



Ohio Administrative Code

Rule 3745-267-50 Contingency plan and emergency procedures - standardized permitting.

Effective: March 7, 2025

(A) This rule applies to owners or operators of facilities that treat or store of hazardous waste under a standardized permit pursuant to rules 3745-50-250 to 3745-50-320 of the Administrative Code, except as provided in paragraph (A)(2) of rule 3745-267-01 of the Administrative Code.

(B) Purpose and use of the contingency plan. Owners or operators shall:

(1) Have a contingency plan for the facility. Owners or operators shall design the contingency plan to minimize hazardous 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.

(2) Implement the provisions of the contingency plan immediately whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment.

(C) Contents of the contingency plan.

(1) The contingency plan shall:

(a) Describe the actions facility personnel will take to comply with paragraphs (B) and (G) of this rule 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.

(b) Describe all arrangements agreed upon under paragraph (G) of rule 3745-267-30 of the Administrative Code by local police departments, fire departments, hospitals, contractors, and state and local emergency response teams to coordinate emergency services.

(c) List all names, addresses, and telephone numbers (office and home) of all persons qualified to act



as emergency coordinator [see paragraph (F) of this rule], and the owner or operator shall keep the list up-to-date. Where more than one person is listed, one person shall be named as primary emergency coordinator and other persons shall be listed in the order in which those persons will assume responsibility as alternates.

(d) Include a current 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. In addition, the owner or operator shall include the location and a physical description of each item on the list, and a brief outline of each item's capabilities.

(e) Include an evacuation plan for facility personnel where there is a possibility that evacuation could be necessary. The owner or operator shall describe signals 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).

(2) If the owner or operator already has prepared a "Spill Prevention, Control, and Countermeasures Plan" under 40 CFR Part 112, or some other emergency or contingency plan, the owner or operator need only amend that plan to incorporate hazardous waste management provisions that comply with the requirements of Chapter 3745-267 of the Administrative Code.

(D) Copies of the contingency plan.

(1) Owners or operators shall maintain a copy of the contingency plan with all revisions at the facility; and

(2) Owners or operators shall submit a copy of the contingency plan with all revisions to all local police departments, fire departments, hospitals, and state and local emergency response teams that may be called upon to provide emergency services.

(E) Amendment of the contingency plan. The owner or operator shall review, and immediately amend, the contingency plan, if necessary, whenever:



(1) The facility permit is revised.

(2) The plan fails in an emergency.

(3) The owner or operator changes the facility (in the facility's design, construction, operation, maintenance, or other circumstances) in a way that materially increases the potential for fires, explosions, or releases of hazardous waste constituents, or changes the response necessary in an emergency.

(4) The owner or operator changes the list of emergency coordinators.

(5) The owner or operator changes the list of emergency equipment.

(F) Emergency coordinator. At least one employee shall be either on the facility premises or on call at all times (that is, available to respond to an emergency by reaching the facility within a short period of time) who has the responsibility for coordinating all emergency response measures. The emergency coordinator shall be thoroughly familiar with all aspects of the facility's 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, the employee shall have the authority to commit the resources needed to carry out the contingency plan.

(G) Emergency procedures for the emergency coordinator.

(1) Whenever there is an imminent or actual emergency situation, the emergency coordinator (or emergency coordinator's designee when the emergency coordinator is on call) shall immediately:

(a) Activate internal facility alarm or communication systems, where applicable, to notify all facility personnel; and

(b) Notify appropriate state or local agencies with designated response roles if those agencies' help is needed.

(2) Whenever there is a release, fire, or explosion, the emergency coordinator shall:



- (a) Immediately identify the character, exact source, amount, and areal extent of any released materials. The emergency coordinator may do this by observation or review of the facility records or manifests, and, if necessary, by chemical analysis; and
- (b) Assess possible hazards to human health or the environment that may result from the release, fire, or explosion. The assessment shall consider both the direct and indirect effects of the release, fire, or explosion. For example, the assessment would consider the effects of any 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.
- (3) 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, the emergency coordinator shall report the emergency coordinator's findings as follows:
- (a) If the emergency coordinator's assessment indicates that evacuation of local areas may be advisable, the emergency coordinator shall immediately notify appropriate local authorities. The emergency coordinator shall be available to help appropriate officials decide whether local areas should be evacuated; and
- (b) The emergency coordinator shall immediately notify either the government official designated as the on-scene coordinator for that geographical area, or the national response center (using the twenty-four-hour toll-free number 800/424/8802). The report shall include:
- (i) Name and telephone number of the reporter;
- (ii) Name and address of the facility;
- (iii) Time and type of incident (for example, a release or a fire);
- (iv) Name and quantity of materials involved, to the extent known;
- (v) The extent of injuries, if any; and



(vi) The possible hazards to human health or the environment outside the facility.

(4) During an emergency, the emergency coordinator shall 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. The measures shall include, where applicable, stopping processes and operations, collecting and containing release waste, and removing or isolating containers.

(5) If the facility stops operations in response to a fire, explosion, or release, the emergency coordinator shall monitor for leaks, pressure buildup, gas generation, or ruptures in valves, pipes, or other equipment, when appropriate.

(H) Emergency coordinator's procedures after an emergency.

(1) Immediately after an emergency, the emergency coordinator shall 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.

(2) The emergency coordinator shall ensure that in the affected areas of the facility:

(a) No waste that may be incompatible with the released material is treated, stored, or disposed of until cleanup procedures are completed; and

(b) All emergency equipment listed in the contingency plan is cleaned and fit for the equipment's intended use before operations are resumed.

(I) Notification and recordkeeping after an emergency.

(1) Owners or operators shall notify the director, and appropriate state and local authorities, that the facility is in compliance with paragraph (H)(2) of this rule before operations are resumed in the affected areas of the facility.

(2) The owner or operator shall note in the operating record the time, date, and details of any incident



that requires implementation of the contingency plan. Within fifteen days after the incident, the owner or operator shall submit a written report on the incident to the director. The written report shall include:

- (a) The name, address, and telephone number of the owner or operator;
- (b) The name, address, and telephone number of the facility;
- (c) The date, time, and type of incident (e.g., fire, explosion);
- (d) The name and quantity of the materials involved;
- (e) The extent of injuries, if any;
- (f) An assessment of actual or potential hazards to human health or the environment, where this is applicable; and
- (g) The estimated quantity and disposition of recovered material that resulted from the incident.

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see rule 3745-50-11 of the Administrative Code titled "Incorporated by reference."]