

Section 21

Hazardous Materials Emergency Response

21.1 Scope

This section applies to all Bureau of Reclamation (Reclamation) facilities that store and use hazardous substances. This section should not be confused with 29 C.F.R. 1910.38, *Emergency Action Plans*.

21.2 Responsibilities

21.2.1 Area Office Managers and Facility Managers

21.2.1.1 Shall use the criteria outlined in paragraph 21.4.2, *Emergency Response Plan*, to determine if Reclamation facilities require an Emergency Response Plan as prescribed in Occupational Safety and Health Administration (OSHA) 29 C.F.R. 1910.120, *Hazardous Waste Operations and Emergency Response*. Area Managers shall contact their local environmental protection specialists for guidance when available.

21.2.2 Local Safety Professionals

21.2.2.1 Shall assist facility managers and supervisors who use or store hazardous chemicals or substances in determining the relevant criteria in OSHA 29 C.F.R. 1910.120 and OSHA 1910.1200.

21.2.2.2 Shall assist supervisors in the development and review of local Hazard Communication and Emergency Response Plans, upon request.

21.2.3 First-Line Supervisors

21.2.3.1 Shall develop and maintain written Emergency Response Plans, when required, and update at least annually. The local hazardous material coordinator or local safety professional will review the Emergency Response Plans at least annually.

21.2.3.2 Shall provide employees with training to understand their responsibilities within the Hazard Communication Plan and Emergency Response Plan.

21.3 Training

21.3.1 Initial

The supervisor must provide training to employees with potential exposure to incidental releases of hazardous substances to meet the requirements contained in the Hazard Communication Standard, OSHA 29 C.F.R. 1910.1200, *Hazard Communication*.

21.3.2 Emergency Response

Supervisors will provide training for employees who participate, or will participate, in emergency responses in accordance with OSHA 29 C.F.R. 1910.120.

21.4 Safe Practices

21.4.1 Incidental Release

Reclamation defines an incidental release as a release of a hazardous chemical or substance which does not pose a significant safety or health hazard to employees in the immediate vicinity or to employees assigned to clean up the incidental release. An incidental release does not have the potential to become an emergency within a short time frame. Incidental releases are limited in quantity, exposure potential, and toxicity.

21.4.1.1 Examples

- Hazardous substances stored in very small quantities that do not pose a significant safety and health threat based on the volume or toxicity.
- Hazardous substances easily contained by employees in the immediate vicinity that are cleaned up using absorbent materials without posing a threat to the safety and health of employees.
- Employees readily repairing, or safety staff repairing, a small leak at a later time (i.e., the safety and health of the employees are not threatened if the employee does not initiate an immediate response).

21.4.2 Emergency Response Plan

OSHA 1910.120(q) requires emergency response plans for situations involving hazardous substances or chemicals, including the following:

- emergency responders coming from outside the immediate release area,
- the evacuation of employees in the immediate area,
- potential conditions that are immediately dangerous to life or health,
- a serious threat of fire or explosion, or
- high levels of exposure to toxic substances.

21.4.2.1 Requirements. Reclamation facilities requiring employees to respond to hazardous substance releases or spills that meet the above criteria must also adhere to the provisions outlined in OSHA 29 C.F.R. 1910.120(q). Supervisors and managers must contact their regional industrial hygienist if they feel they have employees or conditions that would warrant adherence to OSHA 29 C.F.R. 1910.120(q).

21.4.3 Area and Facility Manager Decision Guide

21.4.3.1 Exempt Facilities. Reclamation facilities that do not contain hazardous substances or hazardous chemicals of any kind are exempt from Federal OSHA requirements prescribed in OSHA 29 C.F.R. 1910.1200, as well as OSHA 29 C.F.R. 1910.120.

21.4.3.2 Small Quantity. Reclamation facilities that maintain small quantities of easily-controlled hazardous substances or chemicals (e.g., gasoline, cleaning products or solvents, oils, lubricants), are required to adhere to the requirements prescribed in Reclamation Safety and Health Standard Section 33, *Hazard Communication Program*, and OSHA 29 C.F.R. 1910.1200. Federal OSHA CPL 02-02-073 defines small quantities as pint size or less.

21.4.3.3 Highly Toxic Chemicals. Facilities that store or use highly toxic chemicals known to be an immediate threat to life or health shall adhere to the requirements outlined in Reclamation Safety and Health Standard 33, OSHA 29 C.F.R. 1910.1200, and OSHA 29 C.F.R. 1910.120(q), *Emergency response program to hazardous substance releases*, based on the criteria outlined in paragraph 21.4.2 of this section.

21.5 Definitions

Emergency response or responding to emergencies

A response effort by employees from outside the immediate release area or by other designated responders (e.g., mutual aid groups, local fire departments) to an occurrence which results, or likely will result, in an uncontrolled release of a hazardous substance.

Hazardous chemical

Any chemical classified as a physical or health hazard, or a simple asphyxiant, combustible dust, pyrophoric gas, or hazard not otherwise classified.

Hazardous Substance	Any substance defined by 42 U.S.C. Chapter 103, <i>Comprehensive Environmental Response, Compensation, and Liability</i> , Section 9601 (14) or any substance listed by the Department of Transportation as a hazardous material. Additionally, any biologic agent or other disease causing agent which after release into the environment and upon exposure, ingestion, inhalation, or assimilation into any person, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction), or physical deformations in such persons or their offspring.
Hazardous Waste	Those substances defined as hazardous wastes in 40 C.F.R. 262.11 and 49 C.F.R. 171.8.
Health Hazard	A chemical or pathogen where acute or chronic health effects may occur in exposed employees.
Immediately dangerous to life or health	An atmosphere concentration of any toxic, corrosive, or asphyxiant substance that poses an immediate threat to life or would interfere with an individual's ability to escape from a dangerous atmosphere.

21.6 References

- Occupational Safety and Health Administration. 29. C.F.R 1910 Subpart H. 1910.120 *Hazardous waste operations and emergency response*. <https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.120>
- Occupational Safety and Health Administration. 29. C.F.R 1910 Subpart Z. 1910.1200 *Hazard Communication*. [1910.1200 - Hazard Communication. | Occupational Safety and Health Administration \(osha.gov\)](https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.1200)
- U.S. Department of Transportation. Pipeline and Hazardous Materials Safety Administration. Emergency Response Guidebook. <https://www.phmsa.dot.gov/hazmat/erg/emergency-response-guidebook-erg>
- U.S. Department of Transportation. Pipeline and Hazardous Materials Safety Administration. 49 C.F.R. 172.101 Appendix A. *List of Hazardous Substances and Reportable Quantities*. <https://www.phmsa.dot.gov/international-program/49-cfr-172101-appendix>
- United States Code. Title 42. The Public Health and Welfare. 2018 <https://www.govinfo.gov/app/collection/uscode/2018/title42>

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.

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