

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Mon 6/12/2017 4:29:49 PM
Subject: EPA delays chemical facility safety rule until 2019

By Alex Guillén

06/12/2017 12:26 PM EDT

EPA is giving refineries, chemical plants, fertilizer makers and other facilities until 2019 to comply with an Obama-era rule meant to prevent explosions and other disasters at those sites and protect nearby communities.

The Risk Management Program rule was finalized in January and had been set to go into effect in March as part of the federal government's response to the West, Texas, fertilizer plant explosion that killed 15 people in 2013.

"We are seeking additional time to review the program, so that we can fully evaluate the public comments raised by multiple petitioners and consider other issues that may benefit from additional public input," Administrator Scott Pruitt said in a statement. In a [Federal Register notice](#) to be published later, Pruitt gave regulated facilities until Feb. 19, 2019 to comply with the rule, although any changes to its requirements likely will push that back even further.

In a separate [response to comments](#), EPA dismissed complaints that the delay poses environmental, safety or national security risks.

"EPA's legal mandate ... is not to ratchet up regulatory requirements to prevent all conceivable accidental releases regardless of the burden of implementation and regardless of how such regulations fit in overall chemical safety," the agency said, adding that the law requires the agency to be "reasonable."

Sen. [Jim Inhofe](#) (R-Okla.) pushed unsuccessfully to kill the RMP rule via a Congressional Review Act resolution earlier this year after arguing it would reveal too much sensitive information to terrorists. His resolution never received a vote.

WHAT'S NEXT: EPA will continue its review of objections to the rule raised by industry groups and companies.

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