

Comparison of New and Old Requirements in Hazardous Waste Generator Improvements Rule

40 CFR 262 Subpart M – Preparedness, Prevention, and Emergency Procedures for Large Quantity Generators	
New (262.250) Applicability	Old (265.30 and 265.50) Applicability
The regulations <u>of</u> this subpart apply to <u>those areas of a large quantity generator where hazardous is generated or accumulated on site.</u>	The regulations <u>in</u> this subpart apply to <u>owners and operators of all hazardous waste facilities, except as §265.1 provides otherwise.</u>
New (262.251) Maintenance and operation of facility	Old (265.31) Maintenance and operation of facility
<u>A large quantity generator</u> must <u>maintain and operate its facility</u> to minimize the possibility of fire, explosion or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.	<u>Facilities</u> must <u>be maintained and operated</u> to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.
New (262.252) Required equipment	Old (265.32) Required equipment
<p><u>All areas deemed applicable by §262.250</u> must be equipped <u>with the items in paragraphs (a) through (d) of this section (unless none of the hazards posed by waste handled at the facility could require a particular kind of equipment specified below or the actual hazardous waste generation or accumulation area does not lend itself for safety reasons to have a particular kind of equipment specified below).</u> A large quantity generator may determine the most appropriate locations within its facility to locate equipment necessary to prepare for and respond to emergencies:</p> <ul style="list-style-type: none"> (a) An internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel; (b) 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; (c) 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; and (d) Water at adequate volume and pressure to supply water hose streams, or foam producing equipment, or automatic sprinklers, or water spray systems. 	<p><u>All facilities</u> must be equipped <u>with the following</u> unless none of the hazards posed by waste handled at the facility could require a particular kind of equipment specified below:</p> <ul style="list-style-type: none"> (a) An internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel; (b) 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; (c) 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; and (d) Water at adequate volume and pressure to supply water hose streams, or foam producing equipment, or automatic sprinklers, or water spray systems.

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New (262.253) Testing and maintenance of equipment	Old (265.33) Testing and maintenance of equipment
<p>All communications or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment, where required, must be tested and maintained as necessary to assure its proper operation in time of emergency.</p>	<p>All facility communications or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment, where required, must be tested and maintained as necessary to assure its proper operation in time of emergency.</p>
New (262.254) Access to communications or alarm system	Old (265.34) Access to communications or alarm system
<p>(a) Whenever hazardous waste is being poured, mixed, spread, or otherwise handled, all personnel involved in the operation must have immediate access <u>(e.g., direct or unimpeded access)</u> to an internal alarm or emergency communication device, either directly or through visual or voice contact with another employee, <i>unless</i> such a device is not required under <u>§262.252</u>.</p> <p>(b) <u>In the event</u> there is just one employee on the premises while the facility is operating, <u>the employee</u> must have immediate access <u>(e.g., direct or unimpeded access)</u> to a device, such as a telephone (immediately available at the scene of operation) or a hand-held two-way radio, capable of summoning external emergency assistance, unless such a device is not required under <u>§262.252</u>.</p>	<p>(a) Whenever 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, <i>unless</i> such a device is not required under <u>§265.32</u>.</p> <p>(b) <u>If</u> there is just one employee on the premises while the facility is operating, <u>he</u> must have immediate access to a device, such as a telephone (immediately available at the scene of operation) or a hand-held two-way radio, capable of summoning external emergency assistance, unless such a device is not required under <u>§265.32</u>.</p>
New (262.255) Required aisle space	Old (265.35) Required aisle space
<p><u>The large quantity generator must maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency, unless aisle space is not needed for any of these purposes.</u></p> <p><i>15A NCAC 13A .0107(i) states:</i> <u>In addition, a large quantity generator shall maintain aisle space of at least 2 feet in a central accumulation area to allow the unobstructed movement of personnel, fire prevention equipment, spill control equipment, and decontamination equipment.</u></p>	<p>40 CFR 265.35 is not incorporated by reference into the state rules. 15A NCAC 13A .0110(c) provides state specific language of:</p> <p><u>Required aisle space: The owner or operator must</u> maintain aisle space of at least two feet to allow the unobstructed movement of personnel, fire prevention equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency.</p>

New (262.256) Arrangements with local authorities	Old (265.37) Arrangements with local authorities
<p>(a) <u>The large quantity generator</u> must attempt to make arrangements with the <u>local</u> police department, fire department, <u>other</u> emergency response teams, emergency response <u>contractors, equipment suppliers,</u> and local hospitals, taking into account the types and <u>quantities</u> of hazardous wastes handled at the facility. <u>Arrangements may be made with the Local Emergency Planning Committee, if it is determined to be the appropriate organization with which to make arrangements.</u></p> <p>(1) <u>A large quantity generator attempting to make arrangements with its local fire department must determine the potential need for the services of the local police department, other emergency response teams, emergency response contractors, equipment suppliers and local hospitals.</u></p> <p>(2) <u>As part of this coordination, the large quantity generator shall attempt to make arrangements, as necessary, to familiarize the above organizations</u> with the layout of the facility, the properties of the hazardous waste handled at the facility and associated hazards, places where personnel would normally be working, entrances to roads inside the facility, and possible evacuation routes as well as the types of injuries or illnesses <u>which could result from fires, explosions, or releases at the facility.</u></p> <p>(3) Where more than one police or fire department might respond to an emergency, <u>the large quantity generator shall attempt to make arrangements</u> designating primary emergency authority to a specific fire or police department, and arrangements with any others to provide support to the primary emergency authority.</p> <p>(b) <u>The large quantity generator shall maintain records documenting the arrangements with the local fire department as well as any other organization necessary to respond to an emergency. This documentation must include documentation in the operating record that either confirms such arrangements actively exist or, in cases where no arrangements exist, confirms that attempts to make such arrangements were made.</u></p> <p>(c) <u>A facility possessing 24-hour response capabilities may seek a waiver from the authority having jurisdiction (AHJ) over the fire code within the facility's state or locality as far as needing to make arrangements with the local fire department as well as any other organization necessary to respond to an emergency, provided that the waiver is documented in the operating record.</u></p>	<p>(a) <u>The owner or operator</u> must attempt to make the following arrangements, <u>as appropriate for</u> the type of waste handled at his facility <u>and the potential need for the services of these organizations:</u></p> <p>(1) Arrangements <u>to familiarize</u> police, fire departments, and emergency response teams with the layout of the facility, properties of hazardous waste handled at the facility and associated hazards, places where facility personnel would normally be working, entrances to roads inside the facility, and possible evacuation routes;</p> <p>(2) Where more than one police and fire department might respond to an emergency, <u>agreements</u> designating primary emergency authority to a specific police and a specific fire department, and agreements with any others to provide support to the primary emergency authority;</p> <p>(3) Agreements with State emergency response teams, emergency response contractors, and equipment suppliers; and</p> <p>(4) Arrangements 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> <p>(b) <u>Where the State or local authorities decline to enter into such arrangements, the owner or operator must document the refusal in the operating record.</u></p>

40 CFR 262 Subpart M – Preparedness, Prevention, and Emergency Procedures for Large Quantity Generators (continued)

New (262.260) Purpose and implementation of contingency plan	Old (265.51) Purpose and implementation of contingency plan
<p>(a) <u>A large quantity generator</u> must have 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.</p> <p>(b) The provisions of the plan must be carried out immediately whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment.</p>	<p>(a) <u>Each owner or operator</u> must have 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.</p> <p>(b) The provisions of the plan must be carried out immediately whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment.</p>

40 CFR 262 Subpart M – Preparedness, Prevention, and Emergency Procedures for Large Quantity Generators (continued)

New (262.261) Content of contingency plan	Old (265.52) Content of contingency plan
<p>(a) The contingency plan must describe the actions facility personnel must take to comply with <u>§§262.260 and 262.265</u> 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.</p> <p>(b) If the <u>generator</u> has already prepared a Spill Prevention, Control, and Countermeasures (SPCC) Plan in accordance with part 112 of this chapter, or some other emergency or contingency plan, it need only amend that plan to incorporate hazardous waste management provisions that are sufficient to comply with the standards of this part. The <u>generator</u> may develop one contingency plan that meets all regulatory standards. EPA recommends that the plan be based on the National Response Team's Integrated Contingency Plan Guidance (“One Plan”).</p> <p>(c) The plan must describe arrangements agreed to <u>with the</u> local police department, fire department, other emergency response teams, emergency response contractors, <u>equipment suppliers</u>, local hospitals or, <u>if applicable, the Local Emergency Planning Committee</u>, pursuant to <u>§262.256</u>.</p> <p>(d) The plan must list names and <u>emergency</u> telephone numbers of all persons qualified to act as emergency coordinator (<u>see §262.264</u>), 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. <u>In situations where the generator facility has an emergency coordinator continuously on duty because it operates 24 hours per day, every day of the year, the plan may list the staffed position (e.g., operations manager, shift coordinator, shift operations supervisor) as well as an emergency telephone number that can be guaranteed to be answered at all times.</u></p>	<p>(a) The contingency plan must describe the actions facility personnel must take to comply with <u>§§265.51 and 262.56</u> 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.</p> <p>(b) If the <u>owner or operator</u> has already prepared a Spill Prevention, Control, and Countermeasures (SPCC) Plan in accordance with part 112 of this chapter, or some other emergency or contingency plan, it need only amend that plan to incorporate hazardous waste management provisions that are sufficient to comply with the standards of this part. The <u>owner or operator</u> may develop one contingency plan that meets all regulatory standards. EPA recommends that the plan be based on the National Response Team's Integrated Contingency Plan Guidance (“One Plan”). <u>When modification are made to non-RCRA provisions in an integrated contingency plan, the changes do not trigger the need for a RCRA permit modification.</u></p> <p>(c) The plan must describe arrangements agreed to by the local police departments, fire departments, hospitals, other contractors and State and local emergency response teams to coordinate emergency services, pursuant to §265.37.</p> <p>(d) The plan must list names, <u>addresses</u>, and phone numbers (<u>office and home</u>) of all persons qualified to act as emergency coordinator (<u>see §265.55</u>), 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.</p>

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New (262.261) Content of contingency plan (continued)	Old (265.52) Content of contingency plan (continued)
<p>(e) 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.</p> <p>(f) The plan must include an evacuation plan for <u>generator</u> personnel where there is a possibility that evacuation could be necessary. This 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).</p>	<p>(e) 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.</p> <p>(f) The plan must include an evacuation plan for <u>facility</u> personnel where there is a possibility that evacuation could be necessary. This 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).</p>
New (262.262) Copies of contingency plan	Old (265.53) Copies of contingency plan
<p>A copy of the contingency plan and all revisions to the plan must be maintained at the <u>large quantity generator</u> and—</p> <p><u>(a) The large quantity generator must submit a copy of the contingency plan and all revisions to all local emergency responders (i.e., police departments, fire departments, hospitals and State and local emergency response teams that may be called upon to provide emergency services). This document may also be submitted to the Local Emergency Planning Committee, as appropriate.</u></p> <p><u>(b) A large quantity generator that first becomes subject to these provisions after May 30, 2017 or a large quantity generator that is otherwise amending its contingency plan must at that time submit a quick reference guide of the contingency plan to the local emergency responders identified at paragraph (a) of this section or, as appropriate, the Local Emergency Planning Committee. The quick reference guide must include the following elements:</u></p> <p><u>(1) The types/names of hazardous wastes in layman's terms and the associated hazard associated with each hazardous waste present at any one time (e.g., toxic paint wastes, spent ignitable solvent, corrosive acid);</u></p>	<p>A copy of the contingency plan and all revisions to the plan must be:</p> <p>(a) Maintained at the <u>facility</u>; and</p> <p>(b) Submitted to all local police departments, fire departments, hospitals, and State and local emergency response teams that may be called upon to provide emergency services.</p>

- (2) The estimated maximum amount of each hazardous waste that may be present at any one time;
 - (3) The identification of any hazardous wastes where exposure would require unique or special treatment by medical or hospital staff;
 - (4) A map of the facility showing where hazardous wastes are generated, accumulated and treated and routes for accessing these wastes;
 - (5) A street map of the facility in relation to surrounding businesses, schools and residential areas to understand how best to get to the facility and also evacuate citizens and workers;
 - (6) The locations of water supply (e.g., fire hydrant and its flow rate);
 - (7) The identification of on-site notification systems (e.g., a fire alarm that rings off site, smoke alarms); and
 - (8) The name of the emergency coordinator(s) and 7/24-hour emergency telephone number(s) or, in the case of a facility where an emergency coordinator is continuously on duty, the emergency telephone number for the emergency coordinator.
- (c) Generators must update, if necessary, their quick reference guides, whenever the contingency plan is amended and submit these documents to the local emergency responders identified at paragraph (a) of this section or, as appropriate, the Local Emergency Planning Committee.

40 CFR 262 Subpart M – Preparedness, Prevention, and Emergency Procedures for Large Quantity Generators (continued)

New (262.263) Amendment of contingency plan	Old (265.54) Amendment of contingency plan
<p>The contingency plan must be reviewed, and immediately amended, if necessary, whenever:</p> <ul style="list-style-type: none"> (a) Applicable regulations are revised; (b) The plan fails in an emergency; (c) The <u>generator</u> 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; (d) The list of emergency coordinators changes; or (e) The list of emergency equipment changes. 	<p>The contingency plan must be reviewed, and immediately amended, if necessary, whenever:</p> <ul style="list-style-type: none"> (a) Applicable regulations are revised; (b) The plan fails in an emergency; (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; (d) The list of emergency coordinators changes; or (e) The list of emergency equipment changes.
New (262.264) Emergency coordinator	Old (265.55) Emergency coordinator
<p>At all times, there must be at least one employee either on the <u>generator's</u> premises or on call (<i>i.e.</i>, available to respond to an emergency by reaching the facility within a short period of time) with the responsibility for coordinating all emergency response measures <u>and implementing the necessary emergency procedures outlined in §262.265. Although responsibilities may vary depending on factors such as type and variety of hazardous waste(s) handled by the facility, as well as type and complexity of the facility,</u> this emergency coordinator must be thoroughly familiar with all aspects of the <u>generator's</u> contingency plan, all operations and activities at the facility, the location and characteristics of <u>hazardous</u> waste handled, the location of all records within the facility, and the <u>facility's</u> layout. In addition, this person must have the authority to commit the resources needed to carry out the contingency plan.</p>	<p>At all times, there must be at least one employee either on the <u>facility</u> premises or on call (<i>i.e.</i>, available to respond to an emergency by reaching the facility within a short period of time) with the responsibility for coordinating all emergency response measures. This emergency coordinator must be thoroughly familiar with all aspects of the <u>facility's</u> 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.</p>

40 CFR 262 Subpart M – Preparedness, Prevention, and Emergency Procedures for Large Quantity Generators (cont'd)

New (262.265) Emergency procedures	Old (265.56) Emergency procedures
<p>(a) Whenever there is an imminent or actual emergency situation, the emergency coordinator (or his designee when the emergency coordinator is on call) must immediately:</p> <ol style="list-style-type: none"> (1) Activate internal facility alarms or communication systems, where applicable, to notify all facility personnel; and (2) Notify appropriate state or local agencies with designated response roles if their help is needed. <p>(b) 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. <u>The emergency coordinator</u> may do this by observation or review of the facility records or manifests and, if necessary, by chemical analysis.</p> <p>(c) 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-offs from water or chemical agents used to control fire and heat-induced explosions).</p> <p>(d) 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, <u>the emergency coordinator</u> must report the findings as follows:</p> <ol style="list-style-type: none"> (1) If <u>the</u> assessment indicates that evacuation of local areas may be advisable, the emergency coordinator must immediately notify appropriate local authorities. <u>The emergency coordinator</u> must be available to help appropriate officials decide whether local areas should be evacuated; and (2) <u>The emergency coordinator</u> must immediately notify either the 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). The report must include: <ol style="list-style-type: none"> (i) Name and telephone number of reporter; (ii) Name and address of the <u>generator</u>; 	<p>(a) Whenever there is an imminent or actual emergency situation, the emergency coordinator (or his designee when the emergency coordinator is on call) must immediately:</p> <ol style="list-style-type: none"> (1) Activate internal facility alarms or communication systems, where applicable, to notify all facility personnel; and (2) Notify appropriate state or local agencies with designated response roles if their help is needed. <p>(b) 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. <u>He</u> may do this by observation or review of the facility records or manifests and, if necessary, by chemical analysis.</p> <p>(c) 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-offs from water or chemical agents used to control fire and heat-induced explosions).</p> <p>(d) 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, <u>he</u> must report the findings as follows:</p> <ol style="list-style-type: none"> (1) If <u>his</u> assessment indicates that evacuation of local areas may be advisable, the emergency coordinator must immediately notify appropriate local authorities. <u>He</u> must be available to help appropriate officials decide whether local areas should be evacuated; and (2) <u>He</u> must immediately notify either the 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). The report must include: <ol style="list-style-type: none"> (i) Name and telephone number of reporter; (ii) Name and address of the <u>facility</u>;

<p>(iii) Time and type of incident (<i>e.g.</i>, release, fire);</p> <p>(iv) Name and quantity of material(s) involved, to the extent known;</p> <p>(v) The extent of injuries, if any; and</p> <p>(vi) The possible hazards to human health, or the environment, outside the facility.</p> <p>(e) 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 <u>generator's</u> facility. These measures must include, where applicable, stopping processes and operations, collecting and containing released hazardous waste, and removing or isolating containers.</p> <p>(f) If the <u>generator</u> 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.</p> <p>(g) 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. Unless the <u>generator</u> can demonstrate, in accordance with §261.3(c) or (d) of this chapter, that the recovered material is not a hazardous waste, <u>then it is a newly generated hazardous waste that</u> must be managed in accordance with all the applicable requirements and conditions for exemption in parts 262, 263, and 265 of this chapter.</p> <p>(h) The emergency coordinator must ensure that, in the affected area(s) of the facility:</p> <ol style="list-style-type: none"> (1) No hazardous waste that may be incompatible with the released material is treated, stored, or disposed of until cleanup procedures are completed; and (2) All emergency equipment listed in the contingency plan is cleaned and fit for its intended use before operations are resumed. <p>(i) The <u>generator</u> must note in the operating record the time, date, and details of any incident that requires implementing the contingency plan. Within</p>	<p>(iii) Time and type of incident (<i>e.g.</i>, release, fire);</p> <p>(iv) Name and quantity of material(s) involved, to the extent known;</p> <p>(v) The extent of injuries, if any; and</p> <p>(vi) The possible hazards to human health, or the environment, outside the facility.</p> <p>(e) 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 released hazardous waste, and removing or isolating containers.</p> <p>(f) If the <u>facility</u> 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.</p> <p>(g) 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. Unless the <u>owner or operator</u> can demonstrate, in accordance with §261.3(c) or (d) of this chapter, that the recovered material is not a hazardous waste, the <u>owner or operator becomes a generator of hazardous waste and</u> must manage in accordance with all applicable requirements of parts 262, 263, and 265 of this chapter.</p> <p>(h) The emergency coordinator must ensure that, in the affected area(s) of the facility:</p> <ol style="list-style-type: none"> (1) No hazardous waste that may be incompatible with the released material is treated, stored, or disposed of until cleanup procedures are completed; and (2) All emergency equipment listed in the contingency plan is cleaned and fit for its intended use before operations are resumed. <p>(i) The <u>owner or operator</u> must note in the operating record the time, date, and details of any incident that requires implementing the contingency plan.</p>
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15 days after the incident, the generator must submit a written report on the incident to the Regional Administrator. The report must include:

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

Within 15 days after the incident, the generator must submit a written report on the incident to the Regional Administrator. The report must include:

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