

TECH TIP



New Emergency Response Exercise Requirements under RMP

Has your facility accounted for these new exercise requirements in its compliance planning?

Recent updates to the Risk Management Program (RMP) regulations under **40 CFR §68.96** introduced new emergency response exercise requirements. Facilities subject to **40 CFR §68.95**, Emergency Response Program, are now required to conduct both tabletop and field exercises in coordination with local emergency response agencies.

Tabletop exercises must be completed by **December 21, 2026**, and conducted at least once every three years thereafter. Field exercises must be completed by **March 15, 2027**, and conducted at least once every ten years thereafter.

In addition to meeting these deadlines, facilities must also maintain documentation of exercise activities, evaluations, and follow-up actions. Evaluation reports must be completed within **90 days** of each exercise and should document the exercise scenario, participants, lessons learned, and recommended improvements.

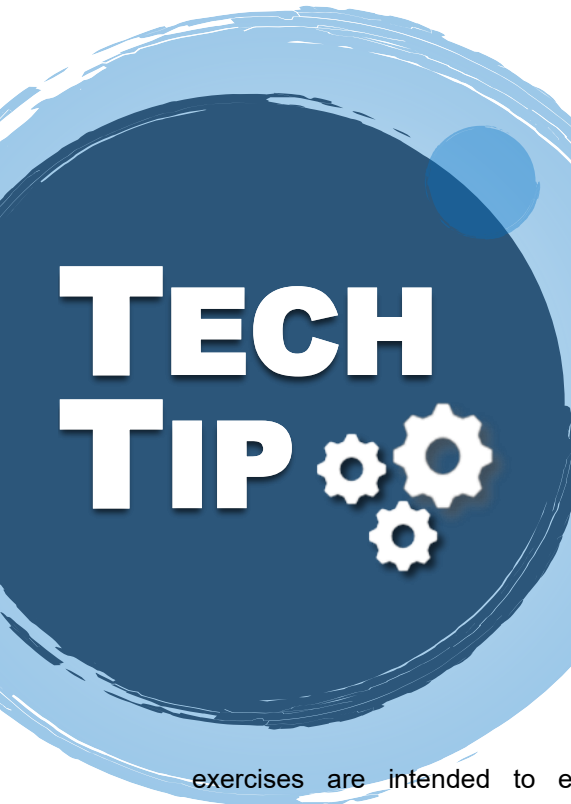
Who is subject to 40 CFR §68.95?

Facilities with Program 2 or Program 3 processes that are classified as “**responding**” facilities under the RMP must develop and implement an Emergency Response Program if facility personnel are expected to respond to accidental releases of regulated substances.



Under **40 CFR §68.95**, responding facilities are required to maintain procedures and resources necessary to protect public health and the environment during an accidental release. This includes maintaining an emergency response plan, establishing procedures for the use and inspection of emergency response equipment, training employees in emergency response procedures, and updating the program to reflect changes at the facility.

In general, a facility may be considered a responding facility if its personnel are expected to take offensive response actions to control or stop a release. This can include activities such as entering an affected area while wearing emergency response



TECH TIP

equipment to isolate or mitigate a toxic gas leak. Even when local emergency responders provide additional support, facilities that rely on employees to perform these types of actions are expected to maintain the appropriate equipment, training, and emergency response procedures.

What is the difference between a tabletop exercise and a field exercise?

Tabletop exercises are **discussion-based** reviews of a facility's emergency response plan. These exercises are intended to evaluate emergency procedures, communication methods, personnel responsibilities, coordination with local responders, and procedures for emergency response equipment deployment.

Field exercises are more **comprehensive, hands-on** tests of the emergency response program that involve deployment of response personnel and equipment under simulated emergency conditions. These exercises are intended to evaluate the implementation of emergency procedures, emergency communications, coordination with local responders, and the facility's ability to carry out response actions in practice.

What are the alternatives to meeting the new requirements?

In some cases, facilities may satisfy these requirements through alternative means. Exercises conducted to meet other federal, state, or local requirements may be used, provided they meet applicable RMP exercise elements. Additionally, response to an actual accidental release may satisfy tabletop or field exercise requirements if the response includes the applicable exercise elements.

When using these alternatives, facilities must document the event and prepare an evaluation report comparable to an exercise after-action report within **90 days**.

Resources

[eCFR :: 40 CFR 68.96 -- Emergency response exercises.](#)

[eCFR :: 40 CFR 68.95 -- Emergency response program.](#)

[General Guidance on Risk Management Programs for Chemical Accident Prevention \(40 CFR Part 68\) - CHAPTER 8: EMERGENCY RESPONSE PROGRAM \(December 2021\)](#)



www.rmppcorp.com

949/282-0123

Find us on [LinkedIn](#)

About the Author:

Ms. Borja is a Project Engineer and has been involved in a variety of activities associated with the California Accidental Release Prevention Program (CalARP), Environmental Protection Agency's Risk Management Plan (RMP) and Occupational Safety and Health Administration's Process Safety Management (PSM) Program. She specializes in facilitating Process Hazard Analysis (PHA) studies using the Hazard and Operability (HAZOP) and Layer of Protection Analysis (LOPA) methodologies.