prevention/EPA Should Ensure Regulated Facilities Consider Risks from Climate Change: U.S. Government Accountability Office Report

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The United States Government Accountability Office (“GAO”) issued a February 22 report titled:

*Chemical Accident Prevention: EPA Should Ensure Regulated Facilities Consider Risks from Climate Change (“Report”)*

See GAO-22-104494.

The *Report* was prepared at the request of United States Senate Committee on Environment and Public Works Chairman Tom Carper.

Senator Carper asked GAO to review climate change risks at United States Environmental Protection Agency (“EPA”) Risk Management Plan (“RMP”) rule facilities.

The Clean Air Act RMP rule addresses the accidental release of certain hazardous substances from specified facilities. It also seeks to minimize the consequences of such releases. The RMP rule applies to stationary sources (i.e., facilities) where specified hazardous chemicals above the threshold quantity are present in a process. EPA defines a process as any activity, including manufacturing, use, storage, or handling involving a hazardous chemical that the federal agency regulates under the Clean Air Act’s prevention of accidental release provision.

The *Report* addresses issues such as:

1. What available federal data indicate about RMP facilities in areas with natural hazards that may be exacerbated by climate change
2. Challenges RMP facilities face in managing risks from natural hazards and climate change
3. Opportunities for EPA to address the referenced challenges

GAO notes that there are 11,000 RMP facilities in the United States that have extremely hazardous chemicals in amounts that could harm people, property, or the environment if accidentally released. Identified risks to such facilities include those posed by natural hazards. Such hazards have the potential to damage facilities causing the release of chemicals into surrounding areas. Climate change is deemed to potentially make such natural hazards more frequent or intense.

GAO made six recommendations for EPA actions which include:

- The Assistant Administrator of the Office of Enforcement and Compliance Assurance and Director of the Office of Emergency Management, together with EPA officials at regional offices, should provide additional compliance assistance to RMP facilities related to risks from natural hazards and climate change. (Recommendation 1)
- The Assistant Administrator of the Office of Enforcement and Compliance Assurance should design an information system to track common deficiencies found during inspections, including any related to natural hazards and climate change, and use this information to target compliance assistance. (Recommendation 2)
- The Director of the Office of Emergency Management should issue regulations, guidance, or both, as appropriate, to clarify requirements and provide direction for RMP facilities on how to incorporate risks from natural hazards and climate change into their risk management programs. (Recommendation 3)
- The Assistant Administrator of the Office of Enforcement and Compliance Assurance and Director of the Office of Emergency Management should develop a method for inspectors to assess the sufficiency of RMP facilities' incorporation of risks from natural hazards and climate change into risk management programs and provide related guidance and training to inspectors. (Recommendation 4)
- The Assistant Administrator of the Office of Enforcement and Compliance Assurance, working with officials at regional offices, should incorporate vulnerability of RMP facilities to natural hazards and climate change as criteria when selecting facilities for inspection. (Recommendation 5)
- The Assistant Administrator of the Office of Enforcement and Compliance Assurance, working with EPA officials at regional offices, should incorporate the relative social vulnerability of communities that could be impacted by an accidental release when selecting RMP facilities for inspection. (Recommendation 6)

A copy of the *Report* can be downloaded [here](#).