

**CONTINGENCY  
PLANS AND THE  
QUICK  
REFERENCE GUIDE**

**JOHN DOTTERWEICH**

**NJDEP**

**ENVIRONMENTAL SCIENTIST 2**

# WHAT HAPPENS WHEN YOU TAKE A DAY OFF



**OR THIS**



# DOES YOUR CONTINGENCY PLAN LOOK LIKE THIS?



# EMERGENCY PREPAREDNESS AND PLANNING

- Generator Rule made a wide variety of revisions to the emergency planning and preparedness requirements.
  - SQG regulations—§§262.16(b)(8) & (9)
  - LQG regulations—§ 262.17(a)(6) refers generators to part 262 subpart M
- Revisions are designed to improve emergency responders' ability to respond to events, improving compliance with existing requirements, and clarifying ambiguous regulations.
  - Scope of regulations
  - Contingency Plan Quick Reference Guide
  - Documentation of Arrangements
  - Technical Changes

# EMERGENCY PREPAREDNESS AND PLANNING

## Scope of the Emergency Preparedness and Planning Regulations

- Previous emergency preparedness regulations in part 262.34 stated that generators must comply “with the requirements for owners and operators in subparts C and D in 40 CFR part 265” for LQGs and “the requirements of subpart C of part 265” for SQGs
- Subparts C and D of part 265 do not include applicability statements relevant to generators of hazardous waste, making it unclear where these requirements apply at a generator’s site
- Revised regulations clearly specify that the emergency planning and preparedness requirements apply where hazardous waste is being generated or accumulated at the generator’s site— includes points of generation, satellite accumulation areas, and central accumulation areas (90-day areas)
- One-Plan is still applicable for generators under multiple statutes

# EMERGENCY PREPAREDNESS AND PLANNING

## Contingency Plan Quick Reference Guide

- The Quick Reference Guide is a new part of an LQG's contingency plan designed to provide easy access for emergency responders to the most critical information for an immediate response to an event
- New LQGs submitting contingency plans to also include a Quick Reference Guide (described as an Executive Summary in proposed rule)
- Existing LQGs to include a Quick Reference Guide when they otherwise update and submit their contingency plan

(§ 262.262)

# EMERGENCY PREPAREDNESS AND PLANNING

## Contingency Plan Quick Reference Guide

- Contents of the Quick Reference Guide (eight elements)
  - Types/names of hazardous waste and associated hazards
  - Estimated maximum amounts of hazardous wastes
  - Hazardous wastes requiring unique/special treatment
  - Map showing where hazardous wastes are generated, accumulated or treated at the facility
  - Map of facility and surroundings to identify routes of access and evacuation
  - Location of water supply
  - Identification of on-site notification systems
  - Name of emergency coordinator(s) or listed staffed position(s) and 7/24-hour emergency telephone number(s)
- EPA encourages generators to work with local emergency authorities and others to identify additional information that could be included



# QUICK REFERENCE GUIDE EXAMPLE

- EXAMPLE QUICK REFERENCE GUIDE

- This example was created by EPA Region 7 to be used as a guide to assist the regulated community with compliance. It does not substitute for or replace any regulatory requirements.

- **Contingency plan quick reference guide**

- ABC FACILITY

- 1000 SW Main Street

- Anytown, Iowa 50000

- **Facility Contacts:**

- Primary Emergency Coordinator: George Washington      Mobile Number (24/7): 515-555-0000

- Secondary Emergency Coordinator: Abraham Lincoln      Mobile Number (24/7): 515-555-0001

- Tertiary Emergency Coordinator: Martha Washington      Mobile Number (24/7): 515-555-0002

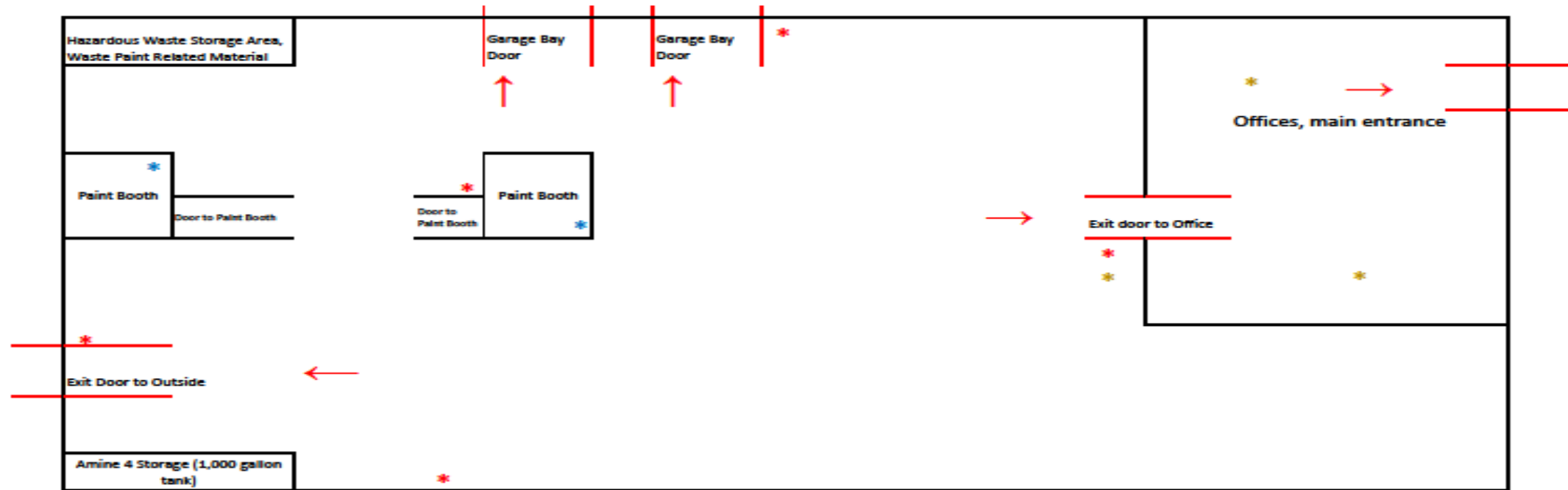
- **Note:** ABC Facility operates 3 shift, 24/7, but the order of contact during an emergency is listed above.

# QUICK REFERENCE GUIDE EXAMPLE

EXAMPLE QUICK REFERENCE GUIDE

Name of Waste	Waste Codes/Hazards	Location Accumulated	Maximum Amounts Present	Response Notes	Special Notes to Hospital/Treatment personnel
Paint Related Wastes (liquid)	D001 (ignitability, flash point <140 °F); F003, F005 (Benzene, Methyl Ethyl Ketone, Toluene, Toxicity)	NW corner of Warehouse, hazardous waste storage area	Five, 55-gallon drums (2,065 pounds)	If personnel come into direct contact with material, decontamination at the hospital may be required prior to treatment.	None
Paint Related Wastes (liquid)	D001 (ignitability, flash point <140 °F); F003, F005 (Benzene, Methyl Ethyl Ketone, Toluene, Toxicity)	Two Satellite Accumulation Areas as noted with blue asterisks on the attached map.	One, 55-gallon drum (440 pounds)	If personnel come into direct contact with material, decontamination at the hospital may be required prior to treatment.	None
Off-specification 2, 4-D , a herbicide, (brand name is Amine 4) (liquid)	D016 (toxicity); Flashpoint 190 °F.	SW corner of warehouse near new product storage of Amine 4.	Off-Spec – 1 tank, 1,000 gallons New product – 1 tank (same tank as off-spec), 1,000 gallons	Use PPE to prevent contact with skin and eyes. Immediately prevent spills from entering drains and waterways. Prevent sources of ignition and open flames.	Contact Chemtrac for emergency medical treatment information at 1-800-424-9300. If in eyes, wash eyes for several minutes.

# QUICK REFERENCE GUIDE EXAMPLE



- \* Satellite Accumulation Area for Paint Related Waste Material (D001, F003, F005)
- \* Fire Alarms (ring on-site only, there are no fire alarms that notify off-site personnel)
- \* Telephone for off-site notification of emergency

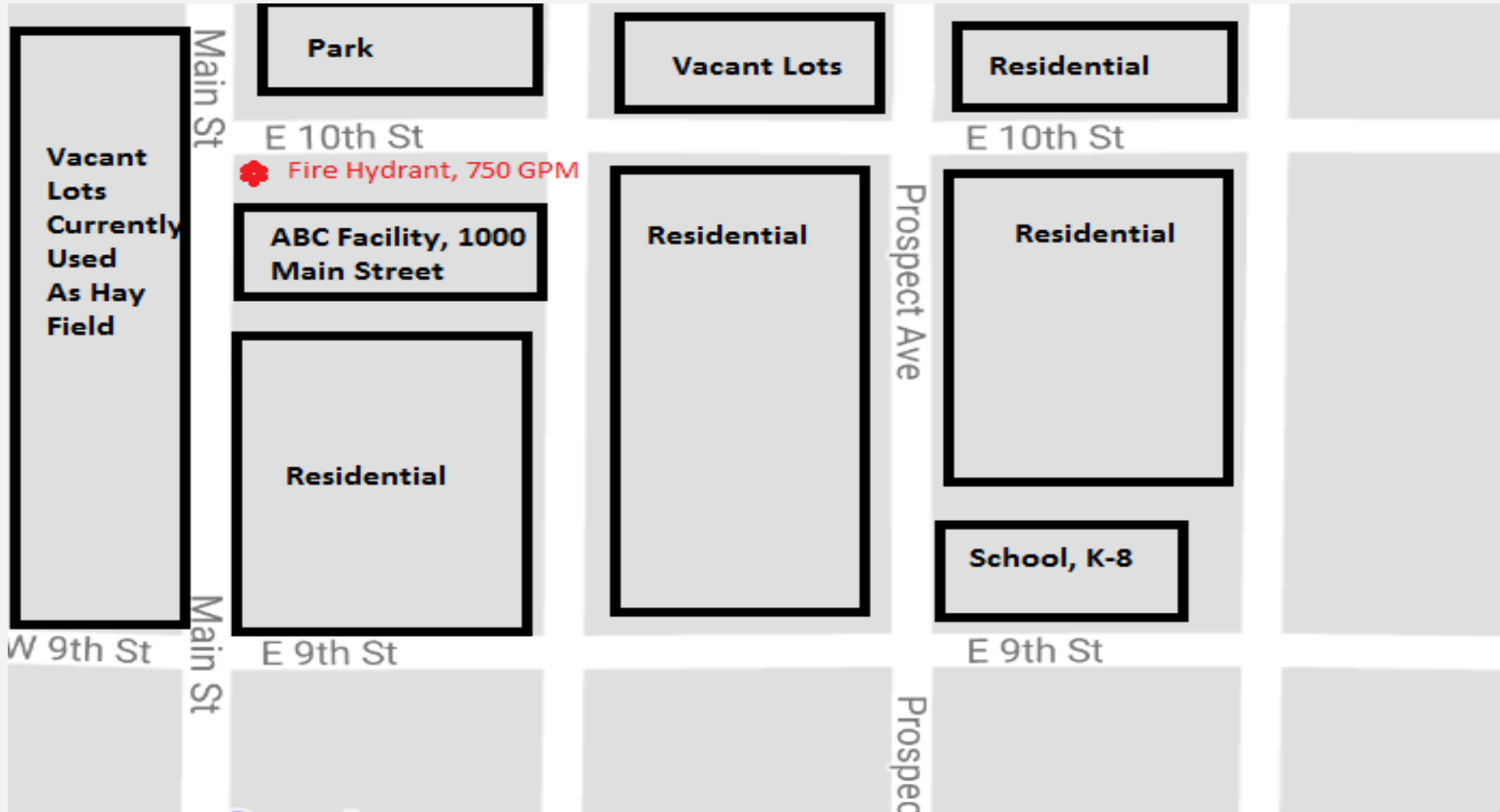
→ Indicates evacuation route out of the building.

**Note 1:** Hazardous waste (paint related waste) is generated and accumulated inside each of the two paint booths, and is accumulated in the hazardous waste storage area. Amine 4 can be a hazardous waste if it is off-specification and it is generated and accumulated in the SW corner at the Amine 4 tank.

**Note 2:** Smoke detectors are located throughout the office and main warehouse on the ceiling, in a grid about every 25 feet. Smoke detectors are connected to an automatic sprinkler system.

# QUICK REFERENCE GUIDE EXAMPLE

Street Map



# EMERGENCY PREPAREDNESS AND PLANNING

## Making and Documenting Arrangements with Local Emergency Responders

- The requirement for generators to make arrangements with local emergency responders is found in the previous regulations in part 265 subpart C (§ 265.37), applicable to both SQGs and LQGs.
- § 262.37(b) stated that when the state or local authorities refused to enter into agreements, it must be documented.
- Under the revisions, generators must document that they have attempted to make arrangements with local emergency responders (or that arrangements were sought but not obtained) and keep the documentation in the facility's operating record
- No specific form or type of documentation is required and additional flexibility is provided regarding where documentation can be retained

(§ 262.16(b)(8)(vi) & § 262.256)

# EMERGENCY PREPAREDNESS AND PLANNING

- LQGs can eliminate unnecessary employee personal information in the contingency plan (§ 262.261(d))
  - Replacing addresses and phone numbers of employees with an emergency telephone number and, where applicable, a position title, as long as the number is staffed at all times
- SQGs and LQGs may determine the most appropriate locations for emergency equipment, when it is not possible or unsafe to have the equipment located immediately next to the generating equipment (§ 262.16(b)(8)(ii)/ § 262.252)
- Add “direct or unimpeded access” as a meaning for the term “immediate access” in SQG and LQG regulations (§ 262.16(b)(8)(iv)/§ 262.254)
- Stating that SQGs the location relevant emergency response information should be posted is “next to the telephone” (§ 262.16(b)(9)(ii))
- Clarify that SQGs have the option to use contractors to address releases (containment/cleanup) (§ 262.16(b)(9)(iv)(B))
- Large facilities with internal response capabilities may seek a waiver from entering into arrangements with local authorities (§ 262.16(b)(8)(vi)(C)/ § 262.256(c))