

3745-279-52

General facility standards for used oil processors and re-refiners.

(A) Preparedness and prevention. Owners and operators of used oil ~~processors and re-refiners~~ processing and re-refining facilities ~~shall~~must comply with the following requirements:

(1) Maintenance and operation of facility. Facilities ~~shall~~must be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of used oil to air, soil, or surface water which could threaten human health or the environment.

(2) Required equipment. All facilities ~~shall~~must be equipped with the following, unless none of the hazards posed by used oil handled at the facility could require a particular kind of equipment specified in paragraphs (A)(2)(a) to (A)(2)(d) of this rule:

(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.

(3) Testing and maintenance of equipment. All facility communications or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment, where required, ~~shall~~must be tested and maintained as necessary to assure its proper operation in time of emergency.

(4) Access to communications or alarm system.

(a) Whenever used oil is being poured, mixed, spread, or otherwise handled, all personnel involved in the operation ~~shall~~must have immediate access

to an internal alarm or emergency communication device, either directly or through visual or voice contact with another employee, unless such a device is not required in paragraph (A)(2) of this rule.

- (b) If there is ever just one employee on the premises while the facility is operating, the employee ~~shall~~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 such a device is not required in paragraph (A)(2) of this rule.
- (5) Required aisle space. The owner or operator ~~shall~~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 aisle space is not needed for any of these purposes.
- (6) Arrangements with local authorities.
- (a) The owner or operator ~~shall~~must attempt to make the following arrangements, as appropriate for the type of used oil handled at the facility and the potential need for the services of these organizations:
 - (i) Arrangements to familiarize police, fire departments, and emergency response teams with the layout of the facility, properties of used oil handled at the facility and associated hazards, places where facility personnel would normally be working, entrances to roads inside the facility, and possible evacuation routes;
 - (ii) Where more than one police and fire department might respond to an emergency, agreements designating primary emergency authority to a specific police and a specific fire department, and agreements with any others to provide support to the primary emergency authority;
 - (iii) Agreements with state emergency response teams, emergency response contractors, and equipment suppliers; and
 - (iv) Arrangements to familiarize local hospitals with the properties of used oil handled at the facility and the types of injuries or illnesses which could result from fires, explosions, or releases at the facility.

- (b) Where state or local authorities decline to enter into such arrangements, the owner or operator ~~shall~~must document the refusal in the operating record.
- (B) Contingency plan and emergency procedures. Owners and operators of used oil processors and re-refiners facilities ~~shall~~must comply with the following requirements:
- (1) Purpose and implementation of contingency plan.
 - (a) Each owner or operator ~~shall~~must have a contingency plan for the facility. The contingency plan ~~shall~~must be designed to minimize hazards to human health or the environment from fires, explosions, or any unplanned sudden or non-sudden release of used oil to air, soil, or surface water.
 - (b) The provisions of the plan ~~shall~~must be carried out immediately whenever there is a fire, explosion, or release of used oil which could threaten human health or the environment.
 - (2) Content of contingency plan.
 - (a) The contingency plan ~~shall~~must describe the actions facility personnel ~~shall~~must take to comply with paragraphs (B)(1) and (B)(6) of this rule in response to fires, explosions, or any unplanned sudden or non-sudden release of used oil to air, soil, or surface water at the facility.
 - (b) If the owner or operator has already prepared a spill prevention, control, and countermeasures (SPCC) plan in accordance with 40 CFR Part 112, or some other emergency or contingency plan, the owner or operator need only amend that plan to incorporate used oil management provisions that are sufficient to comply with the requirements of Chapter 3745-279 of the Administrative Code.
 - (c) The plan ~~shall~~must describe arrangements agreed to by local police departments, fire departments, hospitals, contractors, and state and local emergency response teams to coordinate emergency services, pursuant to paragraph (A)(6) of this rule.
 - (d) The plan ~~shall~~must list names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator [see

paragraph (B)(5) of this rule], and this list ~~shall~~must be kept up to date. Where more than one person is listed, one ~~shall~~must be named as primary emergency coordinator and others ~~shall~~must be listed in the order in which they will assume responsibility as alternates.

- (e) The plan ~~shall~~must include a list of all emergency equipment at the facility [such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment], where this equipment is required. This list ~~shall~~must be kept up to date. In addition, the plan ~~shall~~must include the location and a physical description of each item on the list, and a brief outline of its capabilities.
 - (f) The plan ~~shall~~must include an evacuation plan for facility personnel where there is a possibility that evacuation could be necessary. This plan ~~shall~~must describe 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 used oil or fires).
- (3) Copies of contingency plan. A copy of the contingency plan and all revisions to the plan ~~shall~~must be:
- (a) Maintained at the facility; and
 - (b) Submitted to all local police departments, fire departments, hospitals, and state and local emergency response teams that may be called upon to provide emergency services.
- (4) Amendment of contingency plan. The contingency plan ~~shall~~must be reviewed, and immediately amended, if necessary, whenever:
- (a) Applicable rules are revised;
 - (b) The plan fails in an emergency;
 - (c) The facility changes- in its design, construction, operation, maintenance, or other circumstances- in a way that materially increases the potential for fires, explosions, or releases of used oil, or changes the response necessary in an emergency;
 - (d) The list of emergency coordinators changes; or

(e) The list of emergency equipment changes.

- (5) Emergency coordinator. At all times, there ~~shall~~must be at least one employee either on the facility premises or on call (i.e., available to respond to an emergency by reaching the facility within a short period of time) with the responsibility for coordinating all emergency response measures. This emergency coordinator ~~shall~~must be thoroughly familiar with all aspects of the facility's contingency plan, all operations and activities at the facility, the location and characteristic of used oil handled, the location of all records within the facility, and facility layout. In addition, this person ~~shall~~must have the authority to commit the resources needed to carry out the contingency plan.

[~~Note~~Comment: The emergency coordinator's responsibilities are more fully spelled out in paragraph (B)(6) of this rule. Applicable responsibilities for the emergency coordinator vary, depending on factors such as type and variety of used oil handled by the facility, and type and complexity of the facility.]

(6) Emergency procedures.

- (a) Whenever there is an imminent or actual emergency situation, the emergency coordinator (or the designee when the emergency coordinator is on call) ~~shall~~must immediately:
- (i) Activate internal facility alarms or communication systems, where applicable, to notify all facility personnel; and
 - (ii) Notify appropriate state or local agencies with designated response roles if their help is needed.
- (b) Whenever there is a release, fire, or explosion, the emergency coordinator ~~shall~~must immediately identify the character, exact source, amount, and ~~real~~areal extent of any released materials. He may do this by observation or review of facility records ~~or~~for manifests and, if necessary, by chemical ~~analysis~~analyses.
- (c) Concurrently, the emergency coordinator ~~shall~~must assess possible hazards to human health or the environment that may result from the release, fire, or explosion. This assessment ~~shall~~must consider both direct and indirect effects of the release, fire, or explosion (e.g., the effects of any toxic, irritating, or asphyxiating gases that are generated, or the effects of any hazardous surface water run-offs from water or

surface water run-offs from water or chemical agents used to control fire and heat-induced explosions).

(d) If the emergency coordinator determines that the facility has had a release, fire, or explosion which could threaten human health, or the environment, outside the facility, he ~~shall~~must report his findings as follows:

(i) If his assessment indicated that evacuation of local areas may be advisable, he ~~shall~~must immediately notify appropriate local authorities. He ~~shall~~must be available to help appropriate officials decide whether local areas should be evacuated; and

(ii) He ~~shall~~must immediately notify Ohio EPA's division of emergency and remedial response at 800-282-9378, and either the government official designated as the on-scene coordinator for the geographical area (in the applicable regional contingency plan under 40 CFR Part 300) or the national response center (using the twenty-four-hour toll free number 800-424-8802). The report ~~shall~~must include:

(a) Name and telephone number of reporter;

(b) Name and address of facility;

(c) Time and type of incident (e.g., release, fire);

(d) Name and quantity of material(s) involved, to the extent known;

(e) The extent of injuries, if any; and

(f) The possible hazards to human health, or the environment, outside the facility.

(e) During an emergency, the emergency coordinator ~~shall~~must take all reasonable measures necessary to ensure that fires, explosions, and releases do not occur, recur, or spread to other used oil or hazardous waste at the facility. These measures ~~shall~~must include, where applicable, stopping processes and operation, collecting and containing released used oil, and removing or isolating containers.

- (f) If the facility stops operation in response to a fire, explosion, or release, the emergency coordinator ~~shall~~must monitor for leaks, pressure buildup, gas generation, or ruptures in valves, pipes, or other equipment, wherever this is appropriate.
- (g) Immediately after an emergency, the emergency coordinator ~~shall~~must provide for recycling, storing, or disposing of recovered used oil, contaminated soil or surface water, or any other material that results from a release, fire, or explosion at the facility.
- (h) The emergency coordinator ~~shall~~must ensure that, in the affected area(s) of the facility:
 - (i) No waste or used oil that may be incompatible with the released material is recycled, treated, stored, or disposed of until cleanup procedures are completed; and
 - (ii) All emergency equipment listed in the contingency plan is cleaned and fit for its intended use before operations are resumed.
 - (iii) The owner or operator ~~shall~~must notify the director, and appropriate state and local authorities that the facility is in compliance with paragraphs (B)(6)(h)(i) and (B)(6)(h)(ii) of this rule before operations are resumed in the affected area(s) of the facility.
- (i) The owner or operator ~~shall~~must note in the operating record the time, date and details of any incident that requires implementing the contingency plan. Within fifteen days after the incident, he ~~shall~~must submit a written report on the incident to the director. The report ~~shall~~must include:
 - (i) Name, address, and telephone number of the owner or operator;
 - (ii) Name, address, and telephone number of the facility;
 - (iii) Date, time, and type of incident (e.g., fire, explosion);
 - (iv) Name and quantity of material(s) involved;

- (v) The extent of injuries, if any;
- (vi) An assessment of actual or potential hazards to human health or the environment, where this is applicable; and
- (vii) Estimated quantity and disposition of recovered material that resulted from the incident.

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Certification

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