

RCRA 101: Contingency Plans

Tim Prospert

Administrator,

Hazardous Waste Certification Programs

State of NH

How this works

- A resource for training NEW inspectors
 - Refresher for “old” inspectors?
- Introduction to the FEDERAL standards
 - Each state may have it's own interpretations
 - Each state may have more stringent rules

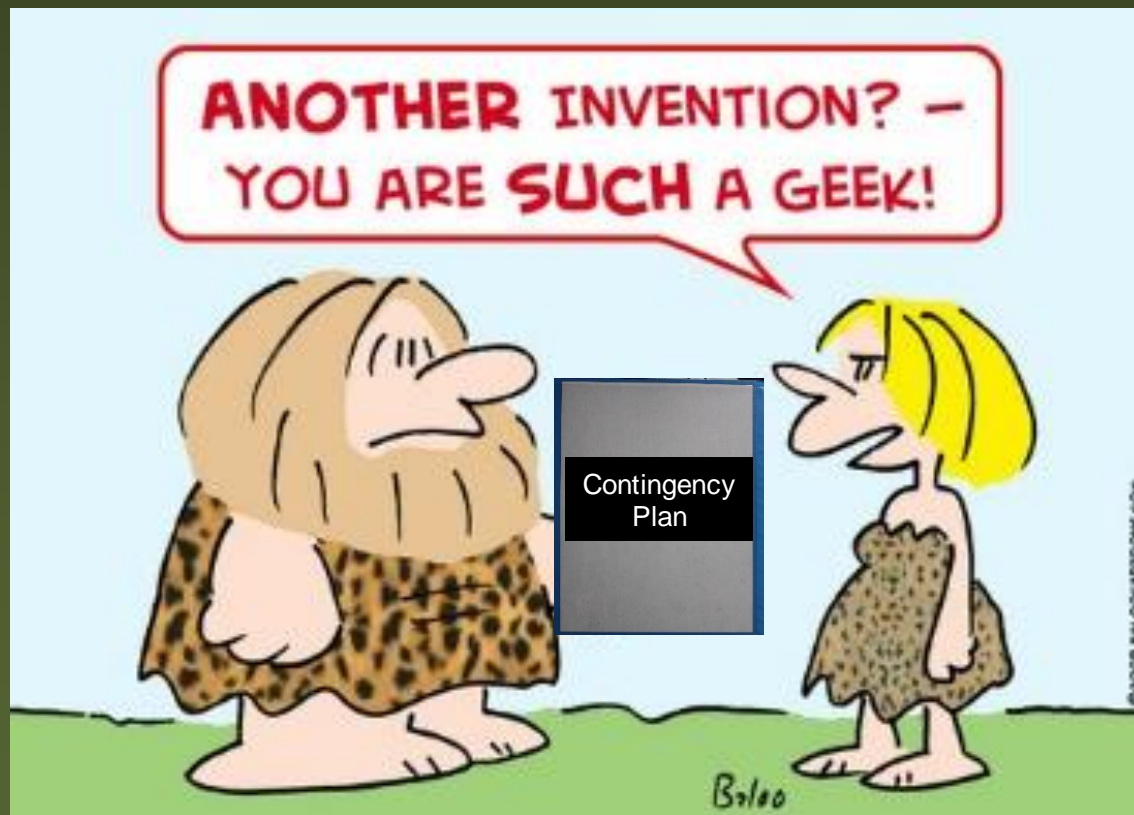
Pre-1976 - When waste was **just** waste







In the beginning...



Hazard Minimization in Three Parts

- Step 1. Don't have a Big Incident (P & P)
- Step 2. Have a plan ready in case Step 1 didn't work (Contingency Plan)
- Step 3. Get trained so Step 1 and Step 2 have a chance of working (Personnel Training)

Preparedness and Prevention

“P&P”

Preparedness & Prevention



- VSQGs – No
- SQGs – Yes – 265 Subpart C, 262.16(b)(8)&(b)(9)
- LQGs – Yes – 265 Subpart C, 262 Subpart M
- TSDFs – Yes – 264 and 265 Subpart C

Preparedness & Prevention Requirements

SQGs, LQGs and TSDFs

P&P Requirements

- Emergency Response Equipment
 - Alarm system – internal
 - Telephone – external
 - Portable fire control (fire extinguisher)
 - Spill control and decon. equipment
 - Adequate water or foam for fire control
- Tested and Maintained



Aisle Space – how much is enough?

One side...

...of each
container



P & P Requirements

- Must attempt arrangements with local emergency responders
- “...as appropriate for the type of waste handled at the facility and the potential need for the services of these organizations”
 - Typically done by providing a copy of contingency plan with this info included
 - If they refuse, it must be documented!



P & P Requirements

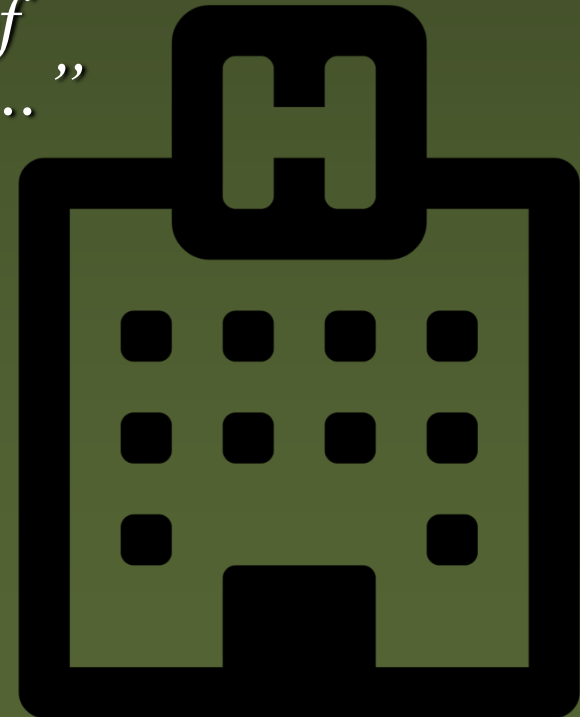
Inform Police, Fire, Emergency Response Teams

- Facility layout
- Hazardous wastes present and associated hazards
- Locations where staff normally work
- Access points to facility
- Evacuation routes
- Agreements with contract or government response teams

P & P Requirements

Hospitals:

“Agreements to familiarize local hospitals with the properties of hazardous waste handled at the facility and the types of injuries or illnesses that could result...”



Preparedness & Prevention

SQGs Only

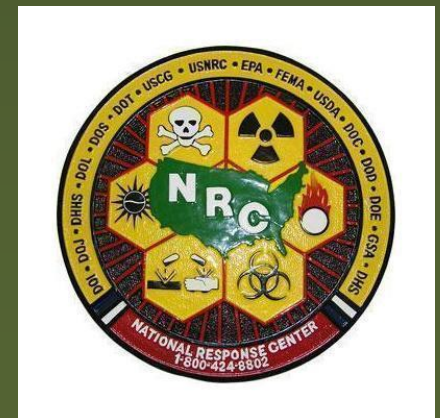
SQG Only

- Emergency coordinator
 - Extinguish fire or call fire dept.
 - Contain or remediate spills or hire a contractor do it



SQG Only

- Emergency coordinator (“E.C.”)
 - Report to National Response Center if there’s a threat to human health or the environment
 - Name, address, EPA ID#
 - Date, time, type of incident
 - Quantity and type of waste involved
 - Extent of injuries
 - Quantity and end fate of cleanup



SQG Only

- A posting next to the telephone
 - Emergency coordinator name & number
 - Telephone # of fire department
 - Location of:
 - Fire extinguishers
 - Spill control
 - Fire alarm

NEW HAMPSHIRE
Environmental
Services

Sample Posting

EMERGENCY RESPONSE NOTIFICATION LIST

CONTACT	PHONE NUMBER
FIRE:	911
POLICE:	911
AMBULANCE:	(603) 555-1111
HOSPITAL:	(603) 555-2232
NH DES Spill Response & Complaint Investigation Section:	(603) 271-3899
NH STATE POLICE:	(Main-Fri. 8:00 - 4:00 PM)
NATIONAL RESPONSE CENTER:	(800) 424-8802
ABC TRANSPORTER:	(603) 555-3333

EMERGENCY COORDINATORS

CONTACT	PHONE NUMBER
PRIMARY: JOE GENERATOR:	Work: EXT. 123 Home: (603) 555-4444
ALTERNATE #1: ANITA C. PROFIT:	Work: EXT. 456 Home: (603) 555-5555
ALTERNATE #2: JOHN HAZLEAK:	Work: EXT. 789 Home: (603) 555-6666

The diagram is a detailed floor plan of a facility with various rooms and an evacuation route. Rooms include: Boiler, Compressor, Maintenance, Office, Screen Making, Acwork, Dark Room, Photo, Offices, Cointrails, Main, Women, Engineering, Lab, Waste Treatment, Bolder, Drilling, Laminite, Layout, Fabrication, Quality Control, Solids Lead, COPPER PLATE, TIN/LEAD PLATE, NICKEL PLATE, REAGENT STRIP, GLASS SHEET, THROUGH HOLE PLATE, ETCH, GOLD PLATE, NICKEL/SOLD. Exits are marked with 'EXIT' and arrows. A red line indicates the evacuation route, starting from the Cointrails area and leading to the Waste Treatment area. A red 'X' marks the destination of the evacuation route. A legend in the bottom left corner defines symbols: 'X' for Fire Detector, 'A' for Alarm Location, 'S' for Storage Area, and 'B' for Building Entrance. A legend in the bottom right corner defines evacuation routes: 'Primary' (solid line), 'Secondary' (dashed line), and 'Your Location' (red 'X').

Preparedness & Prevention

Generator Improvements Rule

Generator Improvements Rule

- **SQGs** – Include description of “likely illnesses or injuries” in arrangements with authorities
- **SQGs/LQGs** - Must document attempt to make arrangements with local authorities, not just refusal
- **SQGs/LQGs** - Possible state/local waiver from making arrangements with local authorities
- **SQGs/LQGs** - No cell phones for internal alarm
- **SQGs/LQGs** – P&P applies to CAAs and SAAs

The Contingency Plan

Do you plan?

Central Pacific

Eastern Pacific

Atlantic

Atlantic Tropical Cyclones
and Disturbances

9-14-2020



45N

PAULETTE



35N

SALLY



25N

VICKY



15N

TEDDY



5N



4:59 am EDT
Tue Sep 15 2020

100W

90W

80W

70W

60W

50W

40W

30W

20W

Current Disturbances and Two-Day Cyclone Formation Chance:

< 40%

40-60%

> 60%

Tropical or Sub-Tropical Cyclone:

Depression

Storm

Hurricane

Post-Tropical Cyclone or Remnants

What is a contingency plan?

(40 CFR 260.10)

“A document

Written

*setting out an organized,
planned, and coordinated course
of action to be followed*

Set of instructions

*in case of a fire, explosion, or
release of hazardous waste or
hazardous waste constituents*

To follow in a
hazardous waste
emergency...

*which could threaten human
health or the environment.”*

...a really bad one

Two Broad Functions:

- Prepares the person in charge to respond to emergencies



- Panic Mode!

- Forces them to recognize in advance what risks might present at their site

- Educates off-site emergency personnel in some of the hazards they can expect at the site



Who is required to have a contingency plan?

- VSQGs – No
- SQGs – No – Covered in P&P
- LQGs – Yes – 265 Subpart D, 262 Subpart M
- TSDFs – Yes – 264, 265 Subpart D



At a Glance...

- 265.51 – When to use the plan
- 265.52 – Description of the content (chapters) of the plan
- 265.53 – Who gets copies of the plan
- 265.54 – When it gets updated
- 265.55 – Who can be an Emergency Coordinator
- 265.56 – How to respond to emergencies

When to Use the Plan

40 CFR 265.51

When to use it

- First - You must have one
- Use it when there's a "Threat to human health or the environment"
 - What does THAT mean?



Content of the Plan

40 CFR 265.52

Content of Contingency Plan

- Describes arrangements with local authorities – Sound familiar?
- Same stuff identified in Preparedness & Prev.
 - Facility layout
 - Hazardous wastes present and associated hazards
 - Locations of staff normally working
 - Access points to facility
 - Evacuation routes
 - Agreements with contract or government response teams
 - & more!



Content of Contingency Plan

- List Emergency Coordinator(s)
 - Thou shalt be in charge!



Content of Contingency Plan

Describes Facility Evacuation Plan

- What is the primary route?
- What is the back-up route?
- What is the signal to get out?



Content of Contingency Plan

■ Describes Emergency Equipment

- What do they have? The plan must say it!
- Preparedness and prevention stuff, plus any other response items
- Where is it? Be specific!
- What is it used for?
 - Describe when appropriate



Distributing the Plan

40 CFR 265.53

Copies of the Plan

- Maintain a copy at the facility
 - Where is it when they evacuate the building?
- Provide copies to emergency responders
 - Must keep information up to date

Making Updates to the Plan

40 CFR 265.54

Updating the plan

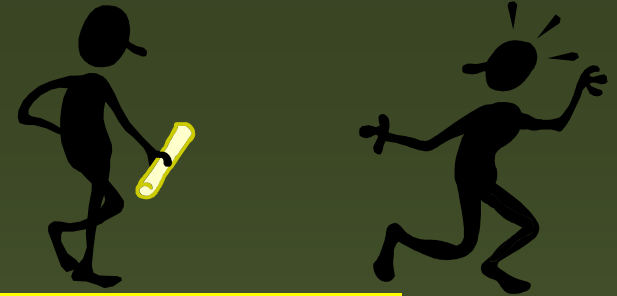


Plan fails

Update with Changes



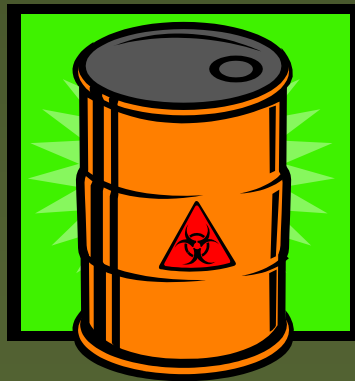
Rules



Emergency
Coordinator



Emergency
Equipment changes



New waste
stream



Facility

The “Emergency Coordinator”

40 CFR 265.55

Emergency Coordinator Qualifications

Coordinates Response



Hello
my name is

Anita C. Profit

Names

Addresses

Home & office phone #

Who is the primary?

Emergency Coordinator Qualifications (262.264)



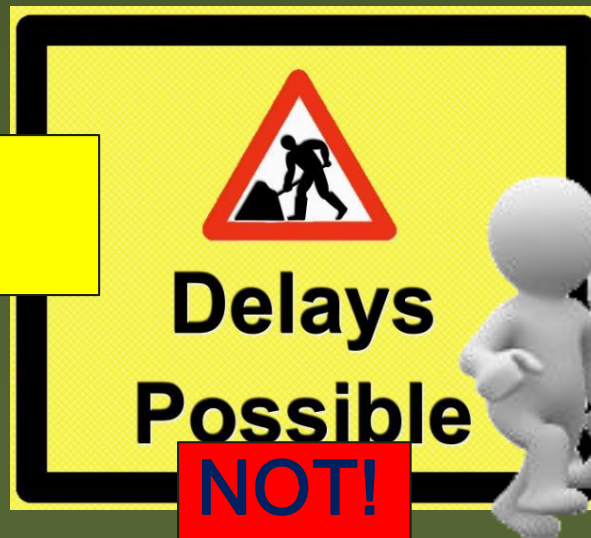
Can get there fast



Knows the
plan, the
facility, &
the wastes



Authority to commit
resource\$



Emergency Procedures

40 CFR 265.56

Emergency Procedures

- Plan must include the steps to take on how to minimize impact from **fires**, **explosions**, and **releases** of hazardous waste (265.52(a))



Emergency /Remedial Action

- **The Emergency Coordinator must immediately:**

1. Activate Facility Alarms



2. Notify Emergency Responders



Emergency Coordinator will:

- Identify the character, exact source, amount and areal extent of release
 - What is it
 - Where did it come from
 - How much is there
 - How far has it travelled



Emergency Coordinator will:

- Evaluate hazards to human health or the environment
 - Direct and Indirect
 - Personal Injury
 - Release to wetland
 - Sewer
 - Neighbors and Community



E.C. will provide this specific information to responders:

- His/her name and phone #
- Name and address of facility
- Time and type of incident
- Name and amount of material involved
- Extent of injuries
- Potential hazards to humans and environment
OUTSIDE the facility

Emergency Coordinator will:

- Take all reasonable measures to prevent spread, occurrence or recurrence of fires and explosions
 - Stopping processes
 - Collecting and containing released waste
 - Removing or isolating containers



Emergency Coordinator will:

- Monitor for additional problems where appropriate
 - Leaks
 - Pressure buildup
 - Gas generation
 - Equipment failures, etc...

After emergency, E.C. must immediately treat, store or dispose of:

- Recovered waste
- Contaminated soil or surface water
- Any other material that results from incident



The E.C must ensure, in the affected area:

- No waste incompatible with released material is treated, stored or disposed of until cleanup is done
- All emergency equipment is ready for use/reuse before operations are resumed (!!!)



The Owner or Operator must:

- Create and maintain a report on file
 - Time
 - Date
 - Details of the incident

Within 15 Days the Owner or Operator must submit a report to EPA or State Commissioner:

- Their name and address
- Facility name and address
- Date, time and type of incident
- Name and quantity of materials involved
- The extent of injuries
- Actual or potential hazardous to H., H. or E.
- Amount and disposition of recovered material

Contingency Plan

Generator Improvements Rule

LQGs Only

LQG Req.

Generator Improvements Rule

- “Emergency #” for emergency coordinator
 - Removes references to “home and office #”
- Plan applies to all areas of generation
 - CAAs and SAAs - 265.15(a)(7) & (8)
- Can put emergency equipment where they feel is most appropriate

New LQGs and Old LQGs Updating Plans

- Quick reference guide of the plan, including:
 - Layman's description of wastes and hazards
 - Max amount at any time
 - Wastes of concern to hospitals
 - Location of wastes in facility
 - Street map/access to facility
 - Location of water supply
 - Description of alarms
 - Name and number of Emergency Coordinator

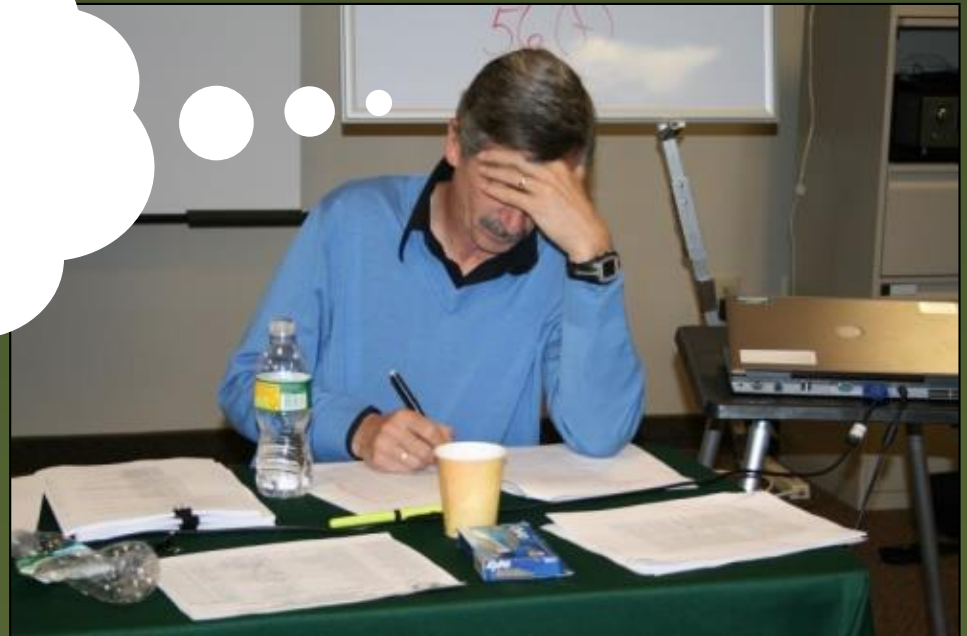
Common Violations

- No documentation that arrangements were made with local authorities
- Missing text:
 - What information will be relayed to emergency responders
 - That requires facility to replace emergency equipment before restarting operations
 - That they'll monitor operations while shut down, as appropriate
- Plan inaccessible if E.C. is out of office

Inspector Challenge - Format

- The best plan works for them, not for you.

**Where the
H%&# is the
Coordinator
listed?!?!**



Video Resources

- The Chemical Safety Board on Youtube
 - “Caught in the Storm – Extreme Weather Hazards”
 - Emergency Preparedness: Findings From CSB Accident Investigations”



- Timothy.j.prospert@des.nh.gov
- 603-271-2967

References

- 40 CFR 262
- 40 CFR 264
- 40 CFR 265
- 45 FR 33183
- 81 FR 85790
- 80 FR 57972