EPA and Department of Justice

§ 1400.6 Enhanced local access.

(a) OCA data elements. Consistent with 42 U.S.C. 7412(r)(7)(H)(xii)(II), members of LEPCs and SERCs, and any other State or local government official, may convey to the public OCA data elements orally or in writing, as long as the data elements are not conveyed in the format of sections 2 through 5 of an RMP or any electronic database developed by the Administrator from those sections. Disseminating OCA data elements to the public

(b) Methods of access. The indicator shall be available on the Internet or by request made by telephone or by mail to the Administrator to operate the indicator for an address specified by the requestor. SERCs, LEPCs, and other related state or local government agencies are authorized and encouraged to operate the indicator as well.

§ 1400.5 Internet access to certain off-site consequence analysis data elements.

The Administrator shall include only the following OCA data elements in the risk management plan database available on the Internet:

(a) The concentration of the chemical (RMP Sections 2.1.b; 3.1.b);
(b) The physical state of the chemical (RMP Sections 2.2; 3.2);
(c) The statistical model used (RMP Sections 2.3; 3.3; 4.2; 5.2);
(d) The endpoint used for flammables in the worst-case scenario (RMP Section 4.5);
(e) The duration of the chemical release for the worst-case scenario (RMP Section 2.7);
(f) The wind speed during the chemical release (RMP Sections 2.8; 3.8);
(g) The atmospheric stability (RMP Sections 2.9; 3.9);
(h) The topography of the surrounding area (RMP Sections 2.10; 3.10);
(i) The passive mitigation systems considered (RMP Sections 2.15; 3.15; 4.10; 5.10); and
(j) The active mitigation systems considered (RMP Sections 3.16; 5.11).

§ 1400.4 Vulnerable zone indicator system.

(a) In general. The Administrator shall provide access to a computer-based indicator that shall inform any person located in any area whether an address specified by that person might be within the vulnerable zone of one or more stationary sources, according to the data reported in RMPs. The indicator also shall provide information about how to obtain further information.

The copy of the OCA information for stationary sources located in the jurisdiction of the LEPC where the person lives or works and for any other stationary source that has a vulnerable zone that extends into that LEPC’s jurisdiction.

(e) Personal identification for access to OCA information without geographical restriction. Reading rooms established under this section shall provide a person with access to a paper copy of OCA information under paragraph (c) of this section only after a reading room representative has

(1) Ascertained the person’s identity by viewing photo identification issued by a Federal, State, or local government agency to the person; and
(2) Obtained the person’s signature on a sign-in sheet and a certification that the person has not received access to OCA information for more than 10 stationary sources for that calendar month.

(f) Personal identification for access to local OCA information. Reading rooms established under this section shall provide a person with access to a paper copy of OCA information under paragraph (d) of this section only after a reading room representative has

(1) Ascertained where the person lives or works by viewing appropriate documentation; and
(2) Obtained the person’s signature on a sign-in sheet.

(g) Record keeping. Reading room personnel shall keep records of reading room use and certifications in accordance with procedures established by the Administrator and the Attorney General. These records shall be retained for no more than three years. Federal reading rooms will not index or otherwise manipulate the sign-in sheets according to individuals’ names, except in accordance with the Privacy Act.

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