

Reclamation Manual

Directives and Standards

Subject: Hazardous Materials

Purpose: To provide for the safety of the public and protect environmental resources from incidents at our facilities by defining program needs and requirements essential to maintain self regulation by line managers, be responsive to public safety, and satisfy legal requirements during operations or emergency incidents at our facilities.

Authority: Reclamation Project Act of 1902 and Supplementary Acts; National Environmental Policy Act of 1969 (as amended); Oil Prevention Act of 1990; Clean Water Act of 1972 (as amended); Emergency Planning and Community Right-to-Know Act of 1986 (Title III); Superfund Amendments and Reauthorization Act of 1986 (SARA); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); and RM FAC P01.

Contact: Facilities & Operations Support, D-5500
Dam Safety Office, D-6600
Environmental & Planning Coordination, D-5100

1. **Hazardous Waste and Materials Delegations.** Regional Directors and Area Managers are responsible for hazardous waste management within their respective Regions/Areas and can redelegate this responsibility to the operational offices for implementation.
2. **Oil Prevention Act of 1990 and Clean Water Act.** Reclamation's responsibilities under these Act's are covered with the development and implementation of appropriate Spill Prevention Control and Countermeasure (SPCC) plans. SPCC plans are required for Reclamation facilities under the Environmental Protection Agency – Oil Pollution Prevention Regulations, Clean Water Act, (40 CFR 112), where oil or hazardous substances may be released into the waters of the United States. Also, it is currently Reclamation policy to require SPCC plans from all construction contractors where a potential exists for release of oils or hazardous materials into the waters of the United States.
 - A. SPCC plans are required to be in place no later than 6 months after start up of the facility and fully implemented within 12 months.
 - B. SPCC plans are required for all facilities having above-ground storage capacity of a single container in excess of 660 gallons, or an aggregate of above-ground storage capacity greater than 1,320 gallons, or the total below ground capacity is greater than 40,000 gallons. Also, any facility which, due to its location, could reasonably expect spilled oil to reach waters of the United States.
 - C. SPCC plans must be certified by a registered professional engineer.

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- D. Emphasis of a plan will be to prevent the discharge of oil. Secondary emphasis is on the reporting of releases and the emergency procedures to implement if a spill occurs.
3. **Title III Community Right-to-Know Responsibilities.** The Emergency Planning and Community Right-to-Know Act of 1986 (Title III), promulgated with the Superfund Amendments and Reauthorization Act of 1986 (SARA), was designed to promote emergency planning efforts at the State and local levels, and provide citizens and local governments with information concerning potential chemical hazards in their communities. Title III requires facilities to provide emergency hazardous chemical release notification (40 CFR Part 355.40) and report chemical inventories above Threshold Planning Quantities (TPQ) (40 CFR Part 370). Federal agencies are required by Executive Order No. 12856 "Federal Compliance With Right-to-Know Laws and Pollution Prevention Requirements" dated August 3, 1993, to comply with the provisions of Title III.
- A. Title III includes two basic programs:
- (1) A general information program that focuses on routine releases of "toxic chemicals." This section generally will not be applicable for most Reclamation facilities except for the few which release large quantities of toxic chemical.
 - (2) A program to prepare for and respond to unplanned releases of hazardous substances.
- B. Generally this section applies to Reclamation facilities at which hazardous materials in excess of the Threshold Planning Quantity (TPQ) are stored. Typical materials found at some Reclamation facilities in excess of the TPQ's are:
- (1) Chlorine gas: TPQ is 100 pounds.
 - (2) Large amounts of pesticides such as "Acrolein:" TPQ is 500 pounds.
4. **Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).** Reclamation's emergency responsibilities under CERCLA consist of the reporting of hazardous material releases to the environment. CERCLA regulations (40 CFR 302.4) provide a list of the quantities of hazardous materials requiring notification of the National Response Center when a release occurs.