

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**Bureau of Waste Management**

**DOCUMENT NUMBER:** 254-5900-002

**TITLE:** Guidelines for the Preparation of a Contingency Plan for the Transportation of Residual Waste

**EFFECTIVE DATE:** Upon publication as final in the *Pennsylvania Bulletin*

**AUTHORITY:** This document is established in accordance with Act 97 of 1980, the Solid Waste Management Act as amended, Act 90 of 2002, the Waste Transportation Safety Act as amended, the regulations promulgated pursuant thereto including but not limited to Title 25, Chapter 299, Subchapter B, 201 to 219, amended January 12, 2001, effective January 13, 2001, and the Environmental Statutes administered by the Department of Environmental Protection (DEP).

**POLICY:** Transporters of residual waste are required to develop and implement a Transporter's Contingency Plan to be carried in the transport vehicle to address emergencies affecting the environment, public health, safety, and welfare, resulting from an incident that occurs while transporting residual waste.

**PURPOSE:** This policy describes the process by which transporters of residual waste may comply with the DEP's Rules and Regulations as they develop and implement a Transporter's Contingency Plan to address emergencies affecting the environment, public health, safety, and welfare, resulting from an incident that occurs while transporting residual waste. The contingency plan must be carried in the transport vehicle to provide information and direction to the driver during an emergency. The contingency plan is the transporter's written assurance that emergency response activities will be conducted in an acceptable manner in the event of an incident.

**APPLICABILITY:** This guidance is applicable to transporters that transport residual waste:

1. to a processing or disposal facility via vehicles including rail or sea intermodal containers;
2. by renting or leasing vehicles for a short term; or
3. by utilizing vehicles for temporary storage.

Transporters solely of municipal waste are also encouraged to develop and implement a Transporter's Contingency Plan.

These guidelines apply to the transportation of residual waste, not generation, storage, treatment, transfer, composting, incineration, processing, or disposal of residual waste. Transporters who generate, store, treat, transfer, compost, incinerate, process, or dispose of residual wastes must also prepare a Preparedness, Prevention and Contingency Plan in accordance with the DEP's "Guidelines for the Development and Implementation of Preparedness, Prevention and Contingency Plans" (400-2200-001).

Pollution Incident Prevention (PIP) Plans, prepared in conjunction with the DEP'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.

**DISCLAIMER:**

The policies and procedures outlined in this guidance document are intended to supplement existing requirements. Nothing in the policies or procedures will affect regulatory requirements.

The policies and procedures herein are not an adjudication or a regulation. There is no intent on the part of the Department to give these rules that weight or deference. This document establishes the framework within which DEP will exercise its administrative discretion in the future. DEP reserves the discretion to deviate from this policy statement if circumstances warrant.

**PAGE LENGTH:**

5 Pages

**PREPARATION OF THE TRANSPORTER'S CONTINGENCY PLAN:** Contingency Plans should be prepared in accordance with good engineering practice by someone who is familiar with both the day-to-day operations of the applicant, and the relevant code including 25 Pa. Code §299.216 (relating to accident prevention and planning), §299.217 (relating to emergencies), §287.103 (relating to emergency disposal or processing), §299.117 (relating to emergency storage) and the Environmental Statutes administered by the Department of Environmental Protection (DEP). An outside consultant, employed for this purpose, should be authorized to conduct a thorough study of waste handling and transportation practices.

**IMPLEMENTATION OF THE TRANSPORTER'S CONTINGENCY PLAN:** The provisions of the Contingency Plan should be implemented whenever emergency situations arise which endanger public health and safety or the environment, as required by 25 Pa. Code §299.217.

**REVISIONS TO THE TRANSPORTER'S CONTINGENCY PLAN:** The Contingency Plan should be periodically reviewed and updated if necessary. As a minimum, this should 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 coordinators changes;
5. The list of emergency equipment changes;
6. As required by the DEP.

**FORMAT OF THE TRANSPORTER'S CONTINGENCY PLAN:** Attached is a "Sample Contingency Plan." Section headings are in bold type. Instructions are provided in regular type.

# **SAMPLE CONTINGENCY PLAN FOR [TRANSPORTER NAME, ADDRESS, AND TELEPHONE NUMBER]**

## **EFFECTIVE DATE**

Drivers should always have the most recent version of the plan.

## **EMERGENCY INCIDENT REPORTING**

In the event of a discharge or release of residual waste during transportation, the transporter shall immediately notify the Pennsylvania DEP with the following information required by §299.217:

1. The name of the person reporting the incident and telephone number where that person can be reached.
2. The name, address and telephone number of the transporter.
3. The date, time and location of the incident.
4. The mode of transportation and type of transport vehicle.
5. A brief description of the nature of the incident and what damages to public health and safety, public welfare and the environment exist or may occur.
6. The nature of any injuries.
7. For each waste involved in the incident:
  - a. The name and address of the generator of the waste.
  - b. Shipping name, GHS hazard class, and UN, CAS or NA number of the waste.
  - c. Estimated weight or volume of the waste discharged or released.
  - d. The extent of any contamination of land, water, or air.

The transporter will immediately notify the State or local police and the county emergency management official of the incident and the nature of the discharge or release.

Pursuant to § 299.218, the transporter will notify the DEP of the incident prior to the disposal or processing of such waste and disposal or processing shall be in accordance with §287.103 (relating to emergency disposal or processing). The DEP may allow temporary storage of residual waste at a permitted facility as specified in §299.117 (relating to emergency storage).

The transporter should then commence clean-up of the waste and take other action as may be required or approved by the DEP so that the discharge presents no threat to public health, safety, welfare and the environment.

## **LIST OF EMERGENCY RESPONSE AGENCIES**

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

Pennsylvania Department of Environmental Protection  
1-800-541-2050 or 717-787-4343 (24 hours)

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

## **LIST OF EMERGENCY COORDINATORS**

A MINIMUM OF TWO EMERGENCY COORDINATORS SHOULD BE LISTED with their name, address, and home/mobile and office telephone numbers. Indicate who is the primary coordinator and who is the secondary coordinator. The emergency coordinators should be thoroughly familiar with all aspects of the Transporter's Contingency Plan, all operations and activities, the characteristics of all materials handled and the location of all records.

At all times, there should be at least one employee either on the installation's premises or on-call with responsibility for coordinating all emergency response measures and with the authority to commit the resources necessary to carry out the Contingency Plan.

## **EMERGENCY EQUIPMENT**

Provide an up-to-date list of available emergency equipment for cleaning up the waste and other action as may be required or approved by the DEP so that the discharge presents no threat to public health and safety, public welfare and the environment. The list should 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 as described by §299.216(a). Absorbent material or mats must also be carried on the transport vehicle when liquids are transported in containers required by §299.216(c). Fully charged fire extinguishers must be provided according to 25 Pa. Code §299.213. For further details, refer to the "Municipal and Residual Waste Transportation Driver's Checklist," document number 2540-FS-DEP2845 at <http://www.depgreenport.state.pa.us/elibrary/GetDocument?docId=12329&DocName=2540-FS-DEP2845.pdf>.

A brief statement should 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."

## **ROUTINE DECONTAMINATION PROCEDURES**

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

As required by § 299.218(c), contaminated wash water, waste solutions, and residues generated from washing or decontaminating equipment are deemed to be a residual waste and shall be collected and disposed or processed in compliance with applicable laws and regulations.