

**Subpart C—Preparedness and Prevention**

**§ 264.30 Applicability.**

The regulations in this subpart apply to owners and operators of all hazardous waste facilities, except as § 264.1 provides otherwise.

**§ 264.31 Design and operation of facility.**

Facilities must be designed, constructed, maintained, and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

**§ 264.32 Required equipment.**

All facilities must be equipped with the following, *unless* it can be demonstrated to the Regional Administrator that none of the hazards posed by waste handled at the facility could require a particular kind of equipment specified below:

(a) An internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel;

(b) 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;

(c) 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

(d) Water at adequate volume and pressure to supply water hose streams, or foam producing equipment, or automatic sprinklers, or water spray systems.

[*Comment:* Part 270 of this chapter requires that an owner or operator who wishes to make the demonstration referred to above must do so with part B of the permit application.]

[45 FR 33221, May 19, 1980, as amended at 48 FR 14294, Apr. 1, 1983]

**§ 264.33 Testing and maintenance of equipment.**

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.

**§ 264.34 Access to communications or alarm system.**

(a) Whenever hazardous waste 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* the Regional Administrator has ruled that such a device is not required under § 264.32.

(b) If there is ever just one employee on the premises while the facility is operating, he 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* the Regional Administrator has ruled that such a device is not required under § 264.32.

**§ 264.35 Required aisle space.**

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* it can be demonstrated to the Regional Administrator that aisle space is not needed for any of these purposes.

[*Comment:* Part 270 of this chapter requires that an owner or operator who wishes to make the demonstration referred to above must do so with part B of the permit application.]

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