



*Fact Sheet*  
*of the*  
**TAMPA BAY LOCAL  
EMERGENCY PLANNING  
COMMITTEE (LEPC)  
DISTRICT VIII**

**Fire Chief Scott Ehlers, Chairman  
John Meyer, LEPC Coordinator**

**July 2008**



## **TAMPA BAY LOCAL EMERGENCY PLANNING COMMITTEE (LEPC) DISTRICT VIII FACT SHEET**

### ***SUMMARY***

The Tampa Bay LEPC was created in 1988 to help the public and emergency responders address hazardous materials public safety issues. The focus of the committee is on planning, regional coordination, education and awareness. Every state has LEPCs. In Florida, the LEPCs are organized in conjunction with the eleven Regional Planning Councils which provide staff support with funding from the Florida Department of Community Affairs. District VIII, which incorporates Hillsborough, Manatee, Pasco and Pinellas counties, meets quarterly beginning in February of each year. LEPC members are appointed by the State Emergency Response Commission for Hazardous Materials (SERC), a policy board appointed by the Governor, which administers the hazardous materials (HAZMAT) laws for the U.S. Environmental Protection Agency (EPA) at the Florida level; and at the local level, through the 11 LEPCs statewide. The Chairman of the SERC is always the Secretary of the Department of Community Affairs, currently Thomas G. Pelham, and the Alternate Chairman is the Director of Emergency Management, currently Craig M. Fugate who normally chairs the meetings. Membership of the LEPC represents 18 occupational categories as follows: Elected State Official (Currently Vacant), Elected Local Official, Emergency Management, Firefighting, First Aid (EMS), Health Organizations, Law Enforcement, Local Environmental, Hospital, Transportation, Broadcast media, Print Media, Community Groups (i.e. Red Cross, etc), Facility Owners, Facility Operators, Non-Elected Local Officials, Water Management District Rep (SWFWMD), and Interested Citizen - as an open category for those who may not fit in one of the other categories.

Special Operations Chief Scott Ehlers of the Tampa Fire Department, serves as the Chairman of the Tampa Bay Local Emergency Planning Committee, District 8. The Vice Chairman is Jeff Tobergte from Florida Department of Environmental Protection. Both the Chair and Vice-Chair were elected in July 2008 for a two-year term.

### ***HISTORICAL PERSPECTIVES***

Public awareness of the potential danger from accidental releases of hazardous substances has increased over the years as serious chemical accidents have occurred around the world. Public concern intensified following the December 1984 release of methyl isocyanate (MIC) in Bhopal, India, killing over 3,800 people and injuring over 200,000 others! Release occurred from a Union Carbide plant which used the MIC in the manufacture of pesticides. A subsequent chemical release in Institute, West Virginia, also by Union Carbide, sent more than 100 people to the hospital and made Americans aware that such incidents can and do happen in the United States as well.

In response to this public concern and the hazards that exist, EPA began its Chemical Emergency Preparedness Program (CEPP) in 1985. CEPP was a voluntary program to encourage state and local authorities to identify hazards in their areas and to plan for potential chemical emergencies. This local planning complemented emergency response planning carried out at the national and regional levels by the National Response Team and Regional Response Teams organized by EPA, the U.S. Coast Guard, and the National Oceanic and Atmospheric Administration (NOAA).

The following year, Congress enacted many of the elements of CEPP in the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA), also known as Title III of the superfund Amendments and Reauthorization Act of 1986 (SARA). This law required states to establish State Emergency Response Commissions and Local Emergency Planning Committees to develop emergency response plans for each community. EPCRA also required facilities to make information available to the public on the hazardous chemicals they have on site. EPCRA's reporting requirements foster a valuable dialogue between industry and local communities on hazards to help citizens become more informed about the presence of hazardous chemicals that might affect public health and the environment. According to OSHA requirements, workers on site also have a right to know about the hazardous chemicals to which they could be exposed.

EPCRA did not require facilities to establish accident prevention programs. However, under EPCRA Section 305(b), EPA was required to conduct a review of emergency systems to monitor, detect, and prevent chemical accidents at facilities across the country. The final report to Congress, *Review of Emergency Systems* (EPA, 1988), concluded that the prevention of accidental releases requires an integrated approach that considers technologies, operations, and management practices, and it emphasized the importance of management commitment to safety.

EPA recognized that prevention, preparedness, and response form a safety continuum. Therefore, in 1986, EPA established its Chemical Accident Prevention Program, integrating it with the Chemical Emergency Preparedness Program. The first initiative was to begin collecting information on chemical accidents. Then EPA began working with other stakeholder groups to increase knowledge of prevention practices and encourage industry to improve safety at facilities. Under the Chemical Accident Prevention Program, EPA developed the Accidental Release Information Program (ARIP) to collect data on the causes of accidents and the steps facilities take to prevent recurrences. EPA also developed its Chemical Safety Audit Program to gather and disseminate information on successful practices to mitigate and prevent chemical accidents. The audit program also points out problematic practices and ways to improve them. Through the program, EPA has trained its regional staff as well as state officials on process safety and auditing techniques. Another significant component of EPA's Chemical Accident prevention Program involves outreach to small and medium-sized enterprises, which the section 305(b) study indicated are generally less aware of risks than larger facilities. EPA has worked with a broad spectrum of stakeholder groups to determine the best ways to reach these smaller operations.

All these efforts are based on the premise that while industry bears the primary responsibility for preventing and mitigating chemical accidents, many other groups also have a role to play. Workers, trade associations, environmental groups, professional organizations, public interest groups, the insurance and financial community, researchers and academia, the medical profession, and governments at all levels can help facilities that use hazardous chemicals identify their hazards and find safer ways to operate. A number of stakeholder groups have now developed programs and guidance to assist facilities in the management of chemical hazards. Many of these safety measures can make businesses more efficient and productive.

In response to the revision of the Clean Air Act, Section 112 r, the State of Florida sought delegation for enforcement of the law which requires facilities with certain thresholds of chemicals in a single process to do risk management planning (RMP). The 1998 Florida Legislature enacted the Florida Accidental Release Prevention and Risk Management Planning (ARP/RMP) Act, Chapter 252 Part

IV, Florida Statutes. This act grants the Department of Community Affairs (DCA) the necessary authority and resources to seek delegation for CAA 112r, which was granted by the Federal Government December 21, 1998. Florida's ARP/RMP Act also provides for funding, fees, enforcement authority and penalties, and authorizes DCA to conduct RMP inspections and audits. The Florida law mirrors the regulations set up with Section 112(8) and 40 CFR Part 68. Only facilities defined as "stationary sources" are subject to ARP/RMP and Section 112(8). Florida currently has 349 RMP facilities with 56 or 16 percent residing in District VIII.

The fees are different for each of the three different Program Levels. An owner/operator must pay based on the highest program level on-site. If an owner has multiple facilities that have the same highest Program Level and the processes have the same function, then the owner/operator may be eligible for a fee reduction and a fee cap. Fees were due to the State Emergency Response Commission when the first RMP was filed on June 21, 1999, and April 1<sup>st</sup> thereafter. *Program 1* stationary sources must pay \$100 per facility. With the fee reduction, the owner/operator must pay \$50 for each additional facility and not more than \$1000. *Program 2* stationary sources must pay \$200 per facility. With the fee reduction, the owner/operator must pay \$200 for the first three facilities and \$100 for each additional facility and not more than \$2,000. *Program 3* stationary sources must pay \$1,000 per covered facility. There is no fee reduction or fee cap for Program 3 processes. Note: if propane, one of the covered chemical processes, is a source's only chemical covered under Section 112(8), then that source will not be covered by ARP/RMP. EPA Region 4 will implement the Section 112(8) requirements for propane only sources. The role of the LEPC in 112(8) enforcement is in public outreach, education, and the local auditing of all District VIII RMP facilities by the Division of Emergency Management, Department of Community Affairs since the inception of the 1998 legislation, were conducted with LEPC participation. The LEPCs will continue to serve as a resource for information and technical assistance.

***LEPC MISSION STATEMENT:*** To partner with citizens, facilities, and local emergency management officials to protect communities from the adverse effects of hazardous materials in District VIII. To support this goal, the LEPC is committed to the following objectives:

- ❖ The LEPC shall **prepare regional hazardous materials emergency plans** which indicate the facilities that store, use, or produce hazardous substances at or above established threshold amounts and that are located in the region;
  - ❖❖ Data collected is used by the 11 LEPCs for plans is used in responding to and recovering from a release or spill of hazardous or toxic substances. These plans are reviewed and updated by the LEPC annually and are approved by DCA on behalf of the Commission.
- ❖ The LEPC shall serve as the **repository for regional reports** filed under EPCRA;
  - ❖❖ In the past, more than 3600 facilities in the Tampa Bay LEPC area have reported their chemical inventories consisting of over 36,000 listings of both hazardous and extremely hazardous substances under Sections 311/312 of EPCRA and these reports are available for public review at the LEPC office.

- ❖ The LEPC shall direct regional implementation activities and perform associated outreach functions to **increase awareness and understanding** of and compliance with the EPCRA as well as the RMP programs.
- ❖ The LEPC shall play an active role in **risk communication, public education, industry outreach, mitigation, and emergency planning** associated with the Clean Air Act and Risk Management Planning.

Required to report annually is any facility, public or private, that has at any given time during the year, extremely hazardous materials at or above established threshold amounts. It is termed a Section 302 facility (relating to the clause in EPCRA which pertains to Extremely Hazardous Substances facilities). A hazards analysis on the facility is usually performed by the county in which the facility is located. The analyses are available to the public upon request to the county emergency management contact as follows:

COUNTY EMERGENCY MANAGEMENT CONTACT		TELEPHONE
<b>HILLSBOROUGH COUNTY</b>	<b>Ed Murphy</b>	<b>(813) 276-2367</b>
<b>MANATEE COUNTY</b>	<b>Bob Tollise</b>	<b>(941) 727-6223</b>
<b>PASCO COUNTY</b>	<b>Lisa Hale</b>	<b>(727) 847-8137</b>
<b>PINELLAS COUNTY</b>	<b>Ron Neuberger</b>	<b>(727) 464-3800</b>

The hazard analysis looks at the amounts of materials present, the risk to the surrounding community, public facilities vulnerable to potential release such as schools, hospitals, etc. Additionally, any facility which possesses in excess of 10,000 pounds, a hazardous material for which the Occupational Safety and Health Administration (OSHA) requires the facility to keep a Material Safety Data Sheet is also required to render the annual report.

While the number of hazardous substance facilities continues to increase as awareness of the law reaches various segments of the community, EPCRA has been successful in reducing, over the years, facilities possessing extremely hazardous substances (EHSs) by encouraging that they seek alternative products which do not require reporting and thus, payment of the reporting fee. The reporting deadline each year is March 1<sup>st</sup>. Within District VIII, there are 504 Section 302 (EHS) facilities reporting in 2007 and 1450 facilities reporting under Sections 311/312.

District VIII possesses slightly less than half (48 percent) of the total Section 302 chemicals by weight and volume in the State of Florida. While District VIII had the highest number of hazardous material incidents for 2007, 299 total, this was a reduction from 2006 and was only 15 percent of the total of 1981 incidents statewide, and a reduction for the Tampa Bay LEPC by 22 percent - while seemingly small, still a significant challenge. This is attributed to the safety commitments of the district's largest facilities and their outstanding safety records. It must be pointed out that many of these releases involved anhydrous ammonia and most of these from the foreign vessels delivering the ammonia. Additionally, some of the ammonia releases were from attempted thefts of anhydrous ammonia, an essential ingredient in the manufacture of methamphetamines. District VIII's reported ten top Section 302 chemicals for 2006 are as follows:

### District VIII Top Ten Section 302 Chemicals

<u>Chemical</u>	<u>Maximum Inventory (lbs)</u>	<u>Change from 2005</u>	<u>Percent of State-Wide Inventory</u>
Sulfuric Acid	289,241,440	(-) 38,880,695	58.8%
Anhydrous Ammonia*	272,454,816	(+) 6,496,158	87.1%
Bromomethane (Methyl Bromide)	9,854,934	(-) 2,386,196	82.0%
Chlorine*	5,355,835	(+)1,778,216	34.0%
Vanadium pentoxide	1,510,093	(+)10	51.1%
Nitric acid*	1,003,682	(+)49,458	1.9%
Sulfur dioxide*	493,403	(-)48,450	20.9%
Aldicarb	226,055	**	14.6%
Hydroquinone	154,000	(-)353,558	>50%
Peracetic acid#	137,975	**	>50%

\* These chemicals are also covered under the Clean Air Act, Section 112®).

\*\* Did not appear on the 2005 list for District VIII

# This is the first appearance of these chemicals on the “top-ten” list

Funds to enforce EPCRA are derived from a hazardous materials fee system incurred by businesses and organizations who are required to report the presence on their facility, of hazardous materials in excess of a certain threshold quantity. The fee is based upon the number of employees and for most facilities is \$10 per person, with a \$25.00 minimum and \$2,000 maximum for any facility. (See Page 10 for recent changes to the fee system.)

As the EPCRA database increases, the information will be invaluable to local planning and zoning boards as the area continues to grow. This information also greatly enhances safety for local fire departments, hazardous materials teams and other emergency responders. All of the chemical data collected, as well as the plans, are available for the general public to review upon request.

The past decade has seen some important changes to environmental reporting which center around Section 313 of EPCRA. EPA on May 1, 1997 passed a final rule that adds seven industry groups to the list of facility types subject to reporting requirements beyond federal facilities and the manufacturing sector of Standard Industrial Classification (SIC) codes 20-39. These industry groups are metal mining (SIC 10), coal mining (SIC 12), electronic utilities (SIC 4911), commercial hazardous waste treatment (SIC 4953), chemicals and allied products-wholesale (SIC 5169), petroleum bulk terminals (5171) and solvent recovery services (SIC 7389). Facilities that fall within these SIC codes and that meet other Section 313 reporting criteria were required to file Toxic Release Inventory (TRI) reports beginning July 1, 1999. In determining the non-manufacturing industry sectors to include in the TRI explanation, EPA considered a number of factors including other available data on toxic chemical releases, an industry’s relationship to manufacturing and the potential burden that reporting in TRI might place on facilities. EPA believes that the set of facilities included under this final rule represent those non-manufacturing industries that will provide

the most relevant information pursuant to Section 313. In Florida, based on data from DCA's Hazardous Materials Information System for EPCRA facilities in Florida, the Compliance Planning staff estimates a total of 763 Section 313 facilities, of which District VIII leads the state with 165 total, or 21 percent of the Florida total.

Another important change occurred on February 4, 1999, when EPA raised the reporting thresholds for gasoline and diesel to 75,000 gallons (480,000 pounds) and 100,000 gallons (740,000 pounds) respectively, for fuel stored entirely underground at retail gas stations. This action relieved all facilities falling in this category from the necessity of reporting by March 1, 1999, these substances for the 1998 year. Not exempt were propane and kerosene which must be reported if inventories exceed 10,000 pounds. All other gasoline and diesel users such as marinas, truck and auto leasing companies, government and civilian organizations which operate fleets of vehicles and have refueling capabilities - still must comply with reporting requirements if total inventories exceed 10,000 pounds.

The Tampa Bay Regional Planning Council serves as the public access repository for the reports filed under Sections 311 and 312 of EPCRA in District 8 and Bill Lofgren staffs the repository and coordinates all of the LEPC's numerous activities. Reports are due annually by March 1st with copies going to the SERC in Tallahassee, to the local fire departments, and to the files at the TBRPC. Section 313 TRI reports are filed electronically with the SERC and the EPA in Virginia and are due by July 1st each year.

### ***OTHER LEPC COMMUNITY INVOLVEMENT***

TBRPC and the LEPC continue to work closely with the U.S. Coast Guard Sector St. Petersburg, following their reorganization in 2005, in the area of spill contingency planning, and chairs the Coast Guard's Preparedness Subcommittee of the Area Committee. Staff also represents the LEPC at quarterly meetings of the Tampa Bay Spill Committee, Inc., the Tampa Bay Harbor Safety and Security Committee (TBHSSC), and provides logistical support for the Pinellas Police Standards Council (PPSC).

### ***Hazardous Materials Emergency Preparedness Program (USDOT Annual Grants)***

#### **Training**

District VIII LEPC, through the Florida Division of Emergency Management, annually receives a recurring grant with two distinct programs. One is for planning and one for training, under the U.S. Department of Transportation's Hazardous Materials Emergency Preparedness program. The program which provides minimal funds - \$11,000 annually for planning functions, and \$23,970 for training. Training in 2007-2008 was dedicated to training fire departments in each of the counties on the unique fire-fighting requirements for ethanol fires and the use of foam for ethanol fire suppression.

## **Planning**

Community outreach activities continued with EPCRA How-to-Comply Workshops conducted in January and February each year in advance of the annual EPCRA reporting deadline. Also, the Siren Warning Briefings to Hillsborough County residents near the Port of Tampa continued as requested by residents and facilities. The LEPC teamed with METRA-West, a consortium of hazardous waste contractors and the Environmental Protection Commission of Hillsborough County, to provide free to the public, Hazardous Waste Workshops. The following is a new planning initiative begun under this grant program.

### **Disaster Planning for Facilities**

After visiting Louisiana and seeing how Hurricane Katrina polluted the landscape and waterways with hazardous materials, District 8 (Tampa Bay region) Local Emergency Planning Committee (LEPC) Chair challenged the LEPC to develop a plan and institute a project to address comprehensive disaster planning for hazardous materials facilities. As a result, in 2006 the LEPC began a project which has grown with the enthusiasm of the members who volunteered to become a part of the planning subcommittee and are now simply referred to as the “Disaster Planning Team”. The Disaster Planning Team, led by Chet Klinger of Essilor of America, now has 10 members. Half of the team members are functional experts who provide advice in their field of expertise at workshops. The scope of the project establishes a three-prong approach to improving preparedness, response, recovery and mitigation among facilities having hazardous materials in the Tampa Bay Area.

## **Education**

The project’s emphasis is to educate private business and government facility personnel about the importance of the planning process. The planning process should go beyond simply having Spill Prevention Control and Countermeasures (SPCC) plans.

## **Outreach and Training**

The team identifies qualified personnel to conduct workshops. The goal of the workshops is to facilitate well-developed Business Continuation and Disaster Recovery (BCDR) plans. A BCDR plan should address communication with employees, stockholders, customers, the public and media; protecting and preserving electronic and hard copy records; incorporate plans for shutting down chemical processes; securing and protecting hazardous materials from flood, wind, rain etc.; protecting the environment; and cleaning up and restoring function. Determining if a facility has a comprehensive plan is accomplished by analyzing facility data and collecting information from county and local emergency managers; interviewing personnel about the possible risks and readiness; and seeking voluntary input from private and public businesses regarding their preparedness and planning. All workshops conclude with a survey which solicits feedback that enables the team to make the necessary changes to improve the program. The second phase will be to hold in-depth risk assessment workshops which go beyond the scope of previous workshops.

## **Recognition**

The final task is to create an incentive program to recognize exceptional planning among facilities in the district. Awards will be given to facilities that have made the best plan improvements. Facilities that did not have plans but have made a good faith effort in the initial planning phase will also be recognized. Three companies were recognized for their efforts at the annual Future of the Region Luncheon in March 2008. First place went to Raytheon, Inc.; Second Place to Yara, North America; and Honorable Mention to Lakewood Ranch Medical Center.

The agenda for each workshop included: an overview to pre-event, event, and post-event planning with emphasis on disasters in a post-Katrina world; a workshop exercise— "Hazardous Materials Management & Business Recovery"; pre-disaster and post-disaster communications and communications tools (land lines, cellular telephones, satellite telephones, etc.); and critique and plan revisions. The Disaster Planning Team conducted four highly successful workshops in 2006 and three in 2007 at which representatives from large corporate, small company and government facilities attended. In 2008, workshops will focus on Gap Analysis.

### **LEPC Biennial Exercise Requirement**

Biennially, the LEPC is required to conduct a multi-jurisdictional exercise. This year the Tampa Bay LEPC concluded its Biennial Exercise on May 6-8, 2008 as a full-scale exercise with the Pinellas County Sheriff's Office and the FBI and a number of other law enforcement agencies in the region. The exercise will involve the explosion of a city bus - simulating a terrorist suicide bombing at Tyrone Square Mall in St. Petersburg, but actually blown up at the MacDill AFB Explosive Ordnance Disposal Range (EOD) - that the PCSO and FBI used for evidence collection. The bus was actually exploded on May 6<sup>th</sup>, but there was no exercise play until Day 2, May 7<sup>th</sup>. On Day 3, May 8<sup>th</sup>, law enforcement and hazmat team entered the house used to manufacture the chemical explosive bomb used on the bus and decontaminated the house prior to evidence collection at that position. It was originally proposed that lacking any other preferred scenario, that the Region 4 RDSTF's required Tabletop Exercise employ the same scenario as the LEPC Biennial. After much discussion with the state, it was determined that the RDSTF should collaborate with the LEPC and with this full-scale exercise literally accomplish both requirements with the same exercise. The exercise was a success and conducted under the Homeland Security Exercise and Evaluation Program (HSEEP).

In summation, the EPCRA legislation was originally passed to require emergency planning efforts at the state and local levels and to increase the public's access to information about the potential chemical hazards that may exist in their communities. By any measure of merit, the legislation has had a profound effect upon the community through the accomplishment of the following actions which directly or indirectly resulted from EPCRA's requirements:

### ***MOST RECENT STATEWIDE AND AREA INITIATIVES***

During the past two years, several initiatives have been undertaken which have markedly improved on the state's capabilities for addressing hazardous materials issues.

### **Awareness Level Training**

On October 6, 2006, the State Emergency Response Commission (SERC), the Local Emergency Planning Committees and the Training Task Force released the 2006 update to Florida's First Responder Hazardous Materials Awareness Level Training Program. The release marked the culmination of an intensive twelve-month project to update the SERC's initial training package that was developed in 1996.

First responders at the awareness level are individuals who are likely to witness or discover a hazardous substance release and who have been trained to initiate an emergency response sequence by notifying the authorities of the release. This training program focuses on the objectives identified by the U. S. Occupational Safety and Health Administration in 29 CFR 1910.120(q)(6)(I) and includes:

- 1) The ability to recognize that an incident involves a hazardous material, and if possible, to identify the material involved (only if it can be done with no risk to the responder);
- 2) The ability to isolate the involved area, restrict access to the area and remove uninjured and uncontaminated persons from the area;
- 3) The ability to ensure personal safety and safety of the uninvolved public. Protection may include the use of personal protective equipment and evacuation of nearby occupancies (if the first responder is so trained and properly equipped); and
- 4) The ability to notify the next level of response as defined in the employer's Emergency Response Plan.

The updated program is all inclusive and consists of student and instructor manuals, activity guides, a PowerPoint presentation, a sample emergency response plan, a sample material safety data sheet, and a video to provide a better visual perspective to the training materials. The program is not considered an "independent study" program. It is the State Emergency Response Commission's recommendation that an instructor be able to demonstrate competency at the First Responder Operational Level and be competent in adult instructional techniques to teach the First Responder Awareness Level Training. This training package is available on the State Emergency Response Commission's website at: [www.hazmat.floridadisaster.org](http://www.hazmat.floridadisaster.org) under "Training."

The Tampa Bay LEPC has a separate webpage attached to the Tampa Bay Regional Council home page. Copies of the most recent LEPC meeting agendas and minutes as well as quarterly *Hazmatters Reports* are available. Additionally, the most current Tampa Bay LEPC Emergency Response Plan, which is updated annually, is also located at this site. The website address is <http://www.tbrpc.org/lepc/lepc.shtml> and staff email address: [bill@tbrpc.org](mailto:bill@tbrpc.org).

### **Fee Relief Incentive Program**

The Florida Hazardous Materials Planning Program has experienced great success due to the direct involvement and resource contributions of industry. By statute, Florida facilities subject to the reporting requirements of the Emergency Planning and Community Right-To-Know Act (EPCRA)

are required to submit annual registration fees along with their Tier Two Chemical Inventory Reports to the State Emergency Response Commission (SERC). These fees range from a minimum of \$25 to a maximum of \$2,000. Under a strict application of the Florida fee system, first time filers were required to submit fees and reports for all back years that they were subject to EPCRA. Over the years, it became evident that this requirement placed a financial burden on facilities trying to comply with federal and state reporting requirements under EPCRA.

In 2003, Florida's SERC implemented an incentive program granting partial state fee relief to eligible facilities subject to the EPCRA reporting requirements. Upon approval, first time filers are now only required to submit fees for the past three reporting years. Approval is based on the following criteria:

- 1) The facility owner or operator must certify that they have been unaware of the EPCRA reporting requirements and have never filed reports for this or any other facility.
- 2) The facility was not discovered as a result of a chemical release subject to the emergency notification requirements of Section 304, EPCRA.

Although the SERC can approve fee relief, reporting is still required. All Tier Two Chemical Inventory Reports and Consolidated Annual Registration Forms must be submitted for the past five years (or when the facility became subject to EPCRA) through the current reporting year.

Since 2003, the fee incentive program has allowed a number of facilities to come into compliance by off-setting \$60,732.50 in fees (\$22,275 in 2006). Florida takes pride in its efforts to educate facilities regarding EPCRA's reporting requirements and recognizes opportunities to relieve facilities of hardships, when possible.

### **Compliance Audits Initiative and Revisiting Audit Data**

The Florida Risk Management Planning Program has delegated authority from the U.S. Environmental Protection Agency to ensure the compliance of 366 facilities that are subject to the Clean Air Act Amendments of 1990, Section 112®), the Chemical Accident Prevention Provisions, 40 Code of Federal Regulations, Part 68. The federal requirements are codified in state statute under the Florida Accidental Release Prevention and Risk Management Planning Act, Chapter 252, Part IV, Florida Statutes. Combined, these regulations are commonly referred to as the Risk Management Program that evaluates facilities with identified hazardous materials above a specified threshold to promote community safety. By federal regulation these facilities are required to perform self-audits, called "compliance audits", every three years. Compliance audits are intended to assist a facility to sustain compliance and encourage prevention practices without a high level of regulatory oversight.