

# Reclamation Manual

## Policy

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<b>Subject:</b>	Hazardous Materials
<b>Purpose:</b>	To establish the requirements and responsibilities for the management of hazardous materials, hazardous substances, oils, and hazardous waste generated by Bureau of Reclamation facilities or on Reclamation lands. The benefit of this Policy is a reduction in environmental liability associated with use, storage, and handling of hazardous materials, hazardous substances, oils, and hazardous waste.
<b>Authority:</b>	Resource Conservation and Recovery Act of 1976 (RCRA) (Pub. L. 94-580) as amended by Pub. L. 95-609 and Pub. L. 98-616; Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (Pub. L. 96-510) as amended; National Oil and Hazardous Substances Pollution Contingency Plan (NCP) (40 CFR 300)
<b>Approving Official:</b>	Commissioner
<b>Contact:</b>	Mission Assurance and Protection Organization (MAPO), Environmental Compliance Division (84-53000)

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1. **Introduction.** Reclamation is responsible for the identification and proper management of hazardous waste generation activities on Reclamation lands in accordance with the national polices set out in RCRA, CERCLA, and other applicable Federal, State, and local laws and regulations. This responsibility is to be fully considered in project planning, design, construction, operation, and maintenance.
2. **Applicability.** This Policy applies to all managers of Reclamation lands and facilities. Facilities specifically included are those on Reclamation lands that use, treat, or store hazardous materials, hazardous substances, or oils, or that may generate a hazardous waste.
3. **Definitions.**
  - A. **Environmental Release.** Any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment (including abandonment or discarding of barrels, containers, or other closed receptacles) of any hazardous chemical, hazardous substance, or toxic chemical (40 CFR 372.3).
  - B. **Hazardous Material.** The term includes hazardous substances, hazardous wastes, marine pollutants, elevated temperature materials, materials designated as hazardous in the Hazardous Materials Table (see 49 CFR 172.101), and materials that meet the defining criteria for hazard classes and divisions in part 49 CFR 173 (49 CFR 171.8).

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- C. **Hazardous Substance.** As defined by Section 101(14) of CERCLA:
- (1) any substance designated pursuant to section 311(b)(2)(A) of the Clean Water Act, and
  - (2) any element, compound, mixture, solution, or substance designated pursuant to section 102 of CERCLA, and
  - (3) any toxic pollutant listed under section 307(a) of the CWA, and
  - (4) any hazardous air pollutant listed under section 112 of the Clean Air Act (42 U.S.C. 7521 et seq.), and
  - (5) any materials that are included in CERCLA as a listed hazardous substance or radionuclides as identified in 40 CFR 302.4.
- D. **Hazardous Waste.** A waste or combination of wastes as defined in 40 CFR 261.3, or those substances defined as hazardous wastes in 49 CFR 171.8 (29 CFR 1910.120).
- E. **Oils.** Oil of any kind or in any form, including but not limited to, petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged soil (40 CFR 109.2).
4. **Responsibilities.**
- A. **Commissioner.** The Commissioner is responsible for the Reclamation-wide implementation of this Policy.
- B. **Regional Directors.** Regional directors shall:
- (1) designate a Regional Hazardous Materials Coordinator;
  - (2) ensure the implementation of this Policy within their regions;
  - (3) ensure responsible hazardous waste management within their respective areas/regions; and
  - (4) ensure appropriate training is provided to the regional hazardous materials coordinator based on the hazardous materials, hazardous substances, oils, or hazardous wastes they can reasonably expect to contact or manage as part of their job responsibilities.
- C. **Regional Hazardous Materials Coordinator.** The regional hazardous materials coordinator shall:
- (1) provide technical assistance to the area and regional office on environmental regulatory issues;

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- (2) assist the region in complying with all Federal, State, and local environmental regulatory requirements;
- (3) establish and maintain a regional Environmental Compliance Audit Program;
- (4) ensure the region properly manages any regional hazardous materials, hazardous substances, oils, or hazardous wastes in compliance with current Federal, State, and local regulations;
- (5) coordinate and maintain appropriate records relating to proper management of regional hazardous materials, hazardous substances, oils, or hazardous waste; and
- (6) coordinate and cooperate with the MAPO Hazardous Materials Coordinator in complying with Federal, State, and local environmental requirements.

**D. Director, MAPO.** The Director, MAPO shall:

- (1) designate a MAPO Hazardous Materials Coordinator; and
- (2) ensure Reclamation Manual Directives and Standards and guidance are available for implementation of this Policy, as necessary.

**E. MAPO Hazardous Materials Coordinator.** The MAPO Hazardous Materials Coordinator shall:

- (1) coordinate, develop, and otherwise assist in the development of Directives and Standards, and guidance on implementation of this Policy, as necessary;
- (2) provide technical assistance to the area, regional, and Denver offices' Hazardous Materials Coordinators on environmental regulatory issues;
- (3) establish and maintain a program to audit Reclamation's compliance with Federal, State, and local environmental requirements associated with hazardous materials and hazardous waste, especially RCRA and CERCLA compliance; and
- (4) maintain appropriate records related to Reclamation activities associated with hazardous materials, hazardous substances, oils, or hazardous wastes.

### 5. General Policy.

- A. Hazardous Waste.** Reclamation's facility managers shall consider hazardous waste handling before the initial purchase of hazardous materials, hazardous substances, oils, or as early as possible in the design of processes which use hazardous materials or have the potential to generate hazardous wastes. It is Reclamation policy to carefully consider such purchases or designs with the intention of substituting nonhazardous materials or of making process changes where possible to avoid or reduce the

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generation of hazardous wastes. Whenever the generation of hazardous waste is unavoidable, Reclamation will ensure effective management is employed to minimize potential releases to the environment and any long-term liability.

- B. **Pollution Prevention.** Reclamation will actively seek integration of waste minimization and pollution prevention principles into all applicable activities to raise awareness and effectiveness as much as practicable, and to minimize cleanup and disposal cost and liability.
- C. **Environmental Release and Cost Recovery.** Reclamation shall participate as appropriate in the cleanup and restoration from a release of hazardous material, substance, or waste, and shall, as far as practicable, pursue recovery of environmental release and response costs from the responsible party(s).

## RECLAMATION MANUAL TRANSMITTAL SHEET

Effective Date: \_\_\_\_\_

Release No. \_\_\_\_\_

Ensure all employees needing this information are provided a copy of this release.

### Reclamation Manual Release Number and Subject

### Summary of Changes

NOTE: This Reclamation Manual release applies to all Reclamation employees. When an exclusive bargaining unit exists, changes to this release may be subject to the provisions of collective bargaining agreements.

### Filing instructions

Remove Sheets

Insert Sheets

All Reclamation Manual releases are available at <http://www.usbr.gov/recman/>

Filed by: \_\_\_\_\_

Date: \_\_\_\_\_