

**Summary Table for Changes to 40 CFR Part 68 Chemical Accident Prevention Provisions
including EPA’s Amendments Rule (2017) and Reconsideration Rule (2019)**

INITIAL CHANGES as per EPA’s “AMENDMENTS RULE” (2017)	SUBSEQUENT CHANGES as per EPA’s “RECONSIDERATION RULE” (2019)	IMPACT/EFFECT ON TCPA RULE, N.J.A.C. 7:31	ACTION(S) REQUIRED FOR COMPLIANCE AND ASSOCIATED TIMEFRAME
<p><u>40 CFR 68.3: Definitions</u> In alphabetical order, insert the following definitions: active measures, CBI, inherently safer technology or design, LEPC, passive measures, practicability, procedural measures, root cause, third-party audit.</p>	<p>All of the new definitions except for CBI and LEPC are rescinded.</p>	<p>The 2019 changes are incorporated by reference.</p>	<p>None</p>
<p><u>40 CFR 68.10: Applicability (of Subpart A – General)</u> This section is modified to include the compliance dates for all of the 2017 RMP Amendments as discussed throughout this document.</p>	<p>This section is modified once again to include the new compliance dates for all of the changes associated with the Reconsideration Rule as discussed throughout this document.</p>	<p>The 2019 changes are incorporated by reference with changes at N.J.A.C. 7:31-1.1(c)3i through v.</p>	<p>All of the compliance dates specified in § 68.10 for the most recent rule changes are reflected in the comments listed in this column. (VARIES BY SECTION AS SHOWN BELOW)</p>

**Summary Table for Changes to 40 CFR Part 68 Chemical Accident Prevention Provisions
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INITIAL CHANGES as per EPA’s “AMENDMENTS RULE” (2017)	SUBSEQUENT CHANGES as per EPA’s “RECONSIDERATION RULE” (2019)	IMPACT/EFFECT ON TCPA RULE, N.J.A.C. 7:31	ACTION(S) REQUIRED FOR COMPLIANCE AND ASSOCIATED TIMEFRAME
<p>40 CFR 68.12: General Requirements Revisions are made to paragraphs (c)(4) and (c)(5); paragraph (c)(6) is added.</p> <p>Former paragraph (d)(4) is replaced with a new paragraph that specifies the need to coordinate response actions with local emergency planning and response agencies as provided in § 68.93.</p> <p>Former paragraph (d)(4) is renumbered as (d)(5) and modified to state that in addition to the development and implementation of an emergency response program, exercises shall be conducted as provided in §§ 68.90 to 68.96.</p> <p>Former paragraph (d)(5) is renumbered as (d)(6).</p>	<p>Paragraphs (b), (b)(4), and (c) are modified to update/correct various cross-references.</p> <p>A cross-reference in paragraph (d) is updated. The modifications to (d)(4), (d)(5), and (d)(6) remain in place.</p> <p>See above.</p> <p>See above.</p>	<p>None of the changes to paragraphs (b) or (c) are incorporated since neither of these paragraphs are incorporated by reference as per N.J.A.C. 7:31-1.1(b).</p> <p>The 2019 changes are incorporated by reference.</p> <p>Incorporated by reference with changes at N.J.A.C. 7:31-1.1(c)4iii(5).</p> <p>Incorporated by reference.</p>	<p>None</p> <p>Refer to comments for §§ 68.90, 68.93, 68.95, and 68.96.</p> <p>See above.</p> <p>See above.</p>
<p><u>40 CFR 68.48, 68.50, 68.54, 68.58, 68.59 [NEW], 68.60</u> Various revisions are made to these sections.¹</p>	<p>Section 68.59 is removed. No new changes to § 68.48, various rescissions to other sections.¹</p>	<p>None of these changes are incorporated.</p>	<p>None</p>

**Summary Table for Changes to 40 CFR Part 68 Chemical Accident Prevention Provisions
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INITIAL CHANGES as per EPA’s “AMENDMENTS RULE” (2017)	SUBSEQUENT CHANGES as per EPA’s “RECONSIDERATION RULE” (2019)	IMPACT/EFFECT ON TCPA RULE, N.J.A.C. 7:31	ACTION(S) REQUIRED FOR COMPLIANCE AND ASSOCIATED TIMEFRAME
<p><u>40 CFR 68.65: Process Safety Information (PSI)</u> The introduction to paragraph (a) is revised and a new requirement added that PSI is kept up-to-date. In the note to paragraph (b), “Material Safety Data Sheets” is replaced with “Safety Data Sheets.”</p>	<p>Keeping PSI up-to-date as stated in paragraph (a) is rescinded. The change to the paragraph (b) note remains in place.</p>	<p>The 2019 changes are incorporated by reference.</p>	<p>None</p>
<p><u>40 CFR 68.67: Process Hazard Analysis</u> Paragraph (c)(2) is modified to specify that the findings from pertinent incident investigations shall be addressed during the process hazard analysis.</p> <p>Paragraph (c)(8) is added, which requires the process hazard analysis to address safer technology and alternative risk management measures applicable to eliminating or reducing risks from process hazards. The practicability of the inherently safer technologies and designs considered shall also be determined. These requirements only apply for processes in NAICS 322, 324, and 325.</p>	<p>The modifications to paragraph (c)(2) are rescinded.</p> <p>New paragraph (c)(8) is rescinded.</p>	<p>The 2019 changes are incorporated by reference.</p> <p>The more stringent requirements of N.J.A.C. 7:31-4.12: Inherently Safer Technology Review will continue to apply for <u>all</u> processes.²</p>	<p>None</p> <p>None</p>
<p><u>40 CFR 68.71: Training</u> Paragraph (d) is added, which specifies that for the purposes of this section, the term “employee” shall also include supervisors with process operational responsibilities.</p>	<p>Paragraph (d) is rescinded.</p>	<p>The 2019 changes are incorporated by reference.</p>	<p>None</p>

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<p><u>40 CFR 68.79: Compliance Audits</u> Paragraph (a) is modified to reference third-party audits and new paragraph (f) of this section.</p> <p>Paragraph (f) is added, which specifies that the next required compliance audit shall be a third-party audit when an accidental release meeting the criteria in § 68.42(a) from a covered process at a stationary source has occurred; or an implementing agency requires a third-party audit due to conditions at the stationary source that could lead to an accidental release of a regulated substance; or when a previous third-party audit failed to meet the competency or independence criteria of § 68.80(c).</p> <p>Paragraph (g) is added, which describes the notification process to be followed when an implementing agency requires a third-party audit as described above, and the appeals process to be followed by the owner or operator when they feel an implementing agency’s requirement for a third-party audit is unwarranted.</p> <p>Paragraph (h) is added, which provides the schedule for conducting a third-part audit, depending on the particular circumstances as discussed in paragraph (f) of this section.</p>	<p>The modifications to paragraph (a) are rescinded.</p> <p>Paragraph (f) is rescinded.</p> <p>Paragraph (g) is rescinded.</p> <p>Paragraph (h) is rescinded.</p>	<p>The 2019 changes are incorporated by reference with changes at N.J.A.C. 7:31-4.1(c)13.</p> <p>The 2019 changes are incorporated by reference.</p> <p>The 2019 changes are incorporated by reference.</p> <p>The 2019 changes are incorporated by reference.</p>	<p>None</p> <p>None</p> <p>None</p> <p>None</p>

**Summary Table for Changes to 40 CFR Part 68 Chemical Accident Prevention Provisions
including EPA’s Amendments Rule (2017) and Reconsideration Rule (2019)**

INITIAL CHANGES as per EPA’s “AMENDMENTS RULE” (2017)	SUBSEQUENT CHANGES as per EPA’s “RECONSIDERATION RULE” (2019)	IMPACT/EFFECT ON TCPA RULE, N.J.A.C. 7:31	ACTION(S) REQUIRED FOR COMPLIANCE AND ASSOCIATED TIMEFRAME
<p><u>40 CFR 68.80 [NEW]: Third-Party Audits</u> Paragraph (a) refers to § 68.79(f) to specify when a third-party audit is required.</p> <p>Paragraph (b) states that the owner or operator can either engage a third-party auditor or assemble an auditing team that is led by a third-party auditor.</p> <p>Paragraph (c) outlines the competency and independence requirements that must be met by the third-party auditor(s).</p> <p>Paragraph (d) describes third-party auditor responsibilities.</p> <p>Paragraph (e) specifies the content of the audit report as related to this section.</p> <p>Paragraph (f) discusses the reporting and correction of findings, as well as third-party audit recordkeeping requirements.</p>	<p>New section 68.80 is removed in its entirety.</p>	<p>The 2019 changes are incorporated by reference.</p>	<p>None</p>

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<p><u>40 CFR 68.81: Incident Investigation</u></p> <p>Paragraph (a) is reworded to require the investigation of near misses as well as catastrophic releases. The phrase “of a regulated substance” is dropped from the end of the paragraph.</p> <p>Paragraph (d) is revised to specify a timeframe of 12 months for completing an incident report in the absence of a written approval for an extension from the implementing agency. Report requirements are modified or added in a number of the paragraphs that follow, as indicated below:</p> <p>(d)(1) – revised to include the incident time and location</p> <p>(d)(3) – revised to require a chronological description of the incident³</p> <p>(d)(4) – changed to require the name and amount of EHS involved in the incident or near miss</p> <p>(d)(5) – changed to require the consequences of the incident</p> <p>(d)(6) – added to require the inclusion of emergency response actions taken</p> <p>(d)(7) – added to require the inclusion of contributing factors and root causes [former (d)(4) with the addition of root causes]</p> <p>(d)(8) – added to require the inclusion of recommendations and the schedule for addressing them [former (d)(5) in part]</p>	<p>The rewording of paragraph (a) to include near misses is rescinded. The phrase “of a regulated substance” remains deleted.</p> <p>The 12-month timeframe for report completion is rescinded. All changes associated with (d)(1) and (d)(3) through (d)(8) are rescinded, reverting this section back to its original (pre-Amendments Rule) wording and numbering.³</p>	<p>The 2019 changes are incorporated by reference with changes at N.J.A.C. 7:31-4.1(c)16, which extend the applicability of this section’s requirements to <u>all</u> EHS accidents or potential catastrophic events (near misses).²</p> <p>The 2019 changes are incorporated by reference with changes at N.J.A.C. 7:31-4.1(c)15, and 17 through 21, which include additional incident report requirements for TCPA.</p>	<p>None - Incident investigation of all EHS accidents <u>and</u> potential catastrophic events (i.e., near misses) remains as a TCPA requirement.</p> <p>None</p>
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<p><u>40 CFR 68.90: Applicability (of Subpart E – Emergency Response)</u></p> <p>Paragraph (a) is modified to indicate that a “responding” stationary source must meet the requirements of sections 68.93 (new), 68.95, and 68.96 (new).</p> <p>Paragraph (b) is modified to indicate that a “non-responding” stationary source does not need to comply with § 68.95 provided the criteria that follow are met, which are changed as shown below:</p> <p>(b)(4) – added to require the performance of annual emergency response coordination activities as specified under § 68.93 (new)</p> <p>(b)(5) – added to require the performance of annual notification exercises as specified under 68.96(a) [new]</p>	<p>The modifications to paragraph (a) remain in place.</p> <p>The modifications to paragraph (b) remain in place.</p>	<p>Incorporated by reference.</p> <p>Incorporated by reference with changes specified at N.J.A.C. 7:31-5.1(c)1 which requires non-responding facilities to comply with § 68.95.</p>	<p>Responding as well as non-responding facilities/stationary sources shall perform the emergency response <u>coordination</u> activities specified in new section 68.93 annually or more frequently if necessary. (IMMEDIATELY)</p> <p>Responding as well as non-responding facilities/stationary sources shall also conduct <u>notification</u> exercises at least once per year as specified in paragraph (a) of new section 68.96. (PERFORM 1st NOTIFICATION EXERCISE BY DECEMBER 19, 2024)</p>

**Summary Table for Changes to 40 CFR Part 68 Chemical Accident Prevention Provisions
including EPA’s Amendments Rule (2017) and Reconsideration Rule (2019)**

<p><u>40 CFR 68.93 [NEW]: Emergency Response Coordination Activities</u></p> <p>Paragraph (a) states that coordination with local emergency planning and response organizations shall occur at least annually to address any changes in the emergency response/action plan, community emergency response plan, etc.</p> <p>Paragraph (b) describes what must be provided to local emergency planning and response organizations as part of the coordination activities:</p> <ul style="list-style-type: none"> • The facility’s emergency response plan and/or emergency action plan • Updated emergency contact information • Any additional information deemed relevant to local emergency response planning <p>Responding stationary sources must consult with local emergency response officials to establish schedules and plans for emergency response field and tabletop exercises required under § 68.96(b). The owner or operator shall request an opportunity to meet with the LEPC (or equiv.) and/or local fire department as appropriate to review/discuss these materials.</p> <p>Paragraph (c) specifies the documentation requirements for the coordination activities.</p>	<p>Paragraph (a) remains in place.</p> <p>The third bullet point item associated with paragraph (b) is reworded to state “and other information necessary for developing and implementing the local emergency response plan.”</p> <p>Paragraph (c) remains in place.</p>	<p>Incorporated by reference.</p> <p>The 2019 changes are incorporated by reference, however a tabletop exercise as discussed in § 68.96 will still not be an acceptable substitute for a TCPA (EHS) emergency response exercise since the requirements of N.J.A.C. 7:31-5.2(b)2 are more stringent.²</p> <p>Incorporated by reference.</p>	<p>Coordination activities as described in § 68.93 must be performed at least annually, and specific documentation requirements must be met for the coordination activities. (IMMEDIATELY)</p> <p>See above.</p> <p>See above.</p>
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	Paragraph (d) is added, which states that the disclosure of information classified or restricted by the Dept. of Defense or other Federal agencies shall be controlled by applicable laws, regulations, or executive orders.	The 2019 changes are incorporated by reference.	See above.
<p><u>40 CFR 68.95: Emergency Response Program</u></p> <p>Paragraph (a)(1)(i) is revised to ensure that the emergency response (ER) plan contains procedures for informing the public as well as appropriate emergency response agencies at the <u>Federal, state, and local</u> levels about accidental releases.</p> <p>Paragraph (a)(4) is modified to include the circumstances that would trigger a review/update of the emergency response plan as per program procedures.</p>	<p>The revisions to paragraph (a)(1)(i) remain in place.</p> <p>The modifications to paragraph (a)(4) remain in place.</p>	<p>Incorporated by reference.</p> <p>Incorporated by reference.</p>	<p>Ensure the emergency response plan contains procedures for informing appropriate Federal, state, and local response agencies about accidental releases. (IMMEDIATELY)</p> <p>Modify procedures accordingly to make certain that the ER plan is reviewed and updated as needed based on facility changes or new information obtained from coordination activities, ER exercises, incident investigations, or other available data. (IMMEDIATELY)</p>

**Summary Table for Changes to 40 CFR Part 68 Chemical Accident Prevention Provisions
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<p><u>40 CFR 68.96 [NEW]: Emergency Response Exercises</u></p> <p>Paragraph (a) requires the performance and documentation of annual notification exercises at least once each calendar year. For responding facilities, the notification exercise can be part of field exercises or tabletop exercises.</p> <p>Paragraph (b) states that an owner or operator subject to the requirements of § 68.95 shall develop and implement an exercise program for its emergency response program. Exercises shall involve facility response personnel and contractors as appropriate. Planning must be coordinated with local response officials, who shall also be invited to participate. Additional requirements of the emergency response exercise program include the following:</p> <p>(b)(1) – field exercises shall be conducted that simulate the accidental release of a regulated substance</p> <p>(i) – they shall be performed once every ten years or more frequently if deemed necessary by local response officials during coordination activities as specified in § 68.93</p> <p>(ii) – they shall include tests of notification procedures, communication systems, equipment deployment, etc.</p> <p>(b)(2) – tabletop exercises shall be conducted that simulate the</p>	<p>Paragraph (a) is modified to correct an erroneous cross-reference and to provide a deadline for performing the first notification exercise.</p> <p>Paragraph (b)(1)(i) is revised to remove the minimum frequency for field exercises.</p> <p>Paragraph (b)(1)(ii) is modified by making most items specified for inclusion in the field exercise as recommendations and not requirements. As per the revised paragraph, field exercises “shall involve tests of the source’s ER plan, including deployment of ER personnel and equipment.”</p> <p>Paragraph (b)(2)(i) is revised to include a deadline for performing the first tabletop exercise (Dec. 21, 2026).</p> <p>Paragraph (b)(2)(ii) is modified by making most items specified for</p>	<p>The 2019 changes are incorporated by reference.</p> <p>The 2019 changes are incorporated by reference, with the following exceptions:</p> <ul style="list-style-type: none"> the frequency of field exercises as described in (b)(1)(i) must still be at least once every calendar year as specified in N.J.A.C. 7:31-5.2(b)2. conducting tabletop exercises as described in § 68.96(b)(2) does not apply since the requirements of N.J.A.C. 7:31-5.2(b)2 are more stringent.² 	<p>Responding as well as non-responding facilities/stationary sources shall perform notification exercises at least once per year as specified in paragraph (a) in addition to the annual ER exercises currently performed pursuant to N.J.A.C. 7:31-5.2(b)2. Further requirements regarding the planning, performance, and documentation of the emergency response field exercises as specified in § 68.96 must be met. (PERFORM 1st NOTIFICATION EXERCISE BY DECEMBER 19, 2024)</p>
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**Summary Table for Changes to 40 CFR Part 68 Chemical Accident Prevention Provisions
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<p>accidental release of a regulated substance</p> <p>(i) – they shall be performed once every three years or more frequently if deemed necessary by local response officials during coordination activities as specified in § 68.93</p> <p>(ii) – they shall include discussions of notification procedures, equipment deployment procedures, etc.</p> <p>(b)(3) – an evaluation report containing specific items shall be prepared within 90 days of each exercise</p> <p>Paragraph (c) describes the alternate means by which the emergency response exercise requirements of this section can be met:</p> <p>(c)(1) – exercises conducted to meet other Federal, state, or local requirements that also meet the requirements of this section</p> <p>(c)(2) – responses to accidental releases, provided the requirements of this section are met. An after-action report comparable to the evaluation report specified in paragraph (b)(3) of this section must be prepared within 90 days of the incident.</p>	<p>inclusion in the tabletop exercise as recommendations and not requirements. As revised, tabletop exercises “shall involve discussions of the source’s ER plan.”</p> <p>Paragraph (b)(3) is revised to recommend rather than require certain items for inclusion in the evaluation report.</p> <p>Paragraph (c) remains in place.</p>	<p>Incorporated by reference, with the exception that responses to accidental releases as described in paragraph (c)(2) will not be accepted as an alternate means of meeting the requirements of this section. The more stringent requirements of N.J.A.C. 7:31-5.2(b) will apply.²</p>	<p>None</p>
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INITIAL CHANGES as per EPA's "AMENDMENTS RULE" (2017)	SUBSEQUENT CHANGES as per EPA's "RECONSIDERATION RULE" (2019)	IMPACT/EFFECT ON TCPA RULE, N.J.A.C. 7:31	ACTION(S) REQUIRED FOR COMPLIANCE AND ASSOCIATED TIMEFRAME
<p><u>40 CFR 68.130: List of Substances</u> Table 1 (List of Regulated Toxic Substances and Threshold Quantities for Accidental Release Prevention) and Table 4 (List of Regulated Flammable Substances and Threshold Quantities for Accidental Release Prevention) are updated to eliminate a few minor typographical errors and/or formatting issues.</p>	<p>The changes to § 68.130 remain in place.</p>	<p>Incorporated by reference.</p>	<p>None</p>
<p><u>40 CFR 68.160: Registration</u> Paragraph (b)(21) is added to specify that pursuant to § 68.210(c), the RMP shall include the method and location of communication stating that chemical hazard information is available to the public.</p> <p>Paragraph (b)(22) is added to specify that pursuant to § 68.210(e), the RMP shall indicate whether a public meeting has been held following an RMP reportable accident.</p>	<p>The content of paragraph (b)(21) is rescinded.</p> <p>Paragraph (b)(22) is renumbered to become (b)(21) and an erroneous cross-reference is corrected.</p>	<p>None of these changes are incorporated since § 68.210 is not incorporated in its entirety as per N.J.A.C. 7:31-8.1(b).</p> <p>None of these changes are incorporated since § 68.210 is not incorporated in its entirety as per N.J.A.C. 7:31-8.1(b).</p>	<p>None</p> <p>None</p>
<p><u>40 CFR 68.170: Prevention Program/Program 2</u> Several revisions are made to this section.</p>	<p>Paragraph (i) is revised.</p>	<p>None of these changes are incorporated since this section was deleted as per N.J.A.C. 7:31-7.1(c)10.</p>	<p>None</p>

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<p><u>40 CFR 68.175: Prevention Program/Program 3</u></p> <p>Paragraph (e) is reworded to provide introductory text for the paragraphs that follow.</p> <p>Paragraph (e)(1) is changed to match former paragraph (e), which requires the RMP to include the most recent PHA completion date and the technique used. The expected date of completion of any changes resulting from the PHA is no longer required.</p> <p>Paragraph (e)(7) is added, which requires the RMP to include the inherently safer technology or design measures implemented since the last PHA, if any, and the technology category (substitution, minimization, simplification and/or moderation).</p> <p>Paragraph (k) is revised to also require the RMP to include whether the most recent compliance audit was a third-party audit.</p> <p>Paragraph (l) is modified to specify that the <u>completion</u> date of the most recent incident investigation is stated in the RMP.</p>	<p>The rewording of paragraph (e) is rescinded.</p> <p>The changes to paragraph (e)(1) are rescinded.</p> <p>Paragraph (e)(7) is rescinded.</p> <p>The rewording of paragraph (k) is rescinded.</p> <p>The changes to paragraph (l) remain in place.</p>	<p>The 2019 changes are incorporated by reference.</p> <p>The 2019 changes are incorporated by reference.</p> <p>The 2019 changes are incorporated by reference.</p> <p>The 2019 changes are incorporated by reference.</p> <p>Incorporated by reference.</p>	<p>None</p> <p>None</p> <p>None</p> <p>None</p> <p>When submitting the next RMP 5-year update, ensure the date for RMP item 7.11.a reflects the <u>completion</u> date of the most recent accident investigation. (IMMEDIATELY)</p>

**Summary Table for Changes to 40 CFR Part 68 Chemical Accident Prevention Provisions
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<p><u>40 CFR 68.180: Emergency Response Program and Exercises</u></p> <p>Along with its title, the entire section is revised as summarized below to remove several requirements while adding others:</p> <p>(a) The owner or operator shall provide in the RMP:</p> <ul style="list-style-type: none"> (1) Name, organizational affiliation, phone number, and e-mail address of LEPCs with which the stationary source last coordinated emergency response efforts (2) The date of the most recent coordination with the LEPCs (3) A list of Federal or state emergency plan requirements to which the stationary source is subject <p>(b) The owner or operator shall identify in the RMP whether the facility is a responding stationary source or a non-responding stationary source</p> <ul style="list-style-type: none"> (1) For non-responding stationary sources, the owner or operator shall identify: <ul style="list-style-type: none"> (i) For stationary sources with any regulated toxic substances, whether the stationary source is included in the community emergency response plan developed under 42 U.S.C. 11003 (ii) For stationary sources with only regulated flammable substances, the date of the most recent coordination with the local fire department (iii) What mechanisms are in place to notify the public and emergency responders when there is a need for emergency response (iv) The date of the most recent notification exercise 	<p>The changes to § 68.180 remain in place, with the exception that “organizational affiliation” is deleted from paragraph (a)(1).</p>	<p>The 2019 changes are incorporated by reference. In accordance with § 68.96(c)(1), conducting tabletop exercises as described in § 68.96(b)(2) and referenced in § 68.180(b)(2)(iv) does not apply since the requirements of N.J.A.C. 7:31-5.2(b)2 are more stringent.²</p>	<p>Update the RMP to reflect any new data requirements specified in this section once the Department makes entry possible via eNJRMP. (AFTER DECEMBER 19, 2024)</p>
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<p>(2) For responding stationary sources, the owner or operator shall identify:</p> <ul style="list-style-type: none"> (i) The date of the most recent review and update of the emergency response plan (ii) The date of the most recent notification exercise (iii) The date of the most recent field exercise (iv) The date of the most recent tabletop exercise 			
<p><u>40 CFR 68.190: Updates</u> Paragraph (c) is modified to require that the owner or operator meets applicable reporting and incident investigation requirements prior to de-registration.</p>	<p>The modifications to paragraph (c) are rescinded.</p>	<p>The 2019 changes are incorporated by reference with changes at N.J.A.C. 7:31-7.1(c)6.</p>	<p>None</p>
<p><u>40 CFR 68.200: Recordkeeping</u> This section is revised to specify that records supporting the implementation of the owner or operator’s risk management program be kept <u>at the stationary source</u> for 5 years.</p>	<p>The changes to § 68.200 remain in place.</p>	<p>Incorporated by reference with changes at N.J.A.C. 7:31-8.1(c)1.</p>	<p>Maintain required TCPA records at the facility for 5 years before potentially archiving offsite, as might be the case with mechanical integrity/preventive maintenance records and/or design safety review reports, etc. (IMMEDIATELY)</p>
<p><u>40 CFR 68.210: Availability of Information to the Public</u> Numerous revisions are made to this section.</p>	<p>Some paragraphs are rescinded while others are modified further.</p>	<p>None of these changes are incorporated since § 68.210 is not incorporated in its entirety as per N.J.A.C. 7:31-8.1(b).</p>	<p>None</p>

**Summary Table for Changes to 40 CFR Part 68 Chemical Accident Prevention Provisions
including EPA's Amendments Rule (2017) and Reconsideration Rule (2019)**

¹These amendments cover changes to Subpart C - Program 2 Prevention Program requirements, which do not apply to TCPA registrants since the TCPA rules do not incorporate by reference the Program 2 requirements.

² Where NJ rules are more stringent, the less stringent amendments will be excluded from incorporation as provided by N.J.A.C. 7:31-1.4(e).

³ Former paragraph (d)(3) was separated into several paragraphs, consistent with the incorporation by reference changes per N.J.A.C. 7:31-4.1(c)18, resulting in several items in § 68.81 to be renumbered.