



EPA Proposes Significant Revisions to Risk Management Program Regulations

On February 24, 2026, the U.S. Environmental Protection Agency (EPA) published a proposed rule addressing 14 substantive issues and making substantial deregulatory changes to the Risk Management Program (RMP) regulations under Section 112(r) of the Clean Air Act, which had [previously been significantly expanded via 2024 amendment](#). Titled the “Common Sense Approach to Chemical Accident Prevention,” the proposal reflects the EPA’s current goal of reducing regulatory burdens and aligning RMP requirements more closely with OSHA’s Process Safety Management standard. It represents a considerable shift from the EPA’s 2024 “Safer Communities by Chemical Accident Prevention” amendments to the RMP regulations. The extended public comment period has closed, and a final rule is expected later this year.

If finalized, the rule will rescind several of the most significant RMP amendments adopted in 2024. Perhaps most notably, the EPA proposes to eliminate the safer technologies and alternatives analysis (STAA) requirements applicable to many petroleum refining and chemical manufacturing processes under the 2024 amendments. To reduce the burden on sources already implementing effective prevention programs, the EPA would retain STAA evaluations only for certain newly designed and built covered processes that begin operation after the rule becomes effective. The EPA believes that adopting a performance-based approach to STAA will enable the agency to focus compliance efforts on facilities with a history of accidents without burdening facilities that do not have such a history.

The EPA is also reconsidering the 2024 third-party audit requirements and is co-proposing two alternative replacement options. Under one option, the EPA would eliminate all third-party audit requirements added by the 2024 amendments. Under

the alternative proposal, third-party audits would be required only for facilities that experience two accidents within a five-year period. In either case, this represents a narrowing of the 2024 rule, which imposed broader third-party audit obligations on covered facilities. Regardless of which option is ultimately adopted, the EPA has indicated that it will continue to require third-party compliance audits in appropriate cases through enforcement actions and settlement agreements.

The proposal scales back employee participation provisions by eliminating 2024 requirements on stop-work authority, consultation on process hazard analysis recommendations, employee reporting systems for unresolved safety concerns, and associated recordkeeping and documentation obligations. According to the EPA, these provisions impose administrative burdens without providing commensurate safety benefits. The EPA also proposes to rescind several process safety information and recognized and generally accepted good engineering practices (RAGAGEP) requirements, including documentation and gap-analysis provisions. For example, facilities would no longer be required to document the technical basis for the RAGAGEP they rely upon, identify and evaluate gaps between applicable RAGAGEP and their internal standards or practices, or maintain records of those evaluations. In addition, the EPA proposes to eliminate requirements to document the rationale for declining to implement recommendations generated through hazard reviews, process hazard analyses, and RAGAGEP evaluations. Together, these changes would substantially reduce the amount of documentation facilities must prepare and maintain to demonstrate how they evaluate process safety risks and respond to identified safety recommendations.

The proposal also substantially scales back the 2024 major expansions to public information disclosure requirements. Instead of requiring facilities to provide broad chemical hazard information to a subset of the public upon request, the EPA proposes to itself make certain information available through its RMP Public Data Tool. According to the EPA, the change is intended to balance community preparedness needs with facility security concerns. The change is intended to relieve the burden on facilities to share information while still preserving reasonable information access to communities and emergency planners.

On emergency response, the proposed rule clarifies that facility owners and operators are responsible for coordinating with local officials to ensure that

emergency responders have the accidental release information needed to communicate with the public through community notification systems. To document this coordination, the proposal would require facilities to collect two data elements: (1) the type of community notification system used, and (2) whether the owner or operator or the local emergency responder is responsible for issuing community notifications. The agency also sought comment on how facilities should document situations in which local emergency planning committees or emergency responders are unwilling or unable to participate despite the facility's good-faith efforts to coordinate. In addition, the EPA requested comments on which public notification mechanisms should be reported to the EPA and other suggestions for data collection with respect to public notification systems.

As the proposal is intended to eliminate duplicative requirements, improve regulatory consistency, and focus resources on measures that have demonstrated safety benefits, industry stakeholders are likely to welcome many of the proposed revisions. The EPA estimates that the proposed revisions would generate annual compliance cost savings exceeding \$230 million nationwide. At the same time, some environmentalist organizations and community groups can be expected to challenge the rollback of requirements that the EPA previously presented as necessary to prevent chemical accidents and improve public transparency.

The extended public comment period closed in May, with Regulations.gov reporting approximately 31,000 comments received. The proposal remains under EPA review and may be revised before a final rule is issued, which is anticipated in late 2026. The proposal would require compliance with the modified or new provisions in the proposal within three years after the effective date of the final rule. And the proposal would rescind the compliance dates for those of the 2024 amendments that are wholly abandoned by this proposal, while preserving the compliance dates for the 2024 amendments that are left partially or wholly intact.

Facilities subject to the RMP regulations should continue complying with existing requirements until the rule has been finalized. Companies that invested significant resources to implement the 2024 amendments may wish to assess how the proposed revisions could affect ongoing compliance programs and future capital expenditures. Notably, the proposal states, "The EPA is committed to conducting this rulemaking expeditiously to avoid disruption of any serious reliance interests related

to certain SCCAP [2024 amendment] compliance dates.” Regulated facilities should continue to monitor this rulemaking.

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