

BASE ASSOCIATES

July 24, 2003

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3450 Regional Parkway, Suite C
Santa Rosa, CA 95403

Subject: Risk Management Plan (RMP) Consideration of Separation of Subject Toxic
Regulated Hazardous Materials at a Stationary Source

Dear Mr. Caparros:

You have asked for the impact on the RMP of the separation of a subject toxic regulated hazardous material (RHM) at a stationary source. I am providing this information based upon my experience and background as:

- 1) Past RMP Manager for Sacramento County in California
- 2) Present managing RMP program for Colusa County in California
- 3) Present RMP reviewer and consultant for Nevada County in California
- 4) Present major contributor at monthly workshop for Administering Agencies in Northern California on RMP issues and considerations
- 5) Prepared over three hundred (300) RMP submittals to Federal and State (43 states) cognizant agencies by my consulting firm, BASE ASSOCIATES
- 6) Assistance to the California legislation to incorporate the Federal RMP program in the State of California
- 7) Eight (8) years of managing, preparing, reviewing and providing expertise on Federal and State RMP documents

A stationary Source is required to prepare a RMP for the Federal EPA, and possibly a State cognizant agency, if the total quantity of a subject RHM contained in a subject regulated process exceeds the threshold quantity, as per 40 CFR Part 68 Section 68.115.

The question that must be asked is, can the separate containers influence each other to lead to a release?

Consideration is given to whether these containers are located such that they could be involved in a single release. If so, the total quantity in all the containers must be added together to determine if there is more than a threshold quantity. This is termed co-location. Multiple vessels are considered to be co-located if a release from one of the containers can lead to a release from another containers; or an event external to the containers has the potential to release the RHM from multiple containers. The co-located toxic containers may be involved in a release caused by a fire or explosion that occurs from another source. Containers separated by firewalls or other impermeable barricades that will contain the blast waves from such explosions are not considered co-located. But if they are in the same room they are co-located, as per General Guidance For Risk Management Programs (40 CFR Part 68) page 1- 7.

Consideration will be given to the use of the: TGO Technologies, Inc., "ChlorTainer" with toxic RHM and the determination of the threshold amount.

- 1) All the toxic containers are in ChlorTainers and are interconnected in such a way that a release from one container can lead to a release from another container. These toxic containers are co-located.
- 2) All the toxic containers are in ChlorTainers and are not interconnected in such a way that a release from one container cannot lead to a release from another container, these toxic containers are not co-located.
- 3) The stored toxic containers are not in the same room as the toxic containers in the ChlorTainers. These toxic containers are not co-located.

The following points should be noted. The ChlorTainer:

- 1) Provides fire protection for one ton container.
- 2) Provides blast protection for one-ton container.
- 3) One ton containers are not co-located if each one ton containers is in ChlorTainer.
- 4) One ton containers are not co-located if one ton containers in storage are not in the same room as the one ton containers connected to the toxic gas usage system.
- 5) Is a treatment system as required for Article 80 of Fire Code for toxic gas release.

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- 6) Is fail-safe treatment system since no active components are required to function for ChlorTainer to be a treatment system. For example, fan and pumps required to operate in scrubber as treatment system.
- 7) Is active treatment system since it is part of the normally operational toxic gas system. For example, scrubber is on stand-by to operate as treatment system.
- 8) Is not a stand-by treatment system, which has to be activated to function as treatment system. For example, fan and pumps must be started and required to operate for scrubber to operate as treatment system.
- 9) Functions as treatment system even if doors and/or windows are open in room with one-ton container having toxic gas release. Doors and windows must be closed in room with one-ton container having toxic gas release to provide proper suction capability for scrubber fan of scrubber treatment system.
- 10) Greatly reduces quantity of toxic gas release to be considered for worst case and alternative release scenarios in Federal and/or State Risk Management Plan (RMP) with all toxic gas containers in ChlorTainers.

If there are any questions or further information required, please don't hesitate to contact me.

Sincerely,

Ronald J. Baschiere
Senior Partner