

# Hazardous Waste Contingency Plans

A contingency plan is a formal written safety document that details actions facility personnel must take in response to emergencies related to on-site management and storage of hazardous waste ([40 CFR § 265.50 - §265.56](#)). This requirement should not be confused with the Nevada State Fire Marshal Hazardous Materials Inventory and Permit.

## Who is Required to Have a Contingency Plan?

Large Quantity Generators (LQG) of hazardous waste, i.e. those generating 2,200 lbs or more per calendar month, are required to have a contingency plan. In many instances, LQGs may also be required to fulfill the regulatory requirements of other plans such as the Spill Prevention, Control and Countermeasures Plan (SPCC), a National Oil and Hazardous Substances Pollution Plan, or other emergency plans. Since many of these plans have overlapping requirements, the hazardous waste contingency plan requirements may be incorporated into an existing plan if present ([§ 265.52\(b\)](#)). Note: if you obtained an EPA Identification number as an LQG, you must comply with this requirement even if your monthly generation rate may currently be less than 2,200 lbs per calendar month.

Small Quantity Generators (SQG) and Very Small Quantity Generators (VSQG) are not required to have a contingency plan. SQG regulated businesses should consider developing a contingency plan if they generate hazardous waste close to the maximum limit for their generator status.

## Contents of a Contingency Plan

Use this checklist to ensure you meet the regulatory requirements of a contingency plan per [§ 265.52](#):

- [§ 265.52\(a\)](#) Description of the actions facility personnel must take to comply with [§ 265.51](#) (Purpose and implementation of contingency plan) and [§ 265.56](#) (Emergency procedures) 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.
- [§ 265.52\(c\)](#) Description of arrangements agreed to by local police and fire departments, hospitals, contractors, and State and local emergency response teams to coordinate emergency services, pursuant to [§ 265.37](#).
- [§ 265.52\(d\)](#) Up to date list of names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator.
- [§ 265.52\(e\)](#) Up to date list of all emergency equipment at the facility, the location of this equipment, and a physical description of each item on the list, and a brief outline of its capabilities.
- [§ 265.52\(f\)](#) An evacuation plan for facility personnel that describes: 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 hazardous waste or fires).

[§ 262.262\(b\)](#) A quick reference guide that provides key emergency response information from the contingency plan.

Most components required of a contingency plan are straight forward, but how do you begin? Walk through your facility and ask yourself “what if”: “What if these tanks ruptured?” or “What if a fire occurred in this storage area?” By building a set of “what ifs” facility-wide, you can start assembling actions in response to potential emergencies.

## I Have My Plan Together, Now What?

Maintain copies of your contingency plan on-site and send copies to all agencies that could respond in the event of an emergency, including local police and fire departments, hospitals, and state or local emergency response teams ([§ 265.53](#)). Maintain proof that your plan has been submitted to each of these agencies, such as a certified mail receipt, a copy of the mailing envelope, or a cover letter to the respective agency with the dates the contingency plan was mailed. If any agency refuses to accept your contingency plan, make note of the refusal in your operating records.

Emergency coordinator(s) must be familiar with all aspects of the 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 ([§ 265.55](#)). This person must have the authority to commit the resources needed to carry out the contingency plan. It is a best management practice to train other employees on the contingency plan as it relates to their duties.



Amendments to the contingency plan must be made and documented when: the facility, emergency coordinator(s), or emergency equipment changes; when regulations are revised; or when the plan fails during an emergency ([§ 265.54](#)).

## Quick Reference Guide

The Hazardous Waste Generator Improvements Rule, adopted in Nevada in 2020, requires contingency plans to contain a quick reference guide. A quick reference guide summarizes key information from your facility's contingency plan with accompanying facility and street maps. Download BEP's factsheet, [Contingency Plan Quick Reference Guide](#), for more detailed information to help you stay in compliance.



**(800) 882-3233**

**[help@unrbep.org](mailto:help@unrbep.org)**

**[www.unrbep.org](http://www.unrbep.org)**

DISCLAIMER: This guidance document is intended as general information and is not provided nor intended to act as a substitute for legal advice or other professional services. BEP advises the regulated community to read all applicable regulations set forth in both US Code of Federal Regulations (Title 40 C.F.R. Parts 260-279) and the Nevada Hazardous Waste Regulations and to keep informed of all subsequent revisions or amendments to these regulations. This guidance document was developed by BEP with funding support provided by the Nevada Division of Environmental Protection.