

40 CFR 264, 265, & 279 – RCRA CONTINGENCY PLAN

1.0 INTRODUCTION

The US EPA requires that large quantity generators of hazardous waste prepare a written contingency plan designed to minimize hazards to human health or the environment from fires, explosions, or unplanned sudden or non-sudden releases of hazardous waste to the air, soil, ground water, or surface water. The plan must be carried out immediately if there is a fire, explosion or discharge of hazardous waste or hazardous waste constituents which could threaten human health or the environment. The US EPA strongly recommends that small quantity generators also prepare written contingency plans.

2.0 ELEMENTS OF THE CONTINGENCY PLAN

The contingency plan contains a description of the actions that facility personnel will take in response to fires, explosions or any unplanned releases of hazardous waste or hazardous waste constituents to air, soil, groundwater, or surface water at the facility. If the owner or operator has already prepared a Spill Prevention, Control and Countermeasures (SPCC) Plan or some other emergency or contingency plan, the generator need only amend the plan to incorporate the RCRA provisions necessary to comply with state and federal RCRA regulations.

A RCRA contingency plan is required to contain the following information:

- Arrangements agreed to by local police departments, fire departments, hospitals, contractors and state and local emergency response teams to coordinate emergency services.
- An up-to-date list of names, addresses, and office and home phone numbers of all persons qualified to act as emergency coordinator. If more than one person is listed, one must be named as primary emergency coordinator and the others must be listed in the order in which they will assume responsibility as alternates.

- An up-to-date list of all emergency equipment at the facility, including location, physical description of each item listed and a brief outline of its capabilities.
- An evacuation plan that includes signals to be used to begin evacuation, evacuation routes and alternate evacuation routes.

3.0 DISTRIBUTION

Copies of the contingency plan and all revisions must be maintained at the facility and are required to be submitted to all local police and fire departments, hospitals, and state and local emergency response teams that may be called upon to provide emergency services. Documentation that verifies that the most recent version of the contingency plan and any revisions to that plan have been submitted to local emergency service providers must be maintained at the facility.

4.0 AMENDMENT

The contingency plan is required to be reviewed and amended immediately if:

- applicable regulations are revised
- the plan fails in an emergency
- the facility changes in a way that materially increases the potential for fires, explosions, or releases of hazardous waste or hazardous waste constituents, or changes the response necessary in an emergency;
- the list of emergency coordinators changes
- the list of emergency equipment changes.

5.0 EMERGENCY COORDINATOR

At all times the generator is required to have at least one employee either at the facility, or available to respond to an emergency by reaching the facility within a short period of time who has been assigned the responsibility for coordinating all emergency response measures. This person is known as the emergency coordinator. He or she must be familiar with the following:

- all aspects of the facility's contingency plan,
- all operations and activities at the facility,
- the locations and characteristics of waste handled,
- the location of all records within the facility

- the facility layout.

This person is required to be invested with the authority to commit the resources needed to implement the contingency plan.

6.0 EMERGENCY PROCEDURES

The emergency coordinator (or his or her designee when the emergency coordinator is on call) is required to do the following immediately any time that there is an imminent or actual emergency situation:

1. Activate internal alarms or communication systems;
2. Notify appropriate state or local agencies with designated response roles if their help is needed;
3. If a release has occurred, identify the source, character, amount and extent of any released materials by record review or chemical analysis;
4. Assess hazards to human health and the environment, considering all direct and indirect effects;
5. If the emergency coordinator determines that the facility has had a fire, explosion or release which could threaten human health or the environment outside the facility, the coordinator must:
 - Determine if local evacuation may be necessary, and, if so, notify appropriate local authorities and be available to assist local authorities in evacuation measures; and
 - Notify the National Response Center (800-424-8802) and indicate his or her name and telephone number; name and address of the facility; time and type of incident; quantity of material(s) involved to the extent known; the extent of any injuries; and the possible hazards to human health or the environment outside the facility.
6. Take all reasonable measures necessary to ensure that fires, explosions and releases do not occur, recur, or spread to other hazardous waste at the facility. These measures are required to address, where applicable, stopping processes and operations, collecting and containing released waste, and removing or isolating containers;
7. If the facility stops operations in response to a fire, explosion or release, the emergency coordinator must monitor for leaks, pressure buildup, gas generation or ruptures in valves, pipes or other equipment, wherever this is appropriate;
8. Immediately after an emergency, the emergency coordinator must provide for treatment, storage or disposal of recovered waste, contaminated soil or surface water, or any other material that resulting from a release of hazardous materials or constituents, or a fire or explosion at the facility;

9. Ensure that in the affected areas of the facility, no waste that may be incompatible with the released material is stored until cleanup procedures are completed and all emergency equipment is cleaned and restored to a useable condition.

7.0 INCIDENT REPORTING

In the event of an imminent or actual emergency situation, the owner or operator shall notify the Vermont Agency of Natural Resources that the facility is in compliance with the applicable regulations before operations are resumed in the affected areas of the facility. The generator must also maintain on file with the contingency plan a record of the time, date and details of any incident that requires implementation of the contingency plan. A written report must be submitted to the Agency within 10 days of the incident.

The report must include:

- Name, address and telephone number of the owner or operator;
- Name address and telephone number of the facility;
- Date, time and type of incident (e.g., fire, explosion);
- Name and quantity of material(s) involved;
- The extent of injuries, if any;
- An assessment of actual or potential hazards to human health or the environment, where this is applicable; and
- Estimated quantity and disposition of recovered material that resulted from the incident.

8.0 PREPAREDNESS AND PREVENTION REQUIREMENTS

Small and large quantity generator facilities are required to be maintained and operated in a manner that minimizes the possibility of fire, explosion or release of hazardous waste or hazardous waste constituents to air, soil, groundwater, or surface water which could threaten human health or the environment.

8.1 REQUIRED EQUIPMENT

All facilities are required to be equipped with the following equipment, unless none of the hazards posed by waste handled at the facility could require a particular kind of equipment specified below:

- An internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel. Any time that hazardous

waste is being poured, mixed, spread, or otherwise handled, all personnel involved in the operation must have immediate access to an internal alarm or emergency communication device, either directly or through visual or voice contact with another employee.

- A device, such as a telephone, immediately available at the scene of operations, or a hand held two-way radio, capable of summoning emergency assistance from local police departments, fire departments or state or local emergency response teams. If there is ever just one employee on site while the facility is operating, that lone employee must have immediate access to a device, such as a telephone (immediately available at the scene of operation) or a handheld two-way radio, capable of summoning external emergency assistance.
- Portable fire extinguishers, fire control equipment (including special extinguishing equipment such as that using foam, inert gas or dry chemicals), spill control equipment and decontamination equipment necessary for responding to emergencies at the facility.
- Water at adequate volume and pressure to supply water hose streams or foam producing equipment, or automatic sprinklers or water spray systems installed at the facility.

All communications or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment at the facility, is required to be tested and maintained as necessary to assure its proper operation in time of emergency.

8.2 ARRANGEMENTS WITH LOCAL AUTHORITIES

The generator is required to make every attempt to make appropriate emergency response arrangements for the type of waste handled at their facility and the potential need for the services of these organizations. Refusal of any emergency authorities to enter into such arrangements must be documented.

<ul style="list-style-type: none"> ▪ Police Department ▪ Fire Department ▪ Emergency Response Teams 	<p>These organizations should be familiar with the layout of the facility, properties of hazardous waste handled at the facility and associated hazards, places where the facility personnel would normally be working, entrances to roads inside the facility, and possible evacuation routes</p>
<ul style="list-style-type: none"> ▪ Police department ▪ Fire department ▪ Contractors 	<p>Agreements should designate primary emergency authority to a specific police department and a specific fire department and agreements with any others to provide support to the primary emergency authority.</p>

<ul style="list-style-type: none"> ▪ Hospitals 	<p>Arrangements should be made to familiarize local hospitals with the properties of hazardous waste handled at the facility and the types of injuries or illnesses which could result from fires, explosions, or releases at the facility.</p>
<ul style="list-style-type: none"> ▪ Emergency Response Teams ▪ Emergency Response Contractors ▪ Equipment Suppliers 	<p>Agreements should be documented that spell out the services that will be provided by these services if an emergency arises.</p>

9.0 REQUIREMENTS FOR SMALL QUANTITY GENERATOR

The small quantity generator is required to comply with the following emergency preparedness requirements:

At all times there must be at least one employee either on the premises or on call with the responsibility of implementing the emergency response procedures and completing the incident reporting requirements described above. This employee is the emergency coordinator.

Small quantity generators are required to post the following information next to each telephone located in the vicinity of where hazardous wastes are managed:

- The name and telephone numbers (office and home) of the emergency coordinator(s);
- Location of fire extinguishers and spill control material, and, if present, fire alarm;
- The telephone number of the fire department, unless the facility has a direct alarm.

The owner or operator is required to ensure that each employee is thoroughly familiar with evacuation signals and routes, and proper waste handling and emergency procedures relevant to their responsibilities during normal facility operations as well as emergencies. The small quantity generator must maintain a list of employees with hazardous waste management responsibilities that is updated on an annual basis.