**EXAMPLE**

(Letter for coordinating response actions with local emergency planning and response agencies)

(use what is appropriate for your facility)

**(Insert Company Letterhead)**

[**Date**]

[**Name of Your Local Emergency Planning and Response Authority**]

Attn: [**Local Authority’s Contact Name**]

[**Agency Address**]

[**City**], [**State**], [**Zip Code**]

Subject: Annual Emergency Response Coordination with Local Authorities

Dear [**Local Authority’s Contact Name**],

As required by 40 CFR 68.93, this letter serves to formally document response needs with [**Name of Your Local Emergency Planning and Response Authority**] to determine how this facility is addressed in the community emergency response plan and to ensure that local response organizations are aware of regulated substances at this facility, their quantities, the risks presented by covered processes, and the resources and capabilities at the facility to respond to an accidental release of a regulated substance. Per our annual coordination meeting on [**Date(s)**], a summary of key points discussed includes:

* Topics Discussed: [Examples: process quantities, location and hazards, SDSs Section 4, 5, and 6, Offsite Consequence Analysis (OCAs), process controls and mitigation systems implemented, monitoring and detection systems, accident history, site visits, roles and responsibilities, drills and exercises, evacuation procedures, muster points, employee accountability, public notifications procedures, training opportunities, response capabilities, public protection procedures, transportation routes, hazardous waste locations, public water supply protection, etc.]
* Information shared: [Examples: Facility 24/7 emergency contact, emergency action plans (EAPs), emergency response plans (ERPs), Tier II Chemical Inventories, Site Maps, SDSs, etc.]
* Follow-up Action Items: [List any action items identified to improve emergency planning that resulted from the meeting. (Ex: Standard Guide ASTM E3241 – 20, Date/time for notification drill, facility access, address gaps in capabilities, etc.)]

Please confirm your agreement with these coordination points and contact us if you require any additional information or have specific concerns regarding our emergency response capabilities.

 Sincerely,

 [**Person responsible for RMP Implementation**]

 [**Title/Position**]

Attachments: [**As appropriate: EAP/ERP, Site Map, Teir II chemical inventories, Notification procedures, etc.**]

**Who is required to plan for emergency responses?**

* For Program 1 Processes: [40 CFR 68.12(b)(3)](https://www.ecfr.gov/current/title-40/part-68/section-68.12#p-68.12(b)(3)) – Ensure that response actions have been coordinated with local emergency planning and response agencies.
* For Program 2 and 3 Processes:
	+ [40 CFR 68.90(b)(1)](https://www.ecfr.gov/current/title-40/part-68/subpart-E#p-68.90(b)(1)) & [§ 68.95(c)](https://www.ecfr.gov/current/title-40/part-68/subpart-E#p-68.95(c)) – For stationary sources with any regulated toxic substance held in a process above the threshold quantity, the stationary source shall be included in the community emergency response plan developed under [42 U.S.C. 11003](https://www.govinfo.gov/link/uscode/42/11003);
	+ [40 CFR 68.90(b)(2)](https://www.ecfr.gov/current/title-40/part-68/subpart-E#p-68.90(b)(2)) – For stationary sources with only regulated flammable substances held in a process above the threshold quantity, the owner or operator shall coordinated response actions with the local fire department;

**When is it required?**

* [40 CFR 68.93(a)](https://www.ecfr.gov/current/title-40/part-68/section-68.93#p-68.93(a)) Coordination shall occur at least annually, and more frequently if necessary, to address changes: At the stationary source; in the stationary source's emergency response and/or emergency action plan; and/or in the community emergency response plan. (**NOTE: “Annual” not defined but implies at least once every 12 months**)

**What is required?**

* [40 CFR 68.93](https://www.ecfr.gov/current/title-40/section-68.93) – Shall coordinate response needs with local emergency planning and response organizations to determine how the stationary source is addressed in the community emergency response plan.
* [40 CFR 68.93(b)](https://www.ecfr.gov/current/title-40/part-68/subpart-E#p-68.93(b)) – Coordination shall include providing to the local emergency planning and response organizations: The stationary source's emergency response plan ([ERP](https://www.ecfr.gov/current/title-40/section-68.95)) if one exists; emergency action plan ([EAP](https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.38)); updated emergency contact information; and other information necessary for developing and implementing the local emergency response plan. For responding stationary sources, coordination shall also include consulting with local emergency response officials to establish appropriate schedules and plans for field and tabletop exercises required under [§ 68.96(b)](https://www.ecfr.gov/current/title-40/section-68.96#p-68.96(b)).
* [40 CFR 68.96(a)](https://www.ecfr.gov/current/title-40/part-68/section-68.96#p-68.96(a)) Notification Exercises – Shall conduct an exercise of the facility’s emergency response notification mechanisms (At least once each calendar year).

**What else are “Responding” facilities required to do?**

* [40 CFR 68.96(b)](https://www.ecfr.gov/current/title-40/part-68/subpart-E#p-68.96(b)) Emergency response exercise program – Shall develop and implement an exercise program for its emergency response program, including the plan required under [§ 68.95(a)(1)](https://www.ecfr.gov/current/title-40/section-68.95#p-68.95(a)(1)).
* [40 CFR 68.96(b)(2)](https://www.ecfr.gov/current/title-40/part-68/subpart-E#p-68.96(b)(2)) Tabletop exercises – Shall conduct a tabletop exercise involving the simulated accidental release of a regulated substance (Beginning December 21, 2026 and at a minimum at least once every three years).
* [40 CFR 68.96(b)(1)](https://www.ecfr.gov/current/title-40/part-68/subpart-E#p-68.96(b)(1)) Emergency response field exercises –Shall conduct field exercises involving the simulated accidental release of a regulated substance (Beginning March 15, 2027 and at a minimum at least once every ten years).

**What must be documented?**

* [40 CFR 68.93(c)](https://www.ecfr.gov/current/title-40/part-68/subpart-E#p-68.93(c)) – The owner or operator shall document coordination with local authorities, including: The names of individuals involved and their contact information (phone number, email address, and organizational affiliations); dates of coordination activities; and summary of coordination activities.