



**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**GUIDELINES FOR THE DEVELOPMENT AND
IMPLEMENTATION OF A CONTINGENCY PLAN
FOR THE TRANSPORTATION OF HAZARDOUS WASTE**

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TRANSPORTER CONTINGENCY PLAN

INTRODUCTION

Act 97, the Solid Waste Management Act of 1980 and Title 25, Chapter 260a-270a of the Department's Rules and Regulations require transporters of hazardous waste to develop and implement a contingency plan to deal with emergencies affecting the environment, public health and safety resulting from an incident while transporting hazardous waste.

APPLICABILITY

These guidelines apply to transportation of hazardous waste, not generation, storage, treatment or disposal of hazardous waste. Transporters who generate, store, treat, or dispose of hazardous wastes must also prepare a Preparedness, Prevention, and Contingency Plan in accordance with the Department's "Guidelines for the Development and Implementation of Preparedness, Prevention, and Contingency Plans" when requested.

Pollution Incident Prevention (PIP) Plans prepared in conjunction with the Department's Water Quality Management program or other previously prepared emergency and prevention plans may already encompass some of the basic Contingency Plan elements, but are not acceptable as a Transporter's Contingency Plan.

SUBMISSION OF CONTINGENCY PLANS FOR REVIEW AND APPROVAL

Hazardous waste transporters are required to submit to the Department one copy of the Contingency Plan for review and approval when required during the license application process. If the Contingency Plan needs to be revised, prior to approval, one copy of the revisions shall be submitted to the Department for review and approval.

IMPLEMENTATION OF THE CONTINGENCY PLAN

The provisions of the Contingency Plan shall be implemented whenever emergency situations arise which endanger public health and safety or the environment.

REVISIONS TO THE CONTINGENCY PLAN

The Contingency Plan shall be periodically reviewed and updated if necessary. As a minimum, this shall occur when:

1. Applicable regulations are revised;
2. The plan fails in an emergency;
3. The mode of operation changes in a manner that materially increases the potential for fires, explosions or releases of hazardous constituents, or changes the response necessary in an emergency;
4. The list of emergency coordinator changes;
5. The list of emergency equipment changes;
6. As required by the Department.

PREPARATION OF THE CONTINGENCY PLAN

Contingency Plans shall be prepared in accordance with good engineering practice by someone who is familiar with day-to-day operations of the applicant. If an outside consultant is employed for this purpose, he must be authorized to conduct a thorough study of waste handling and transportation practices.

PURPOSE OF THE CONTINGENCY PLAN

The purpose of a Contingency Plan is two-fold. First, it is a document which must be carried in the transport vehicle to provide information and direction to the driver during an emergency. Second, it is accepted by the Department as the transporter's written assurance that certain activities will be conducted in an acceptable manner. Therefore, it will be necessary for you to repeat some sections of the "Sample Contingency Plan" verbatim to indicate that your company agrees to do these things.

FORMAT OF THE CONTINGENCY PLAN

Attached is a "Sample Contingency Plan." All items in bold type must be included in the plans as they are in the "Sample." Instructions are provided in regular type.

SAMPLE CONTINGENCY PLAN

EMERGENCY REPORTING

In the event of an emergency or a hazardous waste spill during transportation, the transporter will immediately notify the Department of Environmental Protection and the National Response Center with the following information required by 263a.30 and 40 CFR Subpart 263.30(c) incorporated at 25 Pa. Code 263a.10:

1. Name of the person reporting the incident.
2. Name, address, and the EPA identification number of the transporter.
3. Phone number where the person reporting the incident can be reached.
4. Date, time and location of the incident.
5. Mode of transportation and type of transport vehicle.
6. A brief description of the incident, including the type of incident.
7. For each waste involved in the spill:
 - a. The name and EPA identification number of the generator of the waste.
 - b. Shipping name, hazard class and UN or NA number of the waste.
 - c. Estimated quantity of the material or the waste spilled.
 - d. The extent of the contamination of land, water, or air.
8. Shipping name, hazard class, and the UN or NA number of any other material carried.

In the event of an emergency or hazardous waste spill during transportation, the transporter will immediately notify the affected municipality of the occurrence and the nature of the spill.

The transporter will submit a report of the incident in writing as required by 490 CFR 171.16 to the Director, Office of Hazardous Materials Regulations, Materials Transportation Bureau, Dept. of Transportation, Washington, DC 20590, and send copies of the report to the Department of Environmental Protection, and generator.

LIST OF EMERGENCY RESPONSE AGENCIES

The following are the minimum agencies and phone numbers to be listed:

Pennsylvania Department of Environmental Protection
717-787-4343 (24 hours)

Pennsylvania Emergency Management Agency
IN PA: 800-424-7362 (24 hours)
OUTSIDE PA: 717-651-2001

National Response Center
800-424-8802 (24 hours)

Pennsylvania Local Police and Fire Departments
911 or 0 (Operator)

LIST OF EMERGENCY COORDINATORS

A minimum of two Emergency Coordinators must be listed. Provide name, address and home and office telephone numbers. Indicate who is the primary coordinator and who is the secondary coordinator.

At all times, there shall be at least one employee either on the installation's premises or on-call with the responsibility for coordinating all emergency response measures. The emergency coordinator shall be thoroughly familiar with all aspects of the Contingency Plan, all operations and activities, the characteristics of all materials handled and the location of all records. In addition, this individual shall have the authority to commit the resources necessary to carry out the Contingency Plan.

LIST OF EMERGENCY RESPONSE CONTRACTORS

If you list yourself, briefly describe the emergency response actions you will take. Also include a detailed list of your emergency response equipment under "Emergency Equipment." If you are not listing yourself, a minimum of

two emergency response contractors must be listed (Including address and phone number) and a short description of their services provided.

The services of the emergency response contractors should be investigated and arrangements made for the prompt performance of contractual services on short notice. Equipment suppliers should be contacted to determine the availability and rapid delivery of equipment for removing pollution hazards by rapid clean-up.

EMERGENCY EQUIPMENT

Provide an up-to-date list of available emergency equipment. The list shall include the location, a physical description, and a brief description of the capabilities of each item on the list. Protective clothing including a filter mask or a gas mask and a first aid kit with eyewash apparatus must be carried on a transport vehicle. Absorbent material or mats must also be carried on the transport vehicle when liquids are transported in containers of 110 gallons or less.

A brief statement must be made concerning the maintenance and decontamination procedures of the emergency equipment listed above. An acceptable example is "All equipment shall be tested and maintained as necessary to assure its proper operation in time of an emergency. After an emergency, all equipment shall be decontaminated, cleaned, and fit for its intended use before normal operations resume."

EXTERNAL COMMUNICATIONS

Describe the communication system the driver will use to contact the emergency coordinator and/or notify the emergency response agencies (public phone, CB radio, 2-way radio). CB or 2-way radios are required if you are applying for licensure to carry acute hazardous wastes.

ROUTINE DECONTAMINATION PROCEDURES

Describe the routine decontamination procedures of the equipment used to handle hazardous waste. Equipment used to handle hazardous waste including but not limited to storage containers, processing equipment trucks, and loaders that are contaminated with hazardous waste must be decontaminated prior to being serviced or used for any purpose other than transportation of compatible hazardous waste and prior to being serviced or used for transportation of nonhazardous waste, unless such wastes are compatible and are transported to a hazardous waste storage, treatment or disposal facility.

Where does routine decontamination occur? How? Describe the frequency. How is the rinsate or residual disposed of properly?

EMPLOYEE TRAINING PROGRAM

Summarize your employee training program which must include the following:

1. Knowledge of the materials being transported.
2. Safety and health hazards associated with materials being transported.
3. Practices for preventing spills.
4. Procedures for responding properly and rapidly to spills.
5. Emergency procedures (i.e., use of contingency plan, first aid).
6. Use of emergency equipment.

Describe the ongoing training given to employees (i.e., monthly review, yearly training course).

IMPLEMENTATION SCHEDULE

List any incomplete aspects of the contingency plan and a time schedule when they will be completed.