

LQG Contingency Plan Requirements

Guidance on Hazardous Waste Requirements



Introduction

A large quantity generator (LQG) of hazardous waste is required to have a contingency plan for their facility. The plan should 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.

Hazardous waste regulations are found in chapters [NR 600-679](#) of the Wisconsin Administrative Code

The contingency plan requirements apply to those areas of a facility where hazardous waste is generated or accumulated on-site (including all satellite accumulation and central accumulation areas). In alignment with federal Resource Conservation and Recovery Act (RCRA) requirements, DNR regulations require contingency plans to include a quick reference guide to help emergency responders in case of an incident. Provisions of the plan are to be carried out immediately whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents that could threaten human health or the environment.

This guidance document is intended to provide an outline of contingency plan and quick reference guide requirements. Regulations pertaining to these required elements can be found in s. NR 662.260, Wis. Adm. Code.

Contingency Plan Elements

The plan must contain the following elements [s. NR 662.261, Wis. Adm. Code]:

- Description of actions facility personnel must take in response to fires, explosions, or any releases of hazardous waste or hazardous waste constituents.
- Description of arrangements agreed to by local police departments, fire departments, other emergency response teams, emergency response contractors, equipment suppliers, local hospitals or, if applicable, the Local Emergency Planning Committee (LEPC) in accordance with s. NR 662.256, Wis. Adm. Code.
- List of names and emergency phone numbers of persons qualified to act as emergency coordinator. This list must be kept up to date. The primary emergency coordinator and alternates must be listed in the order in which they will assume responsibility.
- List of all emergency equipment at the facility that would be used to respond to an emergency involving hazardous waste, such as fire extinguishing systems, spill control equipment, communications and alarm

If the 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 (as well as an emergency telephone number guaranteed to be answered at all times).

systems (internal and external), and decontamination equipment, where this equipment is required.

- The list of emergency equipment must be kept up-to-date.
 - The plan must include the location of each item.
 - The plan must include a physical description of each item.
 - The plan must include a brief outline of the capabilities of the emergency equipment.
- Evacuation plan for facility personnel where there is a possibility that evacuation could be necessary. The plan must:
 - describe signal(s) to be used to begin evacuation, and
 - include the primary and alternate evacuation routes.

The generator may develop one contingency plan that meets all regulatory standards. The DNR recommends that the plan be based on the National Response Team's integrated contingency plan guidance or the "One Plan." See www.nrt.org for more information.

This could be accomplished by amending any existing spill prevention, control and countermeasures (SPCC) plan in accordance with 40 CFR part 112, or equivalent emergency or contingency plan, to incorporate hazardous waste management provisions to comply with the standards of ss. NR 662.260 to NR 662.265, Wis. Adm. Code.

Copies of Contingency Plan

A copy of the contingency plan and all revisions to the plan must be:

- Maintained at the LQG facility; and
- Submitted 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). The contingency plan may also be submitted to the Local Emergency Planning Committee (LEPC), as appropriate.

LQGs (as well as small quantity generators, or SQGs) must maintain records documenting the preparedness and prevention arrangements with the local fire department as well as any other off-site organization necessary to respond to an emergency. This documentation must confirm either that such arrangements actively exist; or in cases where no arrangements exist, that attempts to enter into such arrangements were made. Examples of this documentation can consist of a letter, email, or fax. [s. NR 662.016(2)(h) and 662.262(1), Wis. Adm. Code]

Quick Reference Guide

LQG facilities must submit a quick reference guide, and all amended versions, for the contingency plan to the local emergency responders, who may be called upon to provide emergency services. [s. NR 662.262(2), Wis. Adm. Code]

The quick reference guide must include the following elements:

- Types/names of the hazardous wastes in layperson's terms and the hazard associated with each hazardous waste present or likely to be present (e.g., toxic paint wastes, spent ignitable solvent, corrosive acid).

- Estimated maximum amount of each hazardous waste that may be present at any one time.
- Identification of any hazardous wastes exposure to which would require unique or special treatment by medical or hospital staff.
- A map of the facility showing where hazardous wastes are generated, accumulated and treated, and routes for accessing these wastes.
- A street map of the facility in relation to surrounding businesses, schools and residential areas to assist responders in determining how best to get to the facility and in evacuating citizens and workers, if necessary.
- Locations of water supply (e.g., fire hydrant and its flow rate).
- The identification of on-site notification systems (e.g., a fire alarm that rings off-site, smoke alarms).
- Name of the emergency coordinator(s) and 7-day/24-hour emergency telephone number(s), or, in case of a facility where an emergency coordinator is continuously on duty, the emergency telephone number for the emergency coordinator.

The quick reference guide must be updated by the LQG, as necessary, whenever the contingency plan is amended and both updated documents must be submitted to the local emergency responders. [NR 662.262(3), Wis. Adm. Code]

Amending the Contingency Plan

The contingency plan must be reviewed and, if necessary, immediately amended, whenever the following occurs [NR 662.263, Wis. Adm. Code]:

- The facility changes its design, construction, operation, maintenance, or other features 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.
- The list of emergency coordinators changes.
- The list of emergency equipment changes.
- The plan fails in an emergency.
- Applicable regulations are revised.

Emergency Coordinator

At all times, there must be at least one employee either on the generator's premises or on call (i.e., 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 and implementing the necessary emergency procedures. [s. NR 662.264, Wis. Adm. Code]

Emergency Procedures

During an imminent or actual emergency, the emergency coordinator must immediately do all the following [s. NR 662.265, Wis. Adm. Code]:

- Activate facility alarms or communication system to alert all personnel.
- Notify appropriate state and local agencies as needed.
- In the event of a fire, explosion, or release, the coordinator must identify the character, exact source, amount and extent of the problem. This can be done by observation, examination of records or chemical analysis.
- Assess possible hazards to human health or the environment that may result from the release, fire or explosion. The assessment must consider both direct and indirect effects of the event, such as 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.
- If the coordinator determines that a fire, explosion or release has occurred, they must report their findings as follows:
 - Notify proper authorities if evacuation is needed and be available to help decide what areas should be evacuated.
 - Notify government on-scene coordinator or National Response Center using their 24-hour toll free number 800-424-8802. The report must include all of the following:
 - ✓ Name and telephone number of the reporter.
 - ✓ Name and address of the generator.
 - ✓ Time and type of incident, such as release or fire.
 - ✓ Name and quantity of material involved, to the extent known.
 - ✓ The extent of injuries, if any.
 - ✓ The possible hazards to human health or the environment outside the facility.
- Take all reasonable measures necessary to ensure that fires, explosions, and releases do not occur, recur, or spread to other hazardous waste. These measures include stopping production, collecting or containing releases and isolating containers.
- If the facility stops operations, monitor for leaks, pressure buildup, gas generation, or ruptures in valves, pipes, or other equipment.
- After an emergency, 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.

Note: Unless the generator can demonstrate, in accordance with s. NR 661.0003 (3) or (4), Wis. Adm. Code, that the recovered material is not a hazardous waste, then it is a newly generated hazardous waste that must be managed in accordance with all the applicable requirements or conditions for exemption under chs. NR 662, 663, and 665, Wis. Adm. Code.
- Ensure that all the following are met in the affected area of the facility:
 - No incompatible waste is stored with released material until cleanup is complete.
 - All emergency equipment is cleaned and fit for use before resuming operations.

The owner or operator must note the time, date, and details of any incident that requires implementing the contingency plan. The report must be submitted to the department within 15 days of the incident. The report must include all of the following information:

- Name, address, and telephone number of the generator.
- Date, time, and type of incident, such as fire or explosion.
- Name and quantity of material involved.
- The extent of any injuries.
- An assessment of actual or potential hazards to human health or the environment, where applicable.
- Estimated quantity and disposition of recovered material that resulted from the incident.

Resources and Contact information

For more information including [publications, inspection forms, and administrative codes and statutes](#), go to dnr.wi.gov and search “hazardous waste resources.” Use the *Additional Resources* menu to navigate to specific topics. For staff contact information, go to the [staff directory](#), enter “hazardous waste requirements” in the subject field, and choose the appropriate county contact.

Mailing address: DNR Waste & Materials Management Program, PO Box 7921, Madison, WI 53707
Email: DNRWasteMaterials@Wisconsin.gov

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***Disclaimer:** This document is intended solely as guidance and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. Any regulatory decisions made by the Department of Natural Resources in any matter addressed by this guidance will be made by applying the governing statutes and administrative rules to the relevant facts.*

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