

Resource Conservation and Recovery Act (RCRA) Hazardous Waste Model Permit Contingency Plan Module

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When EPA releases a new or revised model permit module, it replaces the corresponding module, including the corresponding module in the 1988 Model RCRA Permit for Hazardous Waste Management Facilities (Draft).

MODULE IV. CONTINGENCY PLAN AND EMERGENCY PROCEDURES

{Permit Writer: This permit module contains conditions covering the contingency plan and emergency procedures standards required of 40 CFR part 264, Subpart D.}

The model permit conditions in this module reference federal regulations and guidance. Permit Writers should confirm their regulatory citations and their authority's guidance for each permit condition and replace (or add to) the federal citations with state analogous regulatory citations and/or references as applicable. When jointly issuing permits, the federal Permit Writer will issue the federal portion of the permit citing the federal regulations while the state Permit Writer will cite the state analogous regulatory citation in the state's jointly issued portion of the permit.

State Permit Writers need to add or revise permit conditions for State regulatory requirements that are broader in scope, more specific, or otherwise different than the federal requirements.

Permit Writers can insert the title(s) of their regulatory authority's appropriate official(s) for or in addition to instances where the module uses "Director." When jointly issuing permits, the federal Permit Writer will cite the EPA Region's appropriate official in the federal portion of the permit and the state will cite the state's appropriate official in the state's portion of the permit.

IV.A. IMPLEMENTATION OF CONTINGENCY PLAN

IV.A.1. The Permittee must have and maintain a Contingency Plan for the Facility. The Contingency Plan must be designed to minimize hazards to human health or the environment from fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water. [Refer to 40 CFR 264.51(a).]

IV.A.2. The Permittee must immediately implement the provisions of the Contingency Plan, per Section {XXX} of the Approved Permit Application, whenever there is a fire, explosion, or any release of hazardous waste or constituents that could threaten human health or the environment. [Refer to 40 CFR 264.51(b) and 40 CFR 270.14(b)(7).]

IV.B. CONTENT OF CONTINGENCY PLAN

IV.B.1. The Contingency Plan in Section {XXX} of the Approved Permit Application must accurately describe the actions facility personnel must take to comply with Permit Conditions IV.A.2. and IV.F. in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water at the

Facility. [Refer to 40 CFR 264.52(a) and 40 CFR 270.14(b)(7).]

IV.B.3. The Plan must accurately describe arrangements agreed to by local police departments, fire departments, hospitals, contractors, and State and local emergency response teams to coordinate emergency services, pursuant to Permit Condition III.F. Arrangements with Local Authorities. [Refer to 40 CFR 264.52(c).]

IV.B.4. The Plan must list names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator (refer to Permit Condition IV.E.), and this list must be kept up to date. Where more than one person is listed, one must be named as primary emergency coordinator and others must be listed in the order in which they will assume responsibility as alternates. [Refer to 40 CFR 264.52(d).]

{Permit Writer: For new facilities, the information in IV.B.4. must be supplied to the Director at the time of certification per 40 CFR 264.52(d).}

IV.B.5. The Plan must include a list of all emergency equipment at the Facility (such as fire extinguishing systems, spill control equipment, communications, and alarm systems (internal and external), and decontamination equipment), where this equipment is required. This list must be kept up to date. In addition, the Plan must include the location and a physical description of each item on the list, and a brief outline of its capabilities. [Refer to 40 CFR 264.52(e).]

IV.B.6. The Plan must include an evacuation plan for Facility personnel where there is a possibility that evacuation could be necessary. This evacuation plan must describe signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes (in cases where the primary routes could be blocked by releases of hazardous waste or fires). [Refer to 40 CFR 264.52(f).]

IV.C. COPIES OF CONTINGENCY PLAN

IV.C.1. The Permittee must maintain at the Facility a complete and up to date hard copy (printed copy) of the Contingency Plan and all revisions and attachments to the Plan. [Refer to 40 CFR 264.53(a) and Permit Condition I.K. Information Repository.]

IV.C.2. The Permittee must submit complete and up to date copies of the Contingency Plan and all revisions and attachments to the Plan to all local police departments, fire departments, hospitals, and state and local emergency response teams that may be called upon to provide emergency services. [Refer to 40 CFR 264.53(b).]

IV.C.3. The Permittee must maintain a complete and up to date Contingency Plan per Section {XXX} of the Approved Permit Application in a location determined by the Director in the information repository specified in Permit Condition I.K.2. [Refer to 40 CFR 124.33 and 40 CFR 270.30(m).]

{Permit Writer: the Director may assess whether the Contingency Plan or portions of the Contingency Plan should be available on a publicly accessible website or via a link to a web-based copy accessible to all local police departments, fire departments, hospitals, and state and local emergency response teams that may be called upon to provide emergency services.}

IV.D. AMENDMENTS OF CONTINGENCY PLAN

IV.D.1. The Permittee must review and immediately amend, if necessary, the Contingency Plan whenever:

IV.D.1.a. The Facility permit is revised;

IV.D.1.b. The plan fails in an emergency;

IV.D.1.c. The Facility changes—in its design, construction, operation, maintenance, or other circumstances—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;

IV.D.1.d. The list of emergency coordinators changes; or

IV.D.1.e. The list of emergency equipment changes. [Refer to 40 CFR 264.54.]

IV.D.2. The Permittee must request modification of the permit and provide revisions to the permit application within {XXX} calendar days of Contingency Plan failure. For planned changes or permit modifications, the Permittee must request modification in accordance with 40 CFR Part 264, 40 CFR 270.42, and Appendix I to 270.42. [Refer to line B.6. in Appendix I: Modification for General Facility Standards – Contingency Plan.]

IV.E. EMERGENCY COORDINATOR

IV.E.1. The Permittee must ensure that a trained emergency coordinator is available at all times at the Facility or on call in case of an emergency (i.e., available to respond to an emergency by reaching the facility within {XXX} minutes). The trained emergency coordinator must be

thoroughly familiar with all aspects of the Facility's Contingency Plan, all operations and activities at the Facility, the location and characteristics of waste handled, the location of all records within the Facility, and the Facility layout. In addition, this person must have the authority to commit the resources needed to carry out the Contingency Plan. [Refer to 40 CFR 264.52(d) and 264.55.]

IV.F. EMERGENCY PROCEDURES

IV.F.1. Whenever there is an imminent or actual emergency situation, the emergency coordinator (or their designee when the emergency coordinator is on call) must immediately execute the Contingency Plan in accordance with Section {XXX} of the Approved Permit Application and permit condition IV.F. which must include:

IV.F.1.a. Activation of the internal facility alarms or communication systems, where applicable, to notify all facility personnel; and

IV.F.1.b. Notification of the appropriate State or local agencies with designated response roles if their help is needed. [Refer to 40 CFR 264.56(a) and 40 CFR 270.14(b)(7).]

IV.F.2. Whenever there is a release, fire, or explosion, the emergency coordinator must immediately identify the character, exact source, amount, and areal extent of any released materials. The emergency coordinator may do this by observation or by review of Facility records or manifests, and, if necessary, by chemical analysis. [Refer to 40 CFR 264.56(b).]

IV.F.3. Concurrently, the emergency coordinator must assess possible hazards to human health or the environment that may result from the release, fire, or explosion. This assessment must consider both direct and indirect effects of the release, fire, or explosion (e.g., the effects of any toxic, irritating, or asphyxiating gases that are generated, or the effects of any hazardous surface water run-off from water or chemical agents used to control fire and heat-induced explosions). [Refer to 40 CFR 264.56(c).]

IV.F.4. If the emergency coordinator determines that the Facility has had a release, fire, or explosion which could threaten human health, or the environment, outside the Facility, the emergency coordinator must report the findings as follows:

IV.F.4.a. If the assessment indicates that evacuation of local areas may be advisable, the emergency coordinator must immediately notify appropriate local authorities. The emergency coordinator must be available to help appropriate officials decide whether local areas should be evacuated; and

IV.F.4.b. The emergency coordinator must notify either the {appropriate government official designated as the on-scene coordinator for that geographical area}, or the National Response Center (using their 24-hour toll free number 800/424-8802) immediately. The report must include:

IV.F.4.b.i. Name and telephone number of reporter;

IV.F.4.b.ii. Name and address of Facility;

IV.F.4.b.iii. Time and type of incident (e.g., release, fire);

IV.F.4.b.iv. Name and quantity of material(s) involved, to the extent known;

IV.F.4.b.v. The extent of injuries, if any; and

IV.F.4.b.vi. The possible hazards to human health, or the environment, outside the Facility. [Refer to 40 CFR 264.56(d).]

IV.F.5. During an emergency, the emergency coordinator must 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 must include, where applicable, stopping processes and operations, collecting and containing release waste, and removing or isolating containers. [Refer to 40 CFR 264.56(e).]

IV.F.6. 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. [Refer to 40 CFR 264.56(f).]

IV.F.7. Immediately after an emergency, the emergency coordinator must provide for treating, storing, or disposing of recovered waste, contaminated soil or surface water, or any other material that results from a release, fire, or explosion at the Facility. [Refer to 40 CFR 264.56(g).]

IV.F.8. The emergency coordinator must ensure that, in the affected area(s) of the facility:

IV.F.8.a. No waste that may be incompatible with the released material is treated, stored, or disposed of until cleanup procedures are completed; and

IV.F.8.b. All emergency equipment listed in the Contingency Plan is cleaned and fit for its intended use before operations are resumed. [Refer to 40 CFR 264.56(h).]

IV.F.9. The Permittee must note in the operating record the time, date, and details of any incident that requires implementing the Contingency Plan. Within 15 days after the incident, the Permittee must submit a written report on the incident to the {Director}. The report must include:

IV.F.9.a. Name, address, and telephone number of the owner or operator;

IV.F.9.b. Name, address, and telephone number of the Facility;

IV.F.9.c. Date, time, and type of incident (e.g., fire, explosion);

IV.F.9.d. Name and quantity of material(s) involved;

IV.F.9.e. The extent of injuries, if any;

IV.F.9.f. An assessment of actual or potential hazards to human health or the environment, where this is applicable; and

IV.F.9.g. Estimated quantity and disposition of recovered material that resulted from the incident. [Refer to 40 CFR 264.56(i).]

{Permit Writer: You are encouraged to forward an electronic copy of incident reports to EPA Headquarters' Office of Resource Conservation and Recovery via email to ORCRincidenttracking@epa.gov}