

PERMIT ATTACHMENT D CONTINGENCY PLAN

D.1 PURPOSE

This Contingency Plan describes the actions to be taken in the event of a spill, fire, explosion, or other emergency, such as 100-year flooding.

The Contingency Plan shall be carried out immediately whenever there is a release of hazardous material which could threaten human health or the environment. The Contingency Plan shall be kept at the Facility Office. The Operations Manager shall ensure that the Contingency Plan is updated whenever a change is made. Modifications to this Contingency Plan shall be conducted in accordance with 40 CFR § 270.42.

D.2 AVAILABILITY AND REVISION OF THE CONTINGENCY PLAN

This plan and all revisions to the plan shall be kept at the facility and regularly updated throughout the operating life of the facility. Copies of this document shall be provided to the Albuquerque Fire and Police Departments, the Presbyterian Hospital, Lovelace Main Hospital, and Lovelace Women's Hospital. They may be called upon to provide emergency services. In addition, this contingency plan and all revisions to the plan shall be made readily available to employees working at the facility.

The plan shall be reviewed and updated whenever:

- a. The facility is modified to allow new wastes to be stored or treated, or applicable regulations are revised.
- b. The list or location of emergency equipment changes.
- c. The facility changes in its design, construction, operation maintenance, or other circumstances in a way that:
 - (1) increases the potential for fires, explosions, or releases of hazardous constituents, or
 - (2) changes the response necessary in an emergency.
- d. The names, addresses, or phone numbers of Emergency Coordinators change.
- e. The employee assigned to each emergency task changes jobs; or
- f. The plan fails when implemented in an emergency.
- g. Other changes if a deficiency is identified.

D.3 EMERGENCY RESPONSE PERSONNEL

D.3.1 Emergency Coordinator Responsibilities

The ACT LLC Albuquerque Facility Operations Manager is the Emergency Coordinator (EC); and the First and Second Alternate Emergency Coordinators are trained employees designated to those positions by the Operations Manager. However, all employees must be familiar with the procedures in this plan and are responsible for proper implementation of the plan.

The Emergency Coordinator and Alternates must be familiar with all aspects of this Contingency Plan, the operations and activities at the facility, the location and characteristics of hazardous waste managed, treated, and stored at the Facility, the location of all records within the Facility, and the facility layout. In addition, these coordinators have the authority to commit the resources necessary to carry out the Contingency Plan. Their home addresses and telephone numbers, as well as the office telephone numbers are listed in Table D.1. At least one employee shall be at the facility or on call to respond to an emergency. A list of emergency equipment available at the facility is included as Table D.3. In addition, facility personnel shall be aware of the location of emergency equipment.

D.3.1.1 Assess the Situation

Whenever there is a release, fire, or explosion, the Emergency Coordinator must immediately identify the character, exact source, amount, and extent of any contamination. Because of the limited number of materials being handled at the facility, he or she may do this by observation or by review of facility records. In the event of a fire, or explosion or release of toxic gas, the Emergency Coordinator must immediately contact emergency responders (e.g., Albuquerque Fire Department).

D.3.1.2 Protection of Personnel

Concurrently, the Emergency Coordinator must assess possible hazards to human health or the environment that may result from the release, fire, or explosion. This assessment 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 may be generated, or the effects of any hazardous run-off).

D.3.1.3 Contain or Mitigate Hazards

During an emergency, the Emergency Coordinator must take all measures necessary to ensure that fires, explosions, and releases do not occur, recur, or spread to other hazardous waste at the facility. These measures shall include, where applicable, stopping processes and operations, collecting and containing released waste, and removing or isolating containers.

D.3.1.4 Post-Emergency Actions

After an emergency has been mitigated and otherwise addressed, the Emergency Coordinator must ensure that all facility equipment and response equipment is properly cleaned and decontaminated (if reusable), and that all waste, spill recovery material and disposable equipment is properly managed and disposed.

**TABLE D.1:
Emergency Coordinator (EC) List for the Facility**

Emergency Coordinators, Alternate EC, and their Office addresses

Primary

DJ Lopez
6137 Edith Blvd. NE
Albuquerque, NM 87107
Main (office) Phone (505) 349-5220
Cell Phone (505) 573-3548

First Alternate EC

Tony Griego
6137 Edith Blvd. NE
Albuquerque, NM 87107
Main (office) Phone (505) 349-5220
Cell Phone (505) 582-7953

Home Addresses and Telephone Numbers of Primary EC and First Alternate EC

DJ Lopez
559 Berry Road NW
Albuquerque, NM 87107
Cell Phone (505) 573-3548

Tony Griego
5511 La Merced Ave. NE
Albuquerque, NM 87105
Cell Phone (505) 582-7953

Second Alternate EC's Office and Home Addresses

AJ Lopez
6137 Edith Blvd. NE
Albuquerque, NM 87107
Main (office) Phone (505) 349-5220

AJ Lopez
559 Berry Road NW
Albuquerque, NM 87107
Home Phone (505) 903-2047

External

National Response Center
New Mexico Environment Department

(800) 424-8802
(505) 476-6000; (505) 827-9329 (24 Hour)

Designated Emergency Response Authorities

Albuquerque Fire Department (emergency)
Albuquerque Police Department (emergency)
Presbyterian Hospital (emergency)
Lovelace Women's Hospital
Poison Control Center

911; Station #19 [Non-emergency (505)888-8100]
911; [Non-emergency (505) 242-2677]
(505) 222-2995; [Non-emergency (505) 841-1234]
911; (505) 727-7800
(505) 843-2551

D.3.2 Chain of Command

Based on the emergency response procedures described above, the chain of command during an emergency is shown in Table D.1 (Emergency Coordinator List for the Facility), and explained as follows:

- a. The person who discovers the emergency reports to the Emergency Coordinator. All ACT employees are instructed to activate the internal alarm system and evacuation alarm if the incident is an obvious immediate threat to Facility employees or the environment.
- b. Based on the information gathered, the Emergency Coordinator will determine if the emergency warrants implementation of the Contingency Plan.
- c. The Emergency Coordinator contacts the New Mexico Environment Department.
- d. The Emergency Coordinator will act as an Incident Commander until an outside resource (i.e. Fire Department or Spill Cleanup Contractor) arrives onsite; then they will assume Incident Commander duties.

D.3.3 Government Agencies and Local Authorities to be notified during an Emergency

The following government agencies and local authorities listed in Table D.2 shall be notified during an emergency since the Facility has a Memorandum of Agreement with them:

TABLE D.2:
List of Government agencies and Local Authorities to be notified in an Emergency

Agency or Authority	Rationale / Service Provided
Albuquerque Police Department	Notify if there is imminent danger to human health. May assist with traffic control and evacuation (if required) if there is imminent danger to human health.
Albuquerque Fire Department	Notify if there is a fire, explosion, uncontrolled spill, or other imminent danger.
Presbyterian Hospital	Assist in providing emergency care of any injuries.
New Mexico Department of Public Safety	Notify if human health or the environment outside the Facility is threatened.
Lovelace Women's Hospital	Notify if human health or the environment outside the Facility is threatened.
National Response Center	Notify if human health or the environment outside the Facility is threatened.
New Mexico Environment Department	Report uncontrolled releases, fires, and explosions.

ACT shall familiarize the police department, fire department and local emergency response teams with the layout of the facility, the properties of hazardous wastes and materials handled and associated hazards, locations where facility personnel normally work, entrances to and roads inside the facility and possible evacuation routes. Arrangements shall also be made to familiarize the local hospitals listed in Table D-2 with the types of injuries or illnesses which could result from fires, explosions, or releases at the facility.

Notifications, including a copy of the Contingency Plan, shall be provided to local emergency response agencies via mail or email, and a signed acknowledgement form is requested from each entity. If an agency refuses to enter into an agreement, this shall be kept on file. Notification of any significant modifications to the Contingency Plan shall also be provided to these agencies.

D.4 RESPONSIBILITIES OF THE EMERGENCY COORDINATOR DURING AN EMERGENCY

Whenever there is an imminent or actual emergency situation that requires implementation of the Contingency Plan, the Emergency Coordinator (EC or alternate(s)) when the Emergency Coordinator is not available) must immediately:

- a. Activate the internal facility communication system to notify all facility personnel and Initiate facility evacuation, if necessary.
- b. Notify appropriate state or local agencies with designated response roles, as necessary and Reference Table D.2 above.

D.4.1 Emergency Response Procedures

Response actions to be taken in specific emergency situations are described in the following sections.

D.4.1.1 Fire Control Procedures

The following steps shall be implemented as needed in the event of an emergency involving an imminent or existing fire that could threaten human health or the environment:

1. All personnel shall evacuate the Facility following the evacuation routes described in Figure 9, Permit Attachment M (Figures) or to an alternate assembly location as directed by the EC. All personnel shall evacuate at this time.
2. The EC (or waste management personnel) shall immediately notify the City of Albuquerque Fire Department by dialing the EOC at 911. Medical response can also be requested at the same time if there are injuries involved.
3. Waste management personnel may consider taking action to put out the fire or minimize its spread only if safe. These actions may be taken only after the Incident Commander and Albuquerque Fire Department have been notified. Personnel must not jeopardize their own safety or the safety of other personnel.

4. If the fire is small and the fuel source is small, portable fire extinguishers may be used to put out the fire.
5. Fire extinguishers shall only be used by personnel trained in their use, and only for very small fires.
6. Flammable materials shall be removed from the area of fire if safe.
7. Only appropriate fire extinguishers and/or fire extinguishing agents shall be used for water-reactive waste (e.g., Met-L-X, Lith-X, or equivalent).
8. If the fire spreads or increases in intensity, all remaining personnel must evacuate.
9. The EC shall take actions as directed by the IC. Unless directed otherwise, the EC shall remain near the Facility, but at a safe distance, so he can advise personnel responding to the fire of the known hazards.
10. Upon arrival at a fire, the Albuquerque Fire Department officer-in-charge is in command of firefighting, and he retains the responsibility of selecting the fire-fighting methods and tactics.
11. Hazardous wastes involved in a fire can be identified in the following ways:
 - a) The location of the container may indicate the contents.
 - b) If the location does not indicate its contents, the label number can be used to identify the waste.
 - c) Records on the contents of each container can be accessed from outside the Facility or in the Unit office.
 - d) If the label has been burned and the container cannot be identified, the material or waste shall be treated as an unknown and analyzed according to the methods described in the Waste Analysis Plan under Permit Attachment C.
12. Spills of hazardous wastes shall be collected and contained by stabilizing or neutralizing the spilled waste, as appropriate; pouring an absorbent over the spilled waste; and sweeping or shoveling the absorbed waste into drums or other appropriate containers.
13. Surfaces affected by released hazardous wastes shall be cleaned using cleaners appropriate to the wastes.
14. If possible and safe, responding personnel shall take measures to contain potentially hazardous run-off and keep it away from storm drains or sewers (for example, by building dikes around storm drains).
15. Any fire-fighting waters collected in the storm water catchment and retention ponds or the floor trenches and secondary containments at the building shall be analyzed to determine the appropriate method for management and subsequent disposal of the wastewater.

D.4.1.2 Container Storage Unit Fire Control Procedure

A small fire in this area can be assessed by Facility personnel, and if deemed safe to handle, may be extinguished using a fire extinguisher appropriate for the waste; ABC-rate fire extinguishers are present in this area. Should the automated suppression system activate, personnel shall leave the area and allow the system to extinguish the fire.

The Storage rooms in the warehouse are protected by a fire suppression system. The extinguishing medium is water supplied through the City of Albuquerque. The system is maintained under pressure (approximately 87 pounds per square inch (psi) and consists of 12 sprinkler heads with a discharge capacity of 350 gallons per minute (GPM). If the suppression system activates, the

Albuquerque Fire Department shall be notified by Facility personnel, who shall evacuate the area and await the Department's arrival. Upon arrival, the Fire Department Incident Commander will become the Site Incident Commander. Site personnel will provide details on inventory and site information to assist the Fire Department.

D.4.1.3 Response to Fuel Blending Tank Fire

The fuel blending tanks are mobile aboveground tanks. Examples of potential fire response procedures that may be required are described below.

1. Isolate the hazard area and deny entry to unauthorized personnel.
2. Stay upwind, keep out of low areas.
3. Ventilate closed space before entering (if this can be done safely)
4. Wear personal protective clothing.
5. Evacuate an adequately protective radius (if required).

Wastes that may be involved with the fire can be identified by the following methods:

- a. Location of the container in the storage unit
- b. Label on the container (if safe to observe).
- c. Records of wastes stored onsite in the administrative office area.

If possible, emergency response personnel shall take measures necessary to collect and contain potentially hazardous run-off of fire suppression material (i.e. water, foam) and the contents of container/s involved. This may require construction of temporary berms or use of absorbent materials to prevent migration to storm drains or sewers.

D.4.1.4 Explosion

The following steps shall be implemented as needed in the event of an emergency involving an imminent or existing explosion that could threaten human health or the environment:

1. Personnel shall immediately evacuate the area.
2. The EC (or personnel) shall immediately notify the Albuquerque Fire Department by dialing the EOC at 911. Medical response can also be requested at the same time.
3. The EC shall take actions as directed by the Incident Commander (IC). Unless directed otherwise, the EC shall remain near the Facility, but at a safe distance, so that he or she can advise the response personnel of the hazards involved and the degree and location of the explosion and any fires.
4. Upon arrival at the site, the Albuquerque Fire Department officer-in-charge will assume command of firefighting. The EC shall advise and assist the Albuquerque Fire Department, but the officer-in-charge retains the responsibility of selecting the fire-fighting methods and tactics.
5. The IC shall be in overall control of Facility emergency response efforts until the emergency is terminated.
6. Wastes may be stabilized or neutralized, as appropriate; pouring an absorbent over the waste; and sweeping or shoveling the absorbed waste into drums or appropriate containers.

7. Surfaces affected by released hazardous wastes shall be cleaned using cleaners appropriate to the wastes involved.
8. If possible and safe, personnel shall take measures to contain potentially hazardous runoff and prevent it from entering storm drains, sewers, ditches, or drop inlets (for example, by building dikes around storm drains).
9. Any potentially contaminated waters collected in storm water catchment and retention ponds and floor trenches shall be analyzed to determine the appropriate treatment and disposal method, as applicable.
10. The EC shall secure all equipment (e.g., process equipment, ventilation equipment) that may be affected by the explosion and any fire once entry has been determined to be safe by the IC or a safety officer.

D.4.1.5 Response to Uncontrolled Releases

The following steps shall be implemented by the EC and Facility personnel in the event of an emergency involving an imminent or existing release of hazardous waste or hazardous waste constituents that could threaten human health or the environment:

1. Evacuate the immediate area.
2. The EC (or Unit personnel) shall immediately notify the Albuquerque Fire Department by dialing the EOC at 911. Medical response can also be requested at the same time.
3. Take actions to minimize, contain, and clean up the release only if it is safe.
4. Review Facility records (e.g., waste inventory database) to determine the identity and chemical nature of the released material or waste.
5. Wear appropriate personal protective equipment for exposure to the material or waste.
6. If possible, secure the source of the release.
7. If necessary and possible, build a dike to contain runoff.
8. Take measures to contain potentially hazardous runoff and keep it away from storm drains or sewers and if possible, build dikes around the storm drains.
9. Released wastes shall be collected and contained by stabilizing or neutralizing the spilled waste, as appropriate; pouring an absorbent over the spilled waste; and sweeping or shoveling the absorbed waste into drums or other appropriate containers.
10. No waste that may be incompatible with a released waste shall be treated, stored, or disposed of in the vicinity of the release location until the released waste is cleaned up or stabilized.
11. After collection of a released waste, the release site shall be sampled and evaluated. If contamination is present, the contaminated media shall be characterized and remediated to achieve clean closure as defined in Permit Part 5. The Permittee may choose to implement an alternative decontamination method for contaminated media such as surface cleaning or in-situ neutralization or stabilization. Any such alternative shall be approved by the NMED prior to implementation. If the contaminated media cannot be remediated to achieve clean closure, the contaminated media shall be subject to corrective action as required under Permit Part 7.

D.4.1.6 Minor Spills

A minor spill (as referenced in this Contingency Plan) is a spill that occurs within the secondary containment and does not involve a release of material to the environment. This type of spill involves spills and leaks from containers (typically 5-gallon through 250-gallon containers). A minor spill does not necessarily require implementation of this Contingency Plan.

D.4.1.7 Major Spills

Any spill which cannot be completely remediated is considered to be a major spill. Examples of a major spill include: a failure of secondary containment, vehicular accident, tank overfilling, equipment failure, or a fire. Spilled material which escapes containment can contaminate soil, surface water, groundwater, and/or sanitary sewer systems. ACT's Emergency response protocol for this type of spill must be as follows:

- a. Assist any injured people and call for medical assistance as necessary.
- b. Stop the flow of material, if possible.
- c. Retain, contain, or slow the flow of the material if it cannot be stopped.
- d. If hazardous waste escapes containment efforts, immediately call the local Fire Department.
- e. Immediately recover the spilled waste to reduce property and environmental damage. Start recovery operations immediately.

The incident shall be reported to the National Response Center (telephone: 800/424-8802) and NMED (telephone: 505/827-9329 24-hour number), and the New Mexico Department of Public Safety (telephone (505) 827-9282).

The person reporting a spill must be prepared to give:

1. Their name, position.
2. The Company name, address, and telephone number.
3. The person reporting should also describe the material spilled and, if possible, some estimate of the amount, the containment status and specify any equipment needed.
4. The extent of injuries (if any).

Equipment used to respond to spills must be cleaned and decontaminated with a detergent/water solution. All incidents will be documented and kept on file as part of the operating record and reviewed with branch personnel to prevent similar spills from occurring in the future.

All rinsates, waste residues, and decontamination fluids from the cleanup of spills or releases (whether major or minor), shall be containerized and managed as hazardous waste unless analytical results verify the wastes are not hazardous. Wastes resulting from spill cleanups shall be disposed of in accordance with applicable regulations.

D.4.1.8 Response to Release from Fuel Blending Tanks

The tanks at this Facility are mobile aboveground fuel blending tanks. The following actions will be taken upon discovery of a release:

- All transfers into the tank will be stopped immediately.
- As soon as practicable, remove as much of the material in the tank as practicable to prevent further releases of the material to the environment. This will typically be accomplished by transferring material into containers or pumping into a tanker.
- Containment of released material shall begin as soon as practicable.
- Report the release to the NMED Hazardous Waste Bureau in accordance with the applicable parts of Permit Section 1.9.5.
- Implement Emergency Interim Measures, if necessary, in accordance with Permit Section 7.8.3.
- Initiate corrective action as necessary in accordance with Permit Part 7.
- If investigation indicates a major repair is needed to the tank system, implement the repairs and obtain certification by a qualified Professional Engineer that the repaired system is capable of handling hazardous wastes without release for the intended life of the system. Records of the repairs and the certification shall be placed in the Operating Record and maintained until closure of the facility.
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D.4.1.9 List of Emergency Equipment

The list of Emergency Equipment available at the Facility is provided below in Table D-3.

D.5. FACILITY EVACUATION PLAN

During an emergency that threatens the health or safety of personnel within a Permitted Unit, the following steps shall be taken to facilitate safe coordinated evacuation:

- a. Stop work.
- b. If safe, close containers and shut down equipment or otherwise place it in a safe mode.
- c. Alert personnel in the affected area by announcing the evacuation by voice command, "Evacuate the area."
- d. Notify the City of Albuquerque Fire Department at the time of evacuation either from a safe on-site building, from a neighboring facility, or using a cellular phone.
- e. Activate the internal communications and automatic alarm systems at the facility.
- f. Check whether the evacuation route is safe.
- g. If there is no evidence of danger or obstacles, exit the Facility according to the evacuation routes.
- h. If there is evidence of danger or obstacles, exit the Facility by any safe route available.
- i. If safe, check for other personnel in other areas.
- j. Proceed to the designated assembly area for roll call to be taken by the EC.
- k. If the EC and personnel are assembling at an alternate location, proceed to that location.

1. Inform the EC about any people that may still be inside the Treatment and Storage Areas.

Exits shall be clearly marked in the warehouses and office areas. Employees shall be trained to be aware of all potential escape routes. The Facility evacuation routes are shown on Figure 9, Permit Attachment M (Figures).

D.6 POST EMERGENCY ACTIONS

Immediately after an emergency, the Emergency Coordinator must ensure that the following activities are conducted in the affected area(s) of the Facility:

- a. Continue to monitor for leaks, pressure buildup, gas generation, and ruptures in valves, pipes, or other equipment as appropriate until normal operations are resumed;
- b. Provide for proper treatment, storage, or disposal of recovered material or waste, contaminated soil or surface water, or any other media or material;
- c. Ensure that no waste that may be incompatible with the released material or waste is transferred to, treated at, or stored in the vicinity of the release location until normal operations are resumed; and
- d. Ensure that all equipment that is listed in Table D.3 is fit for its intended use.
- e. Do not re-enter the Permitted Unit until the Incident Commander determines that it is safe to do so.

D.7 REPORTING

The Permittee shall notify all appropriate state and local authorities that the Facility is in compliance before operations are resumed in the affected area(s) of the Facility.

The Emergency Coordinator must document the time, date, and details of any incident that requires the implementation of the Contingency Plan. Within 15 days after the incident, the Permittee shall submit a written report on the incident to the New Mexico Environment Department in accordance with Permit Part 1, Section 1.10.5. At a minimum, the report shall contain the following:

- a. Name, address, and telephone number of the owner or operator.
- b. Name, address, and telephone number of the facility.
- c. Date, time, and type of incident (e.g., fire, explosion).
- d. Name and quantity of material(s) involved.
- e. The extent of injuries, if any.
- f. An assessment of actual or potential hazards to human health or the environment, where this is applicable.
- g. Estimated quantity and disposition of recovered material that results from the incident.

TABLE D.3
List of Facility Emergency Response Equipment at the ACT Facility.
The locations of the equipment are shown in Figure 6 in Permit Attachment M (Figures).

DESCRIPTION	LOCATION	QUANTITY	CAPABILITIES
Dry Chemical Fire Extinguishers-Hand held (type ABC)	Office area, warehouse, storage shed, return and fill shed. See Figure 6, Permit Attachment M.	12	Able to extinguish type A, B, and C fires
Fire Suppression Ansul automatic dry chemical System	Coverage throughout the Storage Building Warehouse	1	Able to contain and/or extinguish fire when activated.
First Aid Kits	Office/warehouse area. See Figure 6, Attachment M (Figures).	2	Provides items used to give basic medical attention.
Eye wash stations	Warehouse area	3	Provide a means of rinsing possibly harmful substances from the eyes and skin.
Showers	Office area, warehouse area	2	Decontaminate plant personnel in the event of a spill or release of hazardous waste or material.
Telephones/paging system	Office/warehouse area	8	Alert personnel of an on-site emergency or spill incident, evacuation orders and general in-plant communications.
Spill Control Kits, Absorbents, Recovery Drums and Containers	Fuel Blending Tank Area, Warehouse	3	Able to contain and absorb spilled liquids.