



May 13, 2016

Mr. James Belke  
Office of Land and Emergency Management  
1200 Pennsylvania Ave. NW. (Mail Code 5104A)  
Washington, DC 20460  
U.S. Environmental Protection Agency

Re: Docket No. EPA-HQ-OEM-2015-0725

Dear Mr. Belke:

Arkema Inc. respectfully submits these comments on the Environmental Protection Agency's ("EPA's") Notice of Proposed Rulemaking titled "Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act" Fed. Reg. Vol. 81, No. 49, page 13638 et seq. (March 14, 2016) (hereinafter "the NPRM"). Arkema is a diversified worldwide chemical manufacturer, and we are a leading supplier of high performance materials for use in renewable energies, of specialty industrial chemicals, and of advanced coatings and coating additives, and the manufacturer of many other materials and products used in a variety of industries. In the U.S., with our subsidiaries, we operate 34 sites in 19 states.

Arkema Inc. is also a member of the American Chemistry Council (ACC). Arkema Inc. participates in the ACC's Process Safety Committee and supports the ACC's comments which have been filed to this docket. Arkema Inc. would like to highlight the following key issues that the ACC has raised:

- **Third Party Audits** - Risk Management Program (RMP) audits conducted by third parties will likely add significant new costs and burdens to the corporate audit process and may not necessarily provide new or additional safety benefits beyond those already provided by current audit practices. Many of our site processes and management systems may be technically complex and/or involve proprietary information. Thus, it will likely be very difficult for third party auditors to be qualified to capably perform audits. Audits conducted by "second-party" auditors, are preferable in that such personnel are independent from the sites but have critical knowledge of the processes and management systems at the site that enables them to provide valuable oversight and feedback to the site operators.

- **Safer Technology and Alternatives Analysis (STAA)** - Arkema Inc. identifies and implements additional controls to continue to operate our processes safely through the Process Hazard Analysis process. The additional requirement for STAA would be burdensome because there is no consensus methodology, definitions or standards for STAA. Knowledge of 'inherently safer technologies' can vary greatly depending on the process being examined and the knowledge and expertise of the team performing the analysis. As a result, implementation of STAA would likely be inconsistent across companies.
- **Availability of Information (to LEPCs, Emergency Responders, and the Public)** - Information provided by facilities to LEPCs and emergency responders must relate to and advance emergency preparedness and response. We have significant concerns with providing security-sensitive information where disclosure of such information could create a risk to our sites and to the communities surrounding them.

Thank you in advance for consideration of our comments, and please do not hesitate to contact me if you have any questions or if we can provide any additional information.

Sincerely,

Susan Lee-Martin  
Sr. Process Safety Engineer  
Corporate HES – Industrial Safety Department

Arkema Inc.  
900 1<sup>st</sup> Avenue  
King of Prussia, PA 19406  
(610) 205-7000