

ABOUT THIS TEMPLATE

This template is intended to be used as a guide by owners and operators of used oil processor owners and operators, as defined in 40 CFR § 279.50 (a), to develop an administratively complete contingency plan to comply with the requirements of Arizona Revised Statutes (ARS) § 49-802 and 40 CFR § 279.52 (a) and (b).

Each Section of the Contingency Plan Template is presented in the format below:

Section #	SECTION TITLE
	<p><i>The relevant statutes detailing the requirements of the section are written in italicized text in the light blue boxes. The statutes are included for reference and may be removed from this template.</i></p> <p>Disclaimer Be aware that this template covers only addresses General Facility Standards and contingency plans for Used Oil Processors. Other rules, regulations or statutes may apply to your facility. It is recommended that the owner or operator, or other authorized person designated to create the contingency plan check the applicable rules, regulations and statutes at: https://www.azleg.gov/ and https://www.ecfr.gov/current/title-40/chapter-I/subchapter-I/part-279.</p> <p>Additional instructions and descriptions of each statute and required section are explained in the white boxes. The text included in these boxes are intended to serve as a guide to developing a contingency plan. The authorized person responsible for the creation of the contingency plan should read and replace the text with the relevant details for the facility.</p> <p>Please note that there are required components in each section, as well as suggestions to demonstrate the required components of this contingency plan.</p>

i.	APPLICABILITY
	<p><i>Subpart F—Standards for Used Oil Processors and Re-Refiners</i></p> <p>Per 40 CFR § 279.50 (a) <i>The requirements of this subpart apply to owners and operators of facilities that process used oil. Processing means chemical or physical operations designed to produce from used oil, or to make used oil more amenable for production of, fuel oils, lubricants, or other used oil-derived products. Processing includes, but is not limited to: blending used oil with virgin petroleum products, blending used oils to meet the fuel specification, filtration, simple distillation, chemical or physical separation and re-refining.</i></p> <p>Per 40 CFR § 279.20 (b)(2)</p> <p>i) <i>Except as provided in paragraph (b)(2)(ii) of this section, generators who process or re-refine used oil must also comply with subpart F of this part.</i></p> <p>ii) <i>Generators who perform the following activities are not processors provided that the used oil is generated on-site and is not being sent off-site to a burner of on- or off-specification used oil fuel.</i></p> <p style="padding-left: 20px;">(A) <i>Filtering, cleaning, or otherwise reconditioning used oil before returning it for reuse by the generator;</i></p> <p style="padding-left: 20px;">(B) <i>Separating used oil from wastewater generated on-site to make the wastewater acceptable for discharge or reuse pursuant to section 402 or section 307(b) of the Clean Water Act or other applicable Federal or state regulations governing the management or discharge of wastewaters;</i></p> <p style="padding-left: 20px;">(C) <i>Using oil mist collectors to remove small droplets of used oil from in-plant air to make plant air suitable for continued recirculation;</i></p>

- (D) *Draining or otherwise removing used oil from materials containing or otherwise contaminated with used oil in order to remove excessive oil to the extent possible pursuant to §279.10(c); or*
- (E) *Filtering, separating or otherwise reconditioning used oil before burning it in a space heater pursuant to §279.23.*

All facilities that process used oil, according to the definitions stated above, are required to comply with 40 CFR § 279.52 (a) and (b) – General Facility Standards and Contingency plan and emergency procedures.

However, as outlined above, facilities that generate used oil on-site, do not ship oil to used oil burners, and are performing only the processing steps outlined in 40 CFR § 279.20 (b)(2)(ii), do not need to create a used oil processor contingency plan.

ii. AMENDING A SPILL PREVENTION, CONTROL, AND COUNTERMEASURES PLAN AND OTHER PLANS

Per 40 CFR § 279.52 (b)(2)(ii) *If the owner or operator has already prepared a Spill Prevention, Control, and Countermeasures (SPCC) Plan in accordance with part 112 [\[Oil Pollution Prevention\]](#) of this chapter, or part 1510 of chapter V of this title, or some other emergency or contingency plan, the owner or operator need only amend that plan to incorporate used oil management provisions that are sufficient to comply with the requirements of this part.*

The owner or operator, or other authorized authority may choose to adopt sections from other documentation required for operation of the facility. These documents may include, but are not limited to:

- A Spill Prevention, Control, and Countermeasures (SPCC) Plans;
- Evacuation Plans;
- Solid Waste Facility Plan Approvals (SWFP) by the Arizona Department of Environmental Quality;
- Aquifer Protection Permits (APPs).

It is the responsibility of the facility to ensure that this contingency plan conform to the requirements included below.

Contingency Plan for Used Oil Processors

EPA Identification Number: XXX#####

Prepared by:

Company Name

Physical Address,

City, State, ZIP

Telephone Number and Email

Date of Last Amendment: [Date]

CC:

Authority	Date of Last Update to Arrangements:
<i>County Fire Dept.</i>	<i>MM-DD-YYYY</i>
<i>County Police Dept.</i>	<i>MM-DD-YYYY</i>
<i>Local Hospital</i>	<i>MM-DD-YYYY</i>
<i>Emergency Service Contractor</i>	<i>MM-DD-YYYY</i>

Table of Contents

1.0	PREPAREDNESS AND PREVENTION	1
1.1	MAINTENANCE AND OPERATION OF FACILITY	1
1.2	REQUIRED EQUIPMENT	2
1.3	TESTING AND MAINTINENCE OF EQUIPMENT	3
1.4	ACCESS TO COMMUNICATIONS OR ALARM SYSTEM	3
1.5	REQUIRED AISLE SPACE	4
2.0	CONTINGENCY PLAN AND EMERGENCY PROCEDURES	5
2.1	PURPOSE AND IMPLEMENTATION OF THE CONTINGENCY PLAN	5
2.2	CONTENT OF THE CONTINGENCY PLAN	5
2.3	COPIES OF THE CONTINGENCY PLAN	6
2.4	AMENDMENTS TO THE CONTINGENCY PLAN	6
2.5	EMERGENCY COORDINATORS AND CONTACTS	7
2.6	EMERGENCY PROCEDURES	9
2.6.1	ACTIVATE ALARM/COMMUNICATION SYSTEMS AND NOTIFY EMERGENCY PERSONNEL	9
2.6.2	IDENTIFY CHARACTER, SOURCE AND AMOUNT OF RELEASED MATERIAL	9
2.6.3	ASSESS HAZARDS TO HUMAN HEALTH AND THE ENVIRONMENT	10
2.6.4	REPORTING AND EVACUATION NOTICES	11
2.6.5	CONTAINMENT	11
2.6.6	STOPPED-OPERATIONS MONITORING	12
2.6.7	STORAGE OF RELEASED MATERIALS AND WASTE	12
2.6.8	PREVENTION OF IN COMPATIBLE WASTE MIXING	12
2.6.9	OPERATING RECORD	13
4.0	APPENDIX	14
	APPENDIX A: AMENDMENTS RECORD	14
	APPENDIX B: EMERGENCY REPORTING TEMPLATE	15
	APPENDIX C: INTERNAL INSPECTION TEMPLATE	17
	APPENDIX D: COMPLIANCE NOTIFICATION TEMPLATE	17
	APPENDIX E: FACILITY MAPS AND DIAGRAMS	19
	APPENDIX F: ARRANGEMENTS WITH LOCAL AUTHORITIES	20
	DEFINITIONS	21

List of Tables

Table 1: Required Equipment Descriptions and Capabilities	2
Table 2: Equipment Testing and Maintenance Table	3
Table 3: Emergency Coordinators	8
Table 4: Contingency Plan Amendments Log.....	14

1.0 PREPAREDNESS AND PREVENTION

Per 40 CFR § 279.52 (a), *Owners and operators of used oil processing and re-refining facilities must comply with the following requirements:*

- (1) *Maintenance and operation of facility...*
- (2) *Required equipment...*
- (3) *Testing and maintenance of equipment. . .*
- (4) *Access to communications or alarm system. . .*
- (5) *Required aisle space. . .*
- (6) *Arrangements with local authorities...*

The following sections are arranged to reflect the organization above and will detail each requirement.

1.1 MAINTENANCE AND OPERATION OF FACILITY

Per 40 CFR § 279.52 (a)(1), *Facilities must be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of used oil to air, soil, or surface water which could threaten human health or the environment.*

As stated above, facilities are required to be maintained and operated to minimize any potential hazards. The facility owner and operator may choose to include documentation of how facilities achieve the requirements of 40 CFR § 279.52 (a)(1).

OPTIONAL:

In this section, it is advisable though not required to describe the operation of the facility, and any measures taken during normal operation and maintenance that contribute to minimizing the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of used oil to air, soil, or surface water which could threaten human health or the environment. This documentation may assist in training new staff, or

This section may include details such as:

- Descriptions of acceptable and non-acceptable waste types managed at the facility, and their respective admittance criteria (e.x. analytical testing, profile and manifest, etc.)
- Testing procedures of incoming waste, including the ADEQ-approved facility, EPA testing methods used for each sample type (e.x. EPA Method 9076, 9077, 8010, etc.)
- On-site load testing and inspection procedures (i.e. internally-conducted random load-inspections).
- Development of Waste incompatibility charts to prevent incompatible waste mixing;
- Staff training program, Training responsibilities, training frequency, training topics, such as: Internal Training, Emergency Equipment training, Spill Prevention Control & Counter Measures, HAZWOPER Training, OSHA Training, DOT Training, or other training programs, trainer requirements, etc.
- Documentation of other Plans, including, SPCCS, APPS, MFPA's, FPA's, or other State, County, or local permit documentation.

1.2 REQUIRED EQUIPMENT

Per 40 CFR § 279.52 (a)(2), all facilities must be equipped with the following, unless none of the hazards posed by used oil handled at the facility could require a particular kind of equipment specified in paragraphs (a)(2)(i) through (iv) of this section:

- (i) An internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel;
- (ii) 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;
- (iii) 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
- (iv) Water at adequate volume and pressure to supply water hose streams, or foam producing equipment, or automatic sprinklers, or water spray systems.

The emergency coordinator must have the required equipment on-site, unless none of the hazards posed by used oil and ready to be used for its intended purpose at all times.

OPTIONAL:

The table below is an example of one method of documenting the requirements for on-site emergency equipment, the brief description, and outline of the required equipment's capabilities.

The facility owner/ operators may choose to identify and mark the locations of required equipment on-site at the facility using a map or diagram (See **APPENDIX E: FACILITY MAPS AND DIAGRAMS**).

Table 1: Required Equipment Descriptions and Capabilities

Equipment:	Brief Description	Capabilities
Two-way radios	Used to provide uninterrupted and immediate access to communications.	Push to talk, 12-hour battery life, Multi-frequency
Type B Fire Extinguisher	Fire protection and mitigation equipment	Designed to extinguish fires involving flammable and combustible liquids.
Absorbing Agents	Granular absorbent, 40 lb. bags. Used to contain oil spills	40 lbs. of standard clay floor absorbent material will absorb between 3.5 and 4.5 gallons of fluid
Hand tools (Brooms and Shovels)	Brooms, shovels	Used to contain Petroleum contaminated soil
Oil Spill Kits	Contains Absorbing agents and materials.	Designed to contain a maximum of 20 gallons of spilled oil

1.3 TESTING AND MAINTINENCE OF EQUIPMENT

Per 40 CFR § 279.52 (a)(3), *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.*

In order to achieve compliance with the testing and maintenance of facility equipment, facility owners are required to test and maintain emergency response equipment, such that all equipment can be used in the event of an emergency.

OPTIONAL:

In this section, owners and operators of used oil facilities are advised to outline a testing and maintenance plan. This plan could include testing frequency (e.x. weekly, monthly, annually) for each piece of equipment to be used during an imminent or actual emergency. This plan could also include measures to ensure that if and when an emergency has occurred, all emergency equipment has been checked, repaired or replaced to ensure that it is fit for its intended use before operations resume.

The table below is one example of documenting and tracking emergency equipment, and testing/maintenance schedule.

Table 2: Equipment Testing and Maintenance Table

Piece of Equipment	Testing Frequency/Interval	Equipment Servicing Company or Internal Staff Responsible (If applicable)
Ex. Two-way radios	Weekly	Company Emergency coordinator (EC)
Ex. 75-lbs. Fire Extinguishers (See map)	Annual	Cintas Fire

1.4 ACCESS TO COMMUNICATIONS OR ALARM SYSTEM

Per 40 CFR § 279.52 (a)(4)

- (i) *Whenever used oil 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, unless such a device is not required in paragraph (a)(2) of this section.*
- (ii) *If there is ever just one employee on the premises while the facility is operating, the employee 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 in paragraph (a)(2) of this section.*

The owner or operator must ensure each employee involved in mixing, pouring, spreading, and handling used oil has immediate access to emergency communication equipment and/or alarm systems. Depending on the operation of the facility, the owner or operator may choose a method of communication that is suited to the facility and operations being conducted.

If specific equipment, such as two-way radios, are to be used as a means emergency communication, include those pieces of equipment in plans for maintaining proper function and readiness in the event of an imminent or actual emergency (see **Section 1.2 REQUIRED EQUIPMENT** and **Section 1.3 TESTING AND MAINTINENCE OF EQUIPMENT**).

1.5 REQUIRED AISLE SPACE

Per 40 CFR § 279.52 (a)(5), The owner or operator 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.

In this section, the owner or operator of the facility must maintain an aisle layout that can accommodate 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.

OPTIONAL:

Inclusion of a map or diagram of the facility, such as the template provided in **APPENDIX E: FACILITY MAPS AND DIAGRAMS**, may be used to detail aisle spacing and facility layout to local authorities included in emergency arrangements.

2.0 CONTINGENCY PLAN AND EMERGENCY PROCEDURES

2.1 PURPOSE AND IMPLEMENTATION OF THE CONTINGENCY PLAN

Per 40 CFR 279.52(b)(1):

- (i) *Each owner or operator must have a contingency plan for the facility. The contingency plan for any used oil processing facility must be designed to minimize hazards to human health or the environment from several different kinds of emergency situations including fires, unplanned releases of used oil, to the air, soil, or surface water.*
- (ii) *The provisions of the contingency plan must be carried out immediately whenever there is a fire, explosion, or release of used oil which could threaten human health or the environment.*

OPTIONAL:

In this section, the facility owner or operator, or other authorized authority may introduce the purpose and scope of this contingency plan.

Minimally, the contingency plan must meet the requirements of 40 CFR § 279.52 (b), which are addressed in the following sections of this template.

2.2 CONTENT OF THE CONTINGENCY PLAN

Per 40 CFR § 279.52 (b)(2),

- (i) *The contingency plan must describe the actions facility personnel must take to comply with paragraphs (b) (1) and (6) of this section in response to fires, explosions, or any unplanned sudden or non-sudden release of used oil to air, soil, or surface water at the facility.*
- (ii) *If the owner or operator has already prepared a Spill Prevention, Control, and Countermeasures (SPCC) Plan in accordance with part 112 of this chapter, or part 1510 of chapter V of this title, or some other emergency or contingency plan, the owner or operator need only amend that plan to incorporate used oil management provisions that are sufficient to comply with the requirements of this part.*
- (iii) *The plan must describe arrangements agreed to by local police departments, fire departments, hospitals, contractors, and State and local emergency response teams to coordinate emergency services, pursuant to paragraph (a)(6) of this section.*
- (iv) *The plan must list names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator (see paragraph (b)(5) of this section), 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.*
- (v) *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.*
- (vi) *The plan must include an evacuation plan for facility 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 used oil or fires)*

Sections 2.3 through 2.8 below are written to comply with 40 CFR § 279.52 (b)(2).

2.3 COPIES OF THE CONTINGENCY PLAN

Per 40 CFR § 279.52 (b)(3), *A copy of the contingency plan and all revisions to the plan must be:*

- (i) *Maintained at the facility; and*
- (ii) *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.*

Facility owners and operators are required to maintain a copy of the facility plan on-site at all times. In addition, copies of the Contingency plan must be submitted to all emergency service providers that may be called upon during an emergency. If revisions are made to the contingency plan, owners and operators must also update copies held by local authorities and other emergency service providers.

OPTIONAL:

Facility owners and operators may find it useful to record which departments have received a copy of the contingency plan in **APPENDIX F: ARRANGEMENTS WITH LOCAL AUTHORITIES**.
APPENDIX E: FACILITY MAPS AND DIAGRAMS.

2.4 AMENDMENTS TO THE CONTINGENCY PLAN

Per 40 CFR § 279.52 (b)(4)

The contingency plan must be reviewed, and immediately amended, if necessary, whenever:

- (i) *Applicable regulations are revised;*
- (ii) *The plan fails in an emergency;*
- (iii) *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 used oil, or changes the response necessary in an emergency;*
- (iv) *The list of emergency coordinators changes; or*
- (v) *The list of emergency equipment changes.*

Amendments to the contingency plan are required in response to any of the situations or circumstances above by an authorized person. Include procedures for updating arrangements with local authorities, if necessary, informing them of the relevant changes to the arrangements described in section 1.3 **ARRANGEMENTS WITH LOCAL AUTHORITIES.**

APPENDIX A: AMENDMENTS RECORD, may be used to document the various changes to local arrangements over time. **APPENDIX F: ARRANGEMENTS WITH LOCAL AUTHORITIES** may be used to tabulate the various arrangements with each local authority, including details that the emergency coordinator may choose to include in the process of making arrangements.

2.5 EMERGENCY COORDINATORS AND CONTACTS

Per 40 CFR § 279.52 (b)(2)(iv), *The plan must list names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator (see paragraph (b)(5) of this section), 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.*

Per 40 CFR § 279.52 (b)(5), *At all times, there must be at least one employee either on the facility 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. This emergency coordinator must be thoroughly familiar with all aspects of the facility's contingency plan, all operations and activities at the facility, the location and characteristic of used oil handled, the location of all records within the facility, and facility layout. In addition, this person must have the authority to commit the resources needed to carry out the contingency plan.*

Guidance: *The emergency coordinator's responsibilities are more fully spelled out in paragraph (b)(6) of this section. Applicable responsibilities for the emergency coordinator vary, depending on factors such as type and variety of used oil handled by the facility, and type and complexity of the facility.*

The facility, owner or operator or other authorized authority is **REQUIRED** to designate qualified persons to act as the emergency coordinator for the facility. If the facility owner or operator chooses to designate more than one person to act as the emergency coordinator, designate the primary and secondary alternative coordinators.

The following information must be documented in the contingency plan:

- Primary and alternative Emergency Coordinators;
- Home and Office phone numbers of Emergency Coordinator(s);
- Address of the emergency coordinator(s).

At a minimum, the Emergency Coordinator's required responsibilities must include:

- (i) Being on-site or on-call at all times;
- (ii) Thorough familiarity with all aspects of the contingency plan, the facility, and characteristics of the oil being handled;
- (iii) Having the authority to commit the necessary resources to carry out the contingency plan.

It is important to note that the specific roles and responsibilities of the Emergency coordinator may differ according to the needs and operation of the facility. Additionally, designating alternate emergency coordinators may be needed to ensure continuous coverage of the role of Emergency coordinator can be met. A more complete description of the requirements for the emergency coordinator can be found in 40 CFR § 279.52 paragraph (b)(5).

The table included below may be used as one method of documenting the required information Per 40 CFR § 279.52 (b)(5).

Table 3: Emergency Coordinators			
Name of Company Emergency coordinator	Role	Address	Contact Information (Office and Home Phone)
Name, Title	Primary Emergency coordinator	[Street Address], [City], [State] [Zip Code]	Office: ### - ### - #### Home: ### - ### - ####
Name, Title	Alternate Emergency coordinator	[Street Address], [City], [State] [Zip Code]	Office: ### - ### - #### Home: ### - ### - ####
Name, Title	Secondary Alternate Emergency coordinator	[Street Address], [City], [State] [Zip Code]	Office: ### - ### - #### Home: ### - ### - ####
Date of Last Revision: [MM-DD-YY]			

3.0 EMERGENCY PROCEDURES

Per 40 CFR § 279.52 paragraphs (b)(6)(i) – (ix)

Section 3 is written to conform to 40 CFR § 279.52 paragraphs (b)(6)(i) – (ix).

It is important to remember that the precise series of steps involved will depend on the facility, operations being conducted on-site, the characteristics of the used oil being managed on-site, and other factors.

3.1 ACTIVATE ALARM/COMMUNICATION SYSTEMS AND NOTIFY EMERGENCY PERSONNEL

Per 40 CFR § 279.52 paragraph (b)(6)(i), *Whenever there is an imminent or actual emergency situation, the emergency coordinator or the designee when the emergency coordinator is on call) must immediately:*

- (A) Activate internal facility alarms or communication systems, where applicable, to notify all facility personnel; and*
- (B) Notify appropriate State or local agencies with designated response roles if their help is needed.*

In this section, detail the process that the emergency coordinator or other authorized authority must take to activate the alarm systems and communication devices in the event of an imminent or actual emergency. Details on the alarm system activation and assurances of its fit for use should be detailed in **Section 2.4 ACCESS TO COMMUNICATIONS OR ALARM SYSTEM.**

Details on notifying the appropriate State or local agencies with designated response roles should be detailed in **Section 2.6 ARRANGEMENTS WITH LOCAL AUTHORITIES.**

3.2 IDENTIFY CHARACTER, SOURCE AND AMOUNT OF RELEASED MATERIAL

Per 40 CFR § 279.52 (b)(6)(ii), *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. He may do this by observation or review of facility records or manifests and, if necessary, by chemical analyses.*

In this section, describe the procedures that the emergency coordinator must take to determine and document where spills are located, the source, and estimation of the amount of released used oil. The emergency coordinator or other authorized authority may choose to designate specific documentation to be used to determine the source, amount, and character of released materials. Such documentation may include: Bills of Lading, Manifests, Material Safety Data Sheets, or by chemical analysis.

If these documents are to be used in the event of an emergency, the emergency coordinator is required to be familiar with where records are held (Per 40 CFR § 279.52 paragraph (b)(5)). Details of where records are kept at the facility may be included in **APPENDIX F: FACILITY MAPS AND DIAGRAMS.**

3.3 ASSESS HAZARDS TO HUMAN HEALTH AND THE ENVIRONMENT

Per 40 CFR § 279.52 (b)(6)(iii), *Concurrently [to the Risk Assessment], 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).*

In this section, describe the procedures that the emergency coordinator must take to assess any imminent or actual hazards to human health and the environment. During the assessment of risks to public health and the environment, the emergency coordinator must consider the following:

- Potential hazards originating from a release, fire, or explosion;
- Direct and indirect effects of a release, fire, or explosion;

Important aspects to consider during the assessment of potential hazards, and the resultant direct and indirect effects of a release, fire, or explosion may include:

- the type of operation being conducted at the facility;
- areas of the facility that may need monitoring post-incident;
- the character, location, and amount of material handled on-site;
- the character, source, and amount of material released;
- proximity of the facility to waterways and populated areas;
- potential for gas evolution reactions;
- wind direction and speed;
- and anticipated weather conditions.

Potential sources of information that the Emergency coordinator may utilize during the hazard assessment may include:

- Bills of Lading;
- Manifests;
- Material Safety Data Sheets;
- Chemical analysis of used oil;
- Facility evacuation maps and diagrams;
- Land use designation maps of surrounding area;
- Demographic information of the surrounding area.

3.4 REPORTING AND EVACUATION NOTICES

Per 40 CFR § 279.52 (b)(6)(iv), *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, he must report his findings as follows:*

- (A) *If his assessment indicated that evacuation of local areas may be advisable, he must immediately notify appropriate local authorities. He must be available to help appropriate officials decide whether local areas should be evacuated; and*
- (B) *He must immediately notify either the government official designated as the on-scene coordinator for the geographical area (in the applicable regional contingency plan under part 1510 of this title), or the National Response Center (using their 24-hour toll free number 800/424-8802). The report must include:*
 - 1) *Name and telephone number of reporter;*
 - 2) *Name and address of facility;*
 - 3) *Time and type of incident (e.g., release, fire);*
 - 4) *Name and quantity of material(s) involved, to the extent known;*
 - 5) *The extent of injuries, if any; and*
 - 6) *The possible hazards to human health, or the environment, outside the facility.*

In this section, describe the procedures for notifying the appropriate local authorities that an evacuation of an area outside of the facility is necessary. These procedures must include details for notifying the on-scene coordinator for the geographical area or the National Response Center (using their 24-hour toll free number (800) 424-8802), and the inclusion of the required information outlined above.

The owner or operators of the facility, or emergency coordinator may choose to have a reporting template, like the one included in **APPENDIX B: EMERGENCY REPORTING TEMPLATE**. Be that all required components are included in the emergency reporting template.

3.5 CONTAINMENT

Per 40 CFR § 279.52 (b)(6)(v), *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 used oil or hazardous waste at the facility. These measures must include, where applicable, stopping processes and operation, collecting and containing released used oil, and removing or isolating containers.*

In this section, describe the procedures that the emergency coordinator must take to prevent additional fires, explosions, or releases of used oil or other hazardous waste at the facility. These procedures must include:

- Measures to stop operations, machinery, or other processes on-site;
- Implementing measures to contain and collect released materials
- Processes to remove or isolate containers.

The specific steps to be carried out will vary depending on the operations taking place and materials being handled at the facility, but must at a minimum, include measures listed above. If specific arrangements with local authorities, such as emergency equipment service providers, are needed to ensure that the procedure above can be carried out, be sure to document these arrangements in **Section 2.6 ARRANGEMENTS WITH LOCAL AUTHORITIES**.

3.6 STOPPED-OPERATIONS MONITORING

Per 40 CFR § 279.52 (b)(6)(vi), *If the facility stops operation 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.*

In this section, detail the process and procedures that the emergency coordinator would deploy in the event that the emergency coordinator, or other designated person, would need to stop operations and monitor on-site equipment to ensure that additional releases of used oil, hazardous material, or fire will not occur.

3.7 STORAGE OF RELEASED MATERIALS AND WASTE

Per 40 CFR § 279.52 (b)(6)(vii), *Immediately after an emergency, the emergency coordinator must provide for recycling, storing, or disposing of recovered used oil, contaminated soil or surface water, or any other material that results from a release, fire, or explosion at the facility.*

In this section, detail the procedure that the emergency coordinator must take to initiate the recovery and storage of any released used oil, contaminated soil or surface water, or debris generated from a release, fire, or explosion at the facility.

Details concerning the emergency service contractors and emergency equipment suppliers (if applicable) that will be called upon in the event of an emergency, may be documented in **Section 2.6: ARRANGEMENTS WITH LOCAL AUTHORITIES.**

3.8 PREVENTION OF IN COMPATIBLE WASTE MIXING

Per 40 CFR § 279.52 (b)(6)(viii), *The emergency coordinator must ensure that, in the affected area(s) of the facility:*

- (A) No waste or used oil that may be incompatible with the released material is recycled, treated, stored, or disposed of until cleanup procedures are completed;*
- (B) All emergency equipment listed in the contingency plan is cleaned and fit for its intended use before operations are resumed.*
- (C) The owner or operator must notify the Regional Administrator, and appropriate State and local authorities that the facility is in compliance with paragraphs (b)(6)(viii)(A) and (B) of this section before operations are resumed in the affected area(s) of the facility.*

In this section, detail the procedures the emergency coordinator must deploy set of procedures to recover and store any waste generated during an emergency in a manner that prevents possible incompatible waste mixing. Such procedures might include:

- The use of storage containers for recovered oil, contaminated soil or surface water;
- Recovering released used oil, contaminated soil, or surface water contaminated with oil;
- Storage procedures that are designed to prevent unknown or incompatible materials from mixing;
- Sampling, analysis, and review of recovered used oil, contaminated soil, or surface water; and
- Review of Compatibility Charts, Compatibility Testing Reports, or Material Safety Data Sheets;
- Arrangements for final disposal of waste generated during the clean-up operations.

The Emergency coordinator must also have a plan to clean and/or replace emergency equipment on site, so that all emergency equipment is ready to be used again if needed. These details could be included in section **1.3 TESTING AND MAINTINENCE OF EQUIPMENT.**

Before resuming operation, the operators must fulfill the requirements above, and report to the Regional Administrator, and appropriate State and local authorities with the required information. To fulfill reporting requirements, you may consider using a standard template notification for this purpose, such as the template included in **APPENDIX B: EMERGENCY REPORTING TEMPLATE.**

3.9 OPERATING RECORD

Per 40 CFR § 279.52 paragraph (b)(6)(ix), *The owner or operator must note in the operating record the time, date and details of any incident that requires implementing the contingency plan. Within 15 days after the incident, he must submit a written report on the incident to the Regional Administrator. The report must include:*

- (A) Name, address, and telephone number of the owner or operator;*
- (B) Name, address, and telephone number of the facility;*
- (C) Date, time, and type of incident (e.g., fire, explosion);*
- (D) Name and quantity of material(s) 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;*
- (G) Estimated quantity and disposition of recovered material that resulted from the incident.*

In this section, detail the procedures that the owner or operator of the facility must take to record any incident that requires the implementation of the contingency plan into the operating record of the facility.

It may be useful to include a reporting template, such as the one included in the **Appendix E**, which includes the required details, as outlined above. Be sure to include plans to ensure that the report is sent to the Regional Administrator within fifteen (15) days of the incident.

4.0 APPENDIX

APPENDIX A: AMENDMENTS RECORD
<p>Per 40 CFR § 279.52 (b)(4) The contingency plan must be reviewed, and immediately amended, if necessary, whenever:</p> <ul style="list-style-type: none"> (i) <i>Applicable regulations are revised;</i> (ii) <i>The plan fails in an emergency;</i> (iii) <i>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 used oil, or changes the response necessary in an emergency;</i> (iv) <i>The list of emergency coordinators changes; or</i> (v) <i>The list of emergency equipment changes.</i>
<p>OPTIONAL: The facility may choose to keep a record of all changes made to the contingency plan:</p> <ul style="list-style-type: none"> • Including the sections of this contingency plan in which the changes have taken place • Date that the changes were finalized; • Designated Authority making the changes to the contingency plan • Date that Local Authorities have been updated on the changes to the contingency plan, if applicable.

Table 4: Contingency Plan Amendments Log				
Date of Amendment:	Authorized Authority making Amendments:	Section Amended:	Amendments Made:	Date of Distribution to Local Authorities:
MM-DD-YYYY	Name, Title	Section	Description of amendments made	MM-DD-YYYY

APPENDIX B: EMERGENCY REPORTING TEMPLATE

Per 40 CFR § 279.52 (b)(6)(iv)

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, he must report his findings as follows:

- (A) If his assessment indicated that evacuation of local areas may be advisable, he must immediately notify appropriate local authorities. He must be available to help appropriate officials decide whether local areas should be evacuated; and*
- (B) He must immediately notify either the government official designated as the on-scene coordinator for the geographical area (in the applicable regional contingency plan under part 1510 of this title), or the National Response Center (using their 24-hour toll free number 800/424-8802). The report must include:*
 - a. Name and telephone number of reporter;
 - b. Name and address of facility;
 - c. Time and type of incident (e.g., release, fire);
 - d. Name and quantity of material(s) involved, to the extent known;
 - e. The extent of injuries, if any; and
 - f. The possible hazards to human health, or the environment, outside the facility.

In this section, the Emergency coordinator, facility owner, or other authorized employee may choose to create a standard form template for Emergency reporting as required by 40 CFR § 279.52 paragraphs (b)(6)(iv)(A) and (B). See below for one such example:

APPENDIX B: EMERGENCY REPORTING TEMPLATE

1. FACILITY INFORMATION:

Facility name:				
Facility Address:				
City:		ZIP Code:		State:
Facility Phone number:				

2. OWNER/OPERATOR INFORMATION:

Owner/Operator name:				
Owner/Operator Address:				
City:		ZIP Code:		State:
Owner/Operator Phone number:				
City:		ZIP Code:		State:

3. EMERGENCY REPORT:

Date of Emergency:				
Type of Emergency (e.g. Fire, explosion)				
3a)	Material involved:		Quantity (unit)	
3b)	Material involved:		Quantity (unit)	
3c)	Material involved:		Quantity (unit)	
3d)	Material involved:		Quantity (unit)	

4. EXTENT OF INJURIES:

4a)	Injured Person:		Nature of Injuries:	
4b)	Injured Person:		Nature of Injuries:	
4c)	Injured Person:		Nature of Injuries:	
4d)	Injured Person:		Nature of Injuries:	

5. HAZARD ASSESMENT:

Assessment of actual or potential hazards:				
5a)	Hazards to Human Health (where applicable):			
5b)	Hazards to the Environment (where applicable):			

APPENDIX C: INTERNAL INSPECTION TEMPLATE

Per 40 CFR § 279.52 (a)(3)

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.

OPTIONAL:

The emergency coordinator or other emergency contact may choose to create an internal inspection checklist to ensure that Emergency equipment, communication systems, containment systems, spill kits, training plans, and this contingency plan are continuously maintained, tested, and up to date.

A standard checklist created for the purpose of conducting internal inspections may be include the following components:

- The name of the designated authority conducting the internal inspection;
- The date that the internal inspection takes place;
- Detailed instructions for inspecting the facility, emergency equipment, on-site facility and contingency plans, or other components of the facility operations; and
- The signature of the person conducting the inspections, verifying that the inspections were conducted properly.

APPENDIX D: COMPLIANCE NOTIFICATION TEMPLATE

Per 40 CFR § 279.52 (b)(6)(ix) *The owner or operator must note in the operating record the time, date and details of any incident that requires implementing the contingency plan. Within 15 days after the incident, he must submit a written report on the incident to the Regional Administrator. The report must include:*

- (A) *Name, address, and telephone number of the owner or operator;*
- (B) *Name, address, and telephone number of the facility;*
- (C) *Date, time, and type of incident (e.g., fire, explosion);*
- (D) *Name and quantity of material(s) 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;*
- (G) *Estimated quantity and disposition of recovered material that resulted from the incident.*

Within 15 days of any imminent or actual emergency that required the activation of the contingency plan, the emergency coordinator is required to submit a notification to the Regional Administrator, and the appropriate State and local authorities that the facility has returned to compliance with respect to 40 CFR 279.52 (b)(6)(viii)(A) and (B).

The emergency coordinator, or other designated authority, may choose to create a standard notification template with all the requisite components, to be used after an emergency has occurred. The report must include parts (A) through (G) above.

APPENDIX D: COMPLIANCE NOTIFICATION TEMPLATE

1. FACILITY INFORMATION:

Facility name:				
Facility Address:				
City:		ZIP Code:		State:
Facility Phone number:				

2. OWNER/OPERATOR INFORMATION:

Owner/Operator name:				
Owner/Operator Address:				
City:		ZIP Code:		State:
Owner/Operator Phone number:				
City:		ZIP Code:		State:

3. EMERGENCY REPORT:

Date of Emergency:				
Type of Emergency (e.g. Fire, explosion)				
3a)	Material involved:		Quantity (unit)	
3b)	Material involved:		Quantity (unit)	
3c)	Material involved:		Quantity (unit)	
3d)	Material involved:		Quantity (unit)	

4. EXTENT OF INJURY:

4a)	Injured Person:		Nature of Injuries:	
4b)	Injured Person:		Nature of Injuries:	
4c)	Injured Person:		Nature of Injuries:	
4d)	Injured Person:		Nature of Injuries:	

5. HAZARD ASSESMENT:

Assessment of actual or potential hazards:				
5a)	Hazards to Human Health (where applicable):			
5b)	Hazards to the Environment (where applicable):			

6. RECOVERED MATERIALS:

6a)	Recovered Material:		Estimated Quantity (unit)	
	Disposition:			
6b)	Recovered Material:		Estimated Quantity (unit)	
	Disposition:			
6b)	Recovered Material:		Estimated Quantity (unit)	
	Disposition:			
6b)	Recovered Material:		Estimated Quantity (unit)	
	Disposition:			

APPENDIX E: FACILITY MAPS AND DIAGRAMS

Per 40 CFR § 279.52 (a)(6)(i), *The owner or operator must attempt to make the following arrangements, as appropriate for the type of used oil handled at the facility and the potential need for the services of these organizations:*

- (A) *Arrangements to familiarize police, fire departments, and emergency response teams with the layout of the facility, properties of used oil 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;*

Per 40 CFR § 279.52 (b)(2):

- (v) *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.*
- (vi) *The plan must include an evacuation plan for facility 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 used oil or fires)*

In this section, the emergency coordinator may choose to detail the required components above using one or more maps and diagrams. Maps and diagrams may be used to document some or all of the following requirements:

- Location and layout of the facility (*per 40 CFR § 279.52 paragraph (a)(6)(i)(A)*);
- Entrance points into the facility (*per 40 CFR § 279.52 paragraph (a)(6)(i)(A)*);
- Evacuation Routes and Alternate Evacuation Routes (*per 40 CFR § 279.52 paragraph (b)(2)(v)*);
- Areas where personnel would be located (*per 40 CFR § 279.52 paragraph (a)(6)(i)(A)*);
- Locations of required emergency equipment (*per 40 CFR § 279.52 paragraph (b)(2)(v)*);
- Required aisle spacing (*per 40 CFR § 279.52 paragraph (a)(5)*);
- Locations of used oil and other storage tanks (*per 40 CFR § 279.52 paragraph (b)(5)*);
- Location of the facility records (*Per 40 CFR § 279.52 (b)(5)*)

When using maps and diagrams of the facility the following components are useful to include:

- Location of map, such as Parcel numbers, physical address, or GPS coordinates;
- Property Boundaries of the facility and/or parcel;
- Cardinal direction arrow;
- Scale bar;
- Company, or authorized person, responsible for creating the map or diagram;
- Date of revision to the Map or Diagram, and name of company, or authorized person, making revisions.

APPENDIX F: ARRANGEMENTS WITH LOCAL AUTHORITIES

Per 40 CFR § 279.52 (a)(6)(i) and (b) (2)(ii)

In this section, the emergency coordinator, or other authorized person, may choose to create a chart, like the one below, to outline the requirements of arrangements with local authorities, their contact details, the date that arrangements were created or updated, a description of the arrangements made or updated, and if in the case of a refusal on the part of a local authority to make arrangements, details as to why that authority refused to enter into arrangements.

Emergency Department	Contact information	Date Arrangements Created or Updated	Designated Arrangements	Documentation of Refusal to enter into Arrangements <i>Per 40 CFR § 279.52 (a)(6)(ii)</i>
PRIMARY Local or County Fire Department	### - ### - ####	Created: [MM-DD-YYYY] by [Name, Title] Updated: [MM-DD-YYYY] by [Name, Title]	[Describe the arrangements made with each Party]	[If any agency refuses to enter into arrangements, document the refusal]
SECONDARY local or County Fire Department	### - ### - ####			
PRIMARY Local or County Police Department	### - ### - ####			
Secondary Local or County Police Department	### - ### - ####			
State Police Department	### - ### - ####			
Nearest Local or County Hospital [Street Address], [City], [State] [Zip Code]				
Government official designated as the on-scene coordinator for the geographical area	### - ### - ####			
Emergency Response Contractor	### - ### - ####			
Emergency Equipment Provider/Contractor	### - ### - ####			

DEFINITIONS

Code of Federal Regulations, Title 40, § 279.1 Definitions.

- **Aboveground tank** means a tank used to store or process used oil that is not an underground storage tank as defined in § 280.12 of this chapter.
- **Container** means any portable device in which a material is stored, transported, treated, disposed of, or otherwise handled.
- **Do-it-yourselfer used oil collection center** means any site or facility that accepts/aggregates and stores used oil collected only from household do-it-yourselfers.
- **Existing tank** means a tank that is used for the storage or processing of used oil and that is in operation, or for which installation has commenced on or prior to the effective date of the authorized used oil program for the State in which the tank is located. Installation will be considered to have commenced if the owner or operator has obtained all federal, state, and local approvals or permits necessary to begin installation of the tank and if either (1) A continuous on-site installation program has begun, or
- (2) The owner or operator has entered into contractual obligations - which cannot be canceled or modified without substantial loss - for installation of the tank to be completed within a reasonable time.
- **Household “do-it-yourselfer” used oil** means oil that is derived from households, such as used oil generated by individuals who generate used oil through the maintenance of their personal vehicles.
- **Household “do-it-yourselfer” used oil generator** means an individual who generates household “do-it-yourselfer” used oil.
- **New tank** means a tank that will be used to store or process used oil and for which installation has commenced after the effective date of the authorized used oil program for the State in which the tank is located.
- **Petroleum refining facility** means an establishment primarily engaged in producing gasoline, kerosene, distillate fuel oils, residual fuel oils, and lubricants, through fractionation, straight distillation of crude oil, redistillation of unfinished petroleum derivatives, cracking or other processes (i.e., facilities classified as SIC 2911).
- **Processing** means chemical or physical operations designed to produce from used oil, or to make used oil more amenable for production of, fuel oils, lubricants, or other used oil-derived product. Processing includes, but is not limited to: blending used oil with virgin petroleum products, blending used oils to meet the fuel specification, filtration, simple distillation, chemical or physical separation and re-refining.
- **Re-refining distillation bottoms** means the heavy fraction produced by vacuum distillation of filtered and dehydrated used oil. The composition of still bottoms varies with column operation and feedstock.
- **Tank** means any stationary device, designed to contain an accumulation of used oil which is constructed primarily of non-earthen materials, (e.g., wood, concrete, steel, plastic) which provides structural support.
 - **Used oil** means any oil that has been refined from crude oil, or any synthetic oil, that has been used and as a result of such use is contaminated by physical or chemical impurities.
 - **Used oil aggregation point** means any site or facility that accepts, aggregates, and/or stores used oil collected only from other used oil generation sites owned or operated by the owner or operator of the aggregation point, from which used oil is transported to the aggregation point

in shipments of no more than 55 gallons. Used oil aggregation points may also accept used oil from household do-it-yourselfers.

- **Used oil burner** means a facility where used oil not meeting the specification requirements in § 279.11 is burned for energy recovery in devices identified in § 279.61(a).
- **Used oil collection center** means any site or facility that is registered/licensed/permitted/recognized by a state/county/municipal government to manage used oil and accepts/aggregates and stores used oil collected from used oil generators regulated under subpart C of this part who bring used oil to the collection center in shipments of no more than 55 gallons under the provisions of § 279.24. Used oil collection centers may also accept used oil from household do-it-yourselfers.
- **Used oil fuel marketer** means any person who conducts either of the following activities:
 - Directs a shipment of off-specification used oil from their facility to a used oil burner; or
 - First claims that used oil that is to be burned for energy recovery meets the used oil fuel specifications set forth in § 279.11 of this part.
- **Used oil generator** means any person, by site, whose act or process produces used oil or whose act first causes used oil to become subject to regulation.
- **Used oil processor/re-refiner** means a facility that processes used oil.
- **Used oil transfer facility** means any transportation related facility including loading docks, parking areas, storage areas and other areas where shipments of used oil are held for more than 24 hours and not longer than 35 days during the normal course of transportation or prior to an activity performed pursuant to § 279.20(b)(2). Transfer facilities that store used oil for more than 35 days are subject to regulation under subpart F of this part.
- **Used oil transporter** means any person who transports used oil, any person who collects used oil from more than one generator and transports the collected oil, and owners and operators of used oil transfer facilities. Used oil transporters may consolidate or aggregate loads of used oil for purposes of transportation but, with the following exception, may not process used oil. Transporters may conduct incidental processing operations that occur in the normal course of used oil transportation (e.g., settling and water separation), but that are not designed to produce (or make more amenable for production of) used oil derived products or used oil fuel.

Arizona Revised Statutes (A.R.S.) 49-801. Definitions.

In addition to the definitions in 40 Code of Federal Regulations, part 279, the following definitions apply to this article:

- **"Off-specification used oil"** means used oil which exceeds any of the allowable levels in 40 Code of Federal Regulations section 279.11.
- **"On-specification used oil"** means used oil that is not off-specification used oil.
- **"Used oil"** includes oil that has been contaminated as a result of handling, transportation or storage.