

**ENVIRONMENTAL PROTECTION AGENCY****DEPARTMENT OF TRANSPORTATION****Coast Guard****Research and Special Programs Administration****DEPARTMENT OF THE INTERIOR****Minerals Management Service****DEPARTMENT OF LABOR****Occupational Safety and Health Administration**

[FRL-5512-8]

**The National Response Team's Integrated Contingency Plan Guidance**

**AGENCY:** Environmental Protection Agency (EPA), U.S. Coast Guard (USCG), Minerals Management Service (MMS), Research and Special Programs Administration (RSPA), Occupational Safety and Health Administration (OSHA).

**ACTION:** Notice.

**SUMMARY:** The U.S. Environmental Protection Agency, as the chair of the National Response Team (NRT), is announcing the availability of the NRT's Integrated Contingency Plan Guidance ("one plan"). This guidance is intended to be used by facilities to prepare emergency response plans. The intent of the NRT is to provide a mechanism for consolidating multiple plans that facilities may have prepared to comply with various regulations into one functional emergency response plan or integrated contingency plan (ICP). This notice contains the suggested ICP outline as well as guidance on how to develop an ICP and demonstrate compliance with various regulatory requirements. The policies set out in this notice are intended solely as guidance.

**ADDRESSES:** Additional copies of this one-plan guidance can be obtained by writing to the following address: William Finan, U.S. Environmental Protection Agency, Mail Code 5101, 401 M Street SW, Washington, DC 20460. Copies of the ICP Guidance are also available by calling the EPCRA/RCRA/Superfund Hotline at (800) 424-9346 (in the Washington, DC, metropolitan area, (703) 412-9810). In addition, this guidance is available electronically at the home page of EPA's Chemical Emergency Preparedness and Prevention Office (<http://www.epa.gov/swercepp/>).

**FOR FURTHER INFORMATION CONTACT:** William Finan, U.S. Environmental Protection Agency, Mail Code 5101, 401 M Street, SW., Washington, DC 20460, at (202) 260-0030 (E-Mail [homepage.ceppo@epamail.epa.gov](mailto:homepage.ceppo@epamail.epa.gov)—please include "one plan" in the subject line). In addition, the EPCRA/RCRA/Superfund Hotline can answer general questions about the guidance.

For further information and guidance on complying with specific regulations, contact: for EPA's Oil Pollution Prevention Regulation: Bobbie Lively-Diebold, U.S. Environmental Protection Agency, Mail Code 5203G, 401 M Street, SW., Washington, DC 20460, at (703) 356-8774 (E-Mail [Lively.Barbara@epamail.epa.gov](mailto:Lively.Barbara@epamail.epa.gov)), or the SPCC Information Line at (202) 260-2342; for the U.S. Coast Guard's Facility Response Plan Regulation: LCDR Mark Hamilton, U.S. Coast Guard, Commandant (G-MOR), 2100 2nd Street, SW., Washington, DC 20593, at 202-267-1983 (E-Mail [M.Hamilton/G-M03@CGSMTP.uscg.mil](mailto:M.Hamilton/G-M03@CGSMTP.uscg.mil)); for DOT/RSPA's Pipeline Response Plan Regulation: Jim Taylor, U.S. Department of Transportation, Room 2335, 400 7th Street, SW., Washington, DC 20590 at (202) 366-8860 (E-Mail [OPATEAM@RSPA.DOT.GOV](mailto:OPATEAM@RSPA.DOT.GOV)); for pertinent OSHA regulations, contact either your Regional or Area OSHA office; for DOI/MMS' Facility Response Plan Regulation: Larry Ake, U.S. Department of the Interior—Minerals Management Service, MS 4700, 381 Elden Street, Herndon, VA 22070-4817 at (703) 787-1567 (E-Mail [Larry\\_Ake@SMTP.MMS.GOV](mailto:Larry_Ake@SMTP.MMS.GOV)); for EPA's Risk Management Program Regulation: William Finan (see above); and for RCRA's Contingency Planning Requirements, contact the EPCRA/RCRA/Superfund Hotline (see above).

The NRT welcomes comments on specific implementation issues related to this guidance. Please provide us with information about the successful use of this guidance, about problems with using this guidance, as well as suggestions for improving the guidance. Send comments to William Finan (see above) or to any of the other people listed in the previous paragraph.

**SUPPLEMENTARY INFORMATION:****Presidential Review Findings**

Section 112(r)(10) of the Clean Air Act required the President to conduct a review of federal release prevention, mitigation, and response authorities. The Presidential Review was delegated to EPA, in coordination with agencies and departments that are members of the National Response Team (NRT). The

Presidential Review concluded that, while achieving its statutory goals to protect public safety and the environment, the current system is complex, confusing, and costly. It identified several key problem areas and recommended a second phase to address these issues. One of the issues identified by the Presidential Review is the multiple and overlapping federal requirements for facility emergency response plans.

**NRT Policy Statement**

This one-plan guidance is intended to be used by facilities to prepare emergency response plans for responding to releases of oil and non-radiological hazardous substances. The intent of NRT is to provide a mechanism for consolidating multiple plans that facilities may have prepared to comply with various regulations into one functional emergency response plan or integrated contingency plan (ICP). A number of statutes and regulations, administered by several federal agencies, include requirements for emergency response planning. A particular facility may be subject to one or more of the following federal regulations:

- EPA's Oil Pollution Prevention Regulation (SPCC and Facility Response Plan Requirements)—40 CFR part 112.7(d) and 112.20-21;
- MMS's Facility Response Plan Regulation—30 CFR part 254;
- RSPA's Pipeline Response Plan Regulation—49 CFR part 194;
- USCG's Facility Response Plan Regulation—33 CFR part 154, Subpart F;
- EPA's Risk Management Programs Regulation—40 CFR part 68;
- OSHA's Emergency Action Plan Regulation—29 CFR 1910.38(a);
- OSHA's Process Safety Standard—29 CFR 1910.119;
- OSHA's HAZWOPER Regulation—29 CFR 1910.120; and
- EPA's Resource Conservation and Recovery Act Contingency Planning Requirements—40 CFR part 264, Subpart D, 40 CFR part 265, Subpart D, and 40 CFR 279.52.

In addition, facilities may also be subject to state emergency response planning requirements that this guidance does not specifically address. Facilities are encouraged to coordinate development of their ICP with relevant state and local agencies to ensure compliance with any additional regulatory requirements.

Individual agencies' planning requirements and plan review procedures are not changed by the advent of the ICP format option. This one-plan guidance has been developed

to assist facilities in demonstrating compliance with the existing federal emergency response planning requirements referenced above. Although it does not relieve facilities from their current obligations, it has been designed specifically to help meet those obligations. Adherence to this guidance is not required in order to comply with federal regulatory requirements. Facilities are free to continue maintaining multiple plans to demonstrate federal regulatory compliance; however, the NRT believes that an integrated plan prepared in accordance with this guidance is a preferable alternative.

The NRT realizes that many existing regulations pertaining to contingency planning require review by a specific agency to determine compliance with applicable requirements. It is not the intent of the NRT to modify existing agency review procedures or to supersede the requirements of a regulation.

This one-plan guidance was developed through a cooperative effort among numerous NRT agencies, state and local officials, and industry and community representatives. The NRT and the agencies responsible for reviewing and approving federal response plans to which the ICP option applies agree that integrated response plans prepared in the format provided in this guidance will be acceptable and be the federally preferred method of response planning. The NRT realizes that alternate formats for integrating multiple plans already exist and that others likely will be developed. Certain facilities may find those formats more desirable than the one proposed here. The NRT believes that a single functional plan is preferable to multiple plans regardless of the specific format chosen. While they are acceptable, other formats may not allow the same ease of coordination with external plans. In any case, whatever format a facility chooses, no individual NRT agency will require an integrated response planning format differing from the ICP format described here. The NRT anticipates that future development of all federal regulations addressing emergency response planning will incorporate use of the ICP guidance. Also, developers of state and local requirements will be encouraged to be consistent with this document.

The ICP guidance does not change existing regulatory requirements; rather, it provides a format for organizing and presenting material currently required by the regulations. Individual regulations are often more detailed than the ICP guidance. To ensure full compliance, facilities should continue

to read and comply with all of the federal regulations that apply to them. Furthermore, facilities submitting an ICP (in whatever format) for agency or department review will need to provide a cross-reference to existing regulatory requirements so that plan reviewers can verify compliance with these requirements. The guidance contains a series of matrices designed to assist owners and operators in consolidating various plans and documenting compliance with federal regulatory requirements. (See Attachments 2 and 3.) The matrices can be used as the basis for developing a cross-reference to various regulatory requirements.

This guidance also provides a useful contingency planning template for owners and operators of facilities not subject to the federal regulations cited previously.

#### Integrated Contingency Plan Philosophy

The ICP will minimize duplication in the preparation and use of emergency response plans at the same facility and will improve economic efficiency for both the regulated and regulating communities. Facility expenditures for the preparation, maintenance, submission, and update of a single plan should be much lower than for multiple plans.

The use of a single emergency response plan per facility will eliminate confusion for facility first responders who often must decide which of their plans is applicable to a particular emergency. The guidance is designed to yield a highly functional document for use in varied emergency situations while providing a mechanism for complying with multiple agency requirements. Use of a single integrated plan should also improve coordination between facility response personnel and local, state, and federal emergency response personnel.

The adoption of a standard plan format should facilitate integration of plans within a facility, in the event that large facilities may need to prepare separate plans for distinct operating units. The ICP concept should also allow coordination of facility plans with plans that are maintained by local emergency planning committees (LEPCs),<sup>1</sup> Area Committees,<sup>2</sup> co-operatives, and mutual aid organizations. In some cases, there are

<sup>1</sup> LEPC plans are developed by LEPCs in coordination with facility emergency response coordinators under section 303 of the Emergency Planning and Community Right-to-Know Act.

<sup>2</sup> Area Contingency Plans are developed by Area Committees pursuant to section 4202(a)(6) of the Oil Pollution Act of 1990 (OPA).

specific regulatory requirements to ensure that facility plans are consistent with external planning efforts. Industry use of this guidance along with active participation on local and Area Committees will improve the level of emergency preparedness and is therefore highly encouraged.

In some areas, it may be possible to go beyond simple coordination of plans and actually integrate certain information from facility plans with corresponding areas of external plans. The adoption of a single, common ICP outline such as the one proposed in this guidance would facilitate a move toward integration of facility plans with local, state, and federal plans.

The projected results described above will ultimately serve the mutual goal of the response community to more efficiently and effectively protect public health, worker safety, the environment, and property.

#### Scope

This one-plan guidance is provided for any facility subject to federal contingency planning regulations and is also recommended for use by other facilities to improve emergency preparedness through planning. In this context, the term "facility" is meant to have a wide connotation and may include, but is not limited to, any mobile or fixed onshore or offshore building, structure, installation, equipment, pipe, or pipeline.

Facility hazards need to be addressed in a comprehensive and coordinated manner. Accordingly, this guidance is broadly constructed to allow for facilities to address a wide range of risks in a manner tailored to the specific needs of the facility. This includes both physical and chemical hazards associated with events such as chemical releases, oil spills, fires, explosions, and natural disasters.

#### Organizational Concepts

The ICP format provided in this one-plan guidance (See Attachment 1) is organized into three main sections: an introductory section, a core plan, and a series of supporting annexes. It is important to note that the elements contained in these sections are not new concepts, but accepted emergency response activities that are currently addressed in various forms in existing contingency planning regulations. The goal of the NRT is not to create new planning requirements, but to provide a mechanism to consolidate existing concepts into a single functional plan structure. This approach would provide a consistent basis for addressing

emergency response concerns as it gains widespread use among facilities.

The introduction section of the plan format is designed to provide facility response personnel, outside responders, and regulatory officials with basic information about the plan and the entity it covers. It calls for a statement of purpose and scope, a table of contents, information on the current revision date of the plan, general facility information, and the key contact(s) for plan development and maintenance. This section should present the information in a brief factual manner.

The structure of the sample core plan and annexes in this guidance is based on the structure of the National Interagency Incident Management System (NIIMS) Incident Command System (ICS). NIIMS ICS is a nationally recognized system currently in use by numerous federal, state, and local organizations (e.g., some Area Committees under OPA). NIIMS ICS is a type of response management system that has been used successfully in a variety of emergency situations, including releases of oil or hazardous substances. NIIMS ICS provides a commonly understood framework that allows for effective interaction among response personnel. Organizing the ICP along the lines of the NIIMS ICS will allow the plan to dovetail with established response management practices, thus facilitating its ease of use during an emergency.

The core plan is intended to contain essential response guidance and procedures. Annexes would contain more detailed supporting information on specific response management functions. The core plan should contain frequent references to the response critical annexes to direct response personnel to parts of the ICP that contain more detailed information on the appropriate course of action for responders to take during various stages of a response. Facility planners need to find the right balance between the amount of information contained in the core plan versus the response critical annexes (Annexes 1 through 3). Information required to support response actions at facilities with multiple hazards will likely be contained in the annexes. Planners at facilities with fewer hazards may choose to include most if not all information in the core plan. Other annexes (e.g., Annexes 4 through 8) are dedicated to providing information that is non-critical at the time of a response (e.g., cross-references to demonstrate regulatory compliance and background planning information). Consistent with the goal of keeping the size of the ICP

as manageable as practicable, it is not necessary for a plan holder to provide its field responders with all the compliance documentation (e.g., Annexes 4 through 8) that it submits to regulatory agencies. Similarly, it may not be necessary for a plan holder to submit all annexes to every regulatory agency for review.

Basic headings are consistent across the core plan and annexes to facilitate ease of use during an emergency. These headings provide a comprehensive list of elements to be addressed in the core plan and response annexes and may not be relevant to all facilities. Planners should address those regulatory elements that are applicable to their particular facilities. Planners at facilities with multiple hazards will need to address most, if not all, elements included in this guidance. Planners at facilities with fewer hazards may not need to address certain elements. If planners choose to strictly adopt the ICP outline contained in this guidance but are not required by regulation to address all elements of the outline, they may simply indicate "not applicable" for those items where no information is provided. A more detailed discussion of the core plan and supporting annexes follows.

#### *Core Plan*

The core plan is intended to reflect the essential steps necessary to initiate, conduct, and terminate an emergency response action: recognition, notification, and initial response, including assessment, mobilization, and implementation. This section of the plan should be concise and easy to follow. A rule of thumb is that the core plan should fit in the glovebox of a response vehicle. The core plan need not detail all procedures necessary under these phases of a response but should provide information that is time critical in the earliest stages of a response and a framework to guide responders through key steps necessary to mount an effective response. The response action section should be convenient to use and understandable at the appropriate skill level.

The NRT recommends the use of checklists or flowcharts wherever possible to capture these steps in a concise easy-to-understand manner. The core plan should be constructed to contain references to appropriate sections of the supporting annexes for more detailed guidance on specific procedures. The NRT anticipates that for a large, complex facility with multiple hazards the annexes will contain a significant amount of information on specific procedures to

follow. For a small facility with a limited number of hazard scenarios, the core plan may contain most if not all of the information necessary to carry out the response thus obviating the need for more detailed annexes. The checklists, depending on their size and complexity, can be in either the core or the support section.

The core plan should reflect a hierarchy of emergency response levels. A system of response levels is commonly used in emergency planning for classifying emergencies according to seriousness and assigning an appropriate standard response or series of response actions to each level. Both complex and simple industrial facilities use a system of response levels for rapidly assessing the seriousness of an emergency and developing an appropriate response. This process allows response personnel to match the emergency and its potential impacts with appropriate resources and personnel. The concept of response levels should be considered in developing checklists or flowcharts designed to serve as the basis for the core plan. Note that for those facilities subject to planning requirements under OPA, response levels in the core plan may not necessarily correspond to discharge planning amounts (e.g., average most probable discharge, maximum most probable discharge, and worst case discharge).

Facility owners and operators should determine appropriate response levels based on 1) the need to initiate time-urgent response actions to minimize or prevent unacceptable consequences to the health and safety of workers, the public, or the environment; and 2) the need to communicate critical information concerning the emergency to offsite authorities. The consideration and development of response levels should, to the extent practicable, be consistent with similar efforts that may have been taken by the LEPC, local Area Committee, or mutual aid organization. Response levels, which are used in communications with offsite authorities, should be fully coordinated and use consistent terminology.

#### *Annexes*

The annexes are designed to provide key supporting information for conducting an emergency response under the core plan as well as document compliance with regulatory requirements not addressed elsewhere in the ICP. Annexes are not meant to duplicate information that is already contained in the core plan, but to augment core plan information. The annexes should relate to the basic

headings of the core plan. To accomplish this, the annexes should contain sections on facility information, notification, and a detailed description of response procedures under the response management system (i.e., command, operations, planning, logistics, and finance). The annexes should also address issues related to post accident investigation, incident history, written follow-up reports, training and exercises, plan critique and modification process, prevention, and regulatory compliance, as appropriate.

The ICP format contained in this guidance is based on the NIIMS ICS. If facility owners or operators choose to follow fundamental principles of the NIIMS ICS, then they may adopt NIIMS ICS by reference rather than having to describe the system in detail in the plan. The owner or operator should identify where NIIMS ICS documentation is kept at the facility and how it will be accessed if needed by the facility or requested by the reviewing agency. Regardless of the response management system used, the plan should include an organization chart, specific job descriptions,<sup>3</sup> a description of information flow ensuring liaison with the on-scene coordinator (OSC), and a description of how the selected response management system integrates with a Unified Command.<sup>4</sup> If a system other than NIIMS ICS is used, the plan should also identify how it differs from NIIMS or provide a detailed description of the system used.

The NRT anticipates that the use of linkages (i.e., references to other plans) when developing annexes will serve several purposes. Linkages will facilitate integration with other emergency plans within a facility (until such plans can be fully incorporated into the ICP) and

with external plans, such as LEPC plans and Area Contingency Plans (ACPs). Linkages will also help ensure that the annexes do not become too cumbersome. The use of references to information contained in external plans does not relieve facilities from regulatory requirements to address certain elements in a facility-specific manner and to have information readily accessible to responders. When determining what information may be linked by reference and what needs to be contained in the ICP, response planners should carefully consider the time critical nature of the information. If instructions or procedures will be needed immediately during an incident response, they should be presented for ready access in the ICP. The following information would not normally be well-suited for reference to documents external to the ICP: core plan elements, facility and locality information (to allow for quick reference by responders on the layout of the facility and the surrounding environment and mitigating actions for the specific hazard(s) present), notification procedures, details of response management personnel's duties, and procedures for establishing the response management system. Although linkages provide the opportunity to utilize information developed by other organizations, facilities should note that many LEPC plans and ACPs may not currently possess sufficient detail to be of use in facility plans or the ICP. This information may need to be developed by the facility until detailed applicable information from broader plans is available.

In all cases, referenced materials must be readily available to anticipated plan users. Copies of documents that have been incorporated by reference need not be submitted unless it is required by regulation. The appropriate sections of referenced documents that are unique to the facility, those that are not nationally recognized, those that are required by regulation, and those that could not reasonably be expected to be in the possession of the reviewing agency, should be provided when the plan is submitted for review and/or approval. Discretion should be used when submitting documents containing proprietary data. It is, however, necessary to identify in the ICP the specific section of the document being incorporated by reference, where the document is kept, and how it will be accessed if needed by the facility or requested by the reviewing agency. In addition, facility owners or operators are reminded to take note of submission

requirements of specific regulations when determining what materials to provide an agency for review as it may not be necessary to submit all parts of an ICP to a particular agency.

As discussed previously, this guidance contains a series of matrices designed to assist owners and operators in the plan consolidation process and in the process of ensuring and documenting compliance with regulatory requirements. The matrix in Attachment 2 to this guidance displays areas of current regulations that align with the suggested elements contained in this guidance document. When addressing each element of the ICP outline, plan drafters can refer to this matrix to identify specific regulatory requirements related to that element. The matrices in Attachment 3 to this guidance display regulatory requirements as contained in each of the regulations listed in the NRT policy statement above (which are applicable to many facilities) along with an indication of where in the suggested ICP outline these requirements should be addressed. If a facility chooses to follow the ICP outline, these matrices can be included as Annex 8 to a facility's ICP to provide the necessary cross-reference for plan reviewers to document compliance with various regulatory requirements. To the extent that a plan deviates from the suggested ICP outline, plan drafters will have to alter the matrices to ensure that the location of regulatory requirements within the ICP is clearly identified for plan reviewers.

#### Integrated Contingency Plan Elements

Presented below is a list of elements to be addressed in the ICP and a brief explanation, displayed in italicized text, of the nature of the information to be contained in that section of the ICP. Attachment 1 presents the complete outline of the ICP without the explanatory text. As discussed previously, the elements are organized into three main sections: plan introduction, core plan, and response annexes.

#### Section I—Plan Introduction Elements

##### 1. Purpose and Scope of Plan Coverage

*This section should provide a brief overview of facility operations and describe in general the physical area, and nature of hazards or events to which the plan is applicable. This brief description will help plan users quickly assess the relevancy of the plan to a particular type of emergency in a given location. This section should also include a list of which regulation(s) are being addressed in the ICP.*

<sup>3</sup> OPA 90 planning requirements for marine transfer facilities (33 CFR 154.1035) require job descriptions for each spill management team member regardless of the response management system employed by the facility.

<sup>4</sup> Under NIIMS ICS, the command module has traditionally been represented by a single incident commander (supported by a command staff) who directs efforts of and receives input from the four supporting functional areas (planning, logistics, operations, and finance). More recently, a Unified Command System as described in the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) found at 40 CFR part 300 has been used for larger spill responses where the command module is comprised of representatives from the federal government (i.e., federal on-scene coordinator), state government (state on-scene coordinator), and the responsible party working in a cooperative manner. Unified Command allows all parties who have jurisdictional or functional responsibility for the incident to jointly develop a common set of incident objectives and strategies. Such coordination should be guided by procedures found in the NCP (see figure 1a at 40 CFR 300.105(e)(1)) and the applicable Area Contingency Plan.

## 2. Table of Contents

*This section should clearly identify the structure of the plan and include a list of annexes. This will facilitate rapid use of the plan during an emergency.*

## 3. Current Revision Date

*This section should indicate the date that the plan was last revised to provide plan users with information on the currency of the plan. More detailed information on plan update history (i.e., a record of amendments) may be maintained in Annex 6 (Response Critique and Plan Review and Modification Process).*

## 4. General Facility Identification Information

- a. Facility name
- b. Owner/operator/agent (include physical and mailing address and phone number)
- c. Physical address of the facility (include county/parish/borough, latitude/longitude, and directions)
- d. Mailing address of the facility (correspondence contact)
- e. Other identifying information (e.g., ID numbers, SIC Code, oil storage start-up date)
- f. Key contact(s) for plan development and maintenance
- g. Phone number(s) for key contact(s)
- h. Facility phone number
- i. Facility fax number

*This section should contain a brief profile of the facility and its key personnel to facilitate rapid identification of key administrative information.*

## Section II - Core Plan Elements

### 1. Discovery

*This section should address the initial action the person(s) discovering an incident will take to assess the problem at hand and access the response system. Recognition, basic assessment, source control (as appropriate), and initial notification of proper personnel should be addressed in a manner that can be easily understood by everybody in the facility. The use of checklists or flowcharts is highly recommended.*

### 2. Initial Response

- a. Procedures for internal and external notifications (i.e., contact, organization name, and phone number of facility emergency response coordinator, facility response team personnel, federal, state, and local officials)
- b. Establishment of a response management system
- c. Procedures for preliminary assessment of the situation,

including an identification of incident type, hazards involved, magnitude of the problem, and resources threatened

- d. Procedures for establishment of objectives and priorities for response to the specific incident, including:
  - (1) Immediate goals/tactical planning (e.g., protection of workers and public as priorities)
  - (2) Mitigating actions (e.g., discharge/release control, containment, and recovery, as appropriate)
  - (3) Identification of resources required for response
- e. Procedures for implementation of tactical plan
- f. Procedures for mobilization of resources

*This section should provide for activation of the response system following discovery of the incident. It should include an established 24-hour contact point (i.e., that person and alternate who is called to set the response in motion) and instructions for that person on who to call and what critical information to pass. Plan drafters should also consider the need for bilingual notification. It is important to note that different incident types require that different parties be notified. Appropriate federal, State, and local notification requirements should be reflected in this section of the ICP.*

*Detailed notification lists may be included here or in Annex 2, depending upon the variety of notification schemes that a facility may need to implement. For example, the release of an extremely hazardous substance will require more extensive notifications (i.e., to State Emergency Response Commissions (SERCs) and LEPCs) than a discharge of oil. Even though no impacts or awareness are anticipated outside the site, immediate external notifications are required for releases of CERCLA and EPCRA substances. Again, the use of forms, such as flowcharts, checklists, call-down lists, is recommended.*

*This section should instruct personnel in the implementation of a response management system for coordinating the response effort. More detailed information on specific components and functions of the response management system (e.g., detailed hazard assessment, resource protection strategies) may be provided in annexes to the ICP.*

*This part of the plan should then provide information on problem assessment, establishment of objectives and priorities, implementation of a tactical plan, and mobilization of resources. In establishing objectives and*

*priorities for response, facilities should perform a hazard assessment using resources such as Material Safety Data Sheets (MSDSs) or the Chemical Hazard Response Information System (CHRIS) manual. Hazardous Materials Emergency Planning Guide (NRT-1), developed by the NRT to assist community personnel with emergency response planning, provides guidance on developing hazard analyses. If a facility elects to provide detailed hazard analysis information in a response annex, then a reference to that annex should be provided in this part of the core plan.*

*Mitigating actions must be tailored to the type of hazard present. For example, containment might be applicable to an oil spill (i.e., use of booming strategies) but would not be relevant to a gas release. The plan holder is encouraged to develop checklists, flowcharts, and brief descriptions of actions to be taken to control different types of incidents. Relevant questions to ask in developing such materials include:*

- What type of emergency is occurring?
- What areas/resources have been or will be affected?
- Do we need an exclusion zone?
- Is the source under control?
- What type of response resources are needed?

### 3. Sustained Actions

*This section should address the transition of a response from the initial emergency stage to the sustained action stage where more prolonged mitigation and recovery actions progress under a response management structure. The NRT recognizes that most incidents are able to be handled by a few individuals without implementing an extensive response management system. This section of the core plan should be brief and rely heavily on references to specific annexes to the ICP.*

### 4. Termination and Follow-Up Actions

*This section should briefly address the development of a mechanism to ensure that the person in charge of mitigating the incident can, in coordination with the federal or state OSC as necessary, terminate the response. In the case of spills, certain regulations may become effective once the "emergency" is declared over. The section should describe how the orderly demobilization of response resources will occur. In addition, follow-up actions associated with termination of a response (e.g., accident investigation, response critique, plan review, written follow-up reports) should also be outlined in this section. Plan drafters*

may reference appropriate annexes to the ICP in this section of the core plan.

### Section III—Annexes

#### Annex 1. Facility and Locality Information

- a. Facility maps
- b. Facility drawings
- c. Facility description/layout, including identification of facility hazards and vulnerable resources and populations on and off the facility which may be impacted by an incident

*This annex should provide detailed information to responders on the layout of the facility and the surrounding environment. The use of maps and drawings to allow for quick reference is preferable to detailed written descriptions. These should contain information critical to the response such as the location of discharge sources, emergency shut-off valves and response equipment, and nearby environmentally and economically sensitive resources and human populations (e.g., nursing homes, hospitals, schools). The ACP and LEPC plan may provide specific information on sensitive environments and populations in the area. EPA Regional Offices, Coast Guard Marine Safety Offices, and LEPCs can provide information on the status of efforts to identify such resources. Plan holders may need to provide additional detail on sensitive areas near the facility. In addition, this annex should contain other facility information that is critical to response and should complement but not duplicate information contained in part 4 of the plan introduction section containing administrative information on the facility.*

#### Annex 2. Notification

- a. Internal notifications
- b. Community notifications
- c. Federal and state agency notifications

*This annex should detail the process of making people aware of an incident (i.e., who to call, when the call must be made, and what information/data to provide on the incident). The incident commander is responsible for ensuring that notifications are carried out in a timely manner but is not necessarily responsible for making the notifications. ACPs, Regional Contingency Plans (RCPs), and LEPC plans should be consulted and referenced as a source of information on the roles and responsibilities of external parties that are to be contacted. This information is important to help company responders understand how external response officials fit into the picture. Call-down lists must be readily accessible to ensure*

*rapid response. Notification lists provided in the core plan need not be duplicated here but need to be referenced.*

#### Annex 3. Response Management System

*This annex should contain a general description of the facility's response management system as well as contain specific information necessary to guide or support the actions of each response management function (i.e., command, operations, planning, logistics, and finance) during a response.*

##### a. General

*If facility owners or operators choose to follow the fundamental principles of NIIMS ICS (see discussion of annexes above), then they may adopt NIIMS ICS by reference rather than having to describe the response management system in detail in the plan. In this section of Annex 3, planners should briefly address either 1) basic areas where their response management system is at variance with NIIMS ICS or 2) how the facility's organization fits into the NIIMS ICS structure. This may be accomplished through a simple organizational diagram.*

*If facility owners or operators choose not to adopt the fundamental principles of NIIMS ICS, this section should describe in detail the structure of the facility response management system. Regardless of the response management system used, this section of the annex should include the following information:*

- Organizational chart;
- Specific job description for each position;<sup>5</sup>
- A detailed description of information flow; and
- Description of the formation of a unified command within the response management system.

##### b. Command

*(1) List facility Incident Commander and Qualified Individual (if applicable) by name and/or title and provide information on their authorities and duties.*

*This section of Annex 3 should describe the command aspects of the response management system that will be used (i.e., reference NIIMS ICS or detail the facility's response management system). The location(s) of predesignated command posts should also be identified.*

<sup>5</sup> OPA 90 planning requirements for marine transfer facilities (33 CFR 154.1035) require job descriptions for each spill management team member regardless of the response management system employed by the facility.

*(2) Information (i.e., internal and external communications).*

*This section of Annex 3 should address how the facility will disseminate information internally (i.e., to facility/response employees) and externally (i.e., to the public). For example, this section might address how the facility would interact with local officials to assist with public evacuation and other needs. Items to consider in developing this section include press release statement forms, plans for coordination with the news media, community relations plan, needs of special populations, and plans for families of employees.*

##### (3) Safety.

*This section of Annex 3 should include a process for ensuring the safety of responders. Facilities should reference responsibilities of the safety officer, federal/state requirements (e.g., HAZWOPER), and safety provisions of the ACP. Procedures for protecting facility personnel should be addressed (i.e., evacuation signals and routes, sheltering in place).*

##### (4) Liaison—Staff Mobilization.

*This section of Annex 3 should address the process by which the internal and external emergency response teams will interact. Given that parallel mobilization may be occurring by various response groups, the process of integration (i.e., unified command) should be addressed. This includes a process for communicating with local emergency management especially where safety of the general public is concerned.*

##### c. Operations

- (1) Operational response objectives
- (2) Discharge or release control
- (3) Assessment/monitoring
- (4) Containment
- (5) Recovery
- (6) Decontamination
- (7) Non-responder medical needs, including information on ambulances and hospitals
- (8) Salvage plans

*This section of Annex 3 should contain a discussion of specific operational procedures to respond to an incident. It is important to note that response operations are driven by the type of incident. That is, a response to an oil spill will differ markedly from a response to a release of a toxic gas to the air. Plan drafters should tailor response procedures to the particular hazards in place at the facility. A facility with limited hazards may have relatively few procedures. A larger more complex facility with numerous hazards is likely to have a series of procedures*

designed to address the nuances associated with each type of incident.

d. Planning

(1) Hazard assessment, including facility hazards identification, vulnerability analysis, prioritization of potential risks.

*This section of Annex 3 should present a detailed assessment of all potential hazards present at the facility, an analysis of vulnerable receptors (e.g., human populations, both workers and the general public, environmentally sensitive areas, and other facility-specific concerns) and a discussion of which risks deserve primary consideration during an incident. NRT-1 contains guidance on conducting a hazard analysis. Also, ACPs and LEPC plans may provide information on environmentally sensitive and economically important areas, human populations, and protection priorities. Plan drafters should address the full range of risks present at the facility. By covering actions necessary to respond to a range of incident types, plan holders can be prepared for small, operational discharges and large catastrophic releases. One approach that is required by certain regulations, such as the Clean Air Act (CAA) and OPA is to develop planning scenarios for certain types and sizes of releases (i.e., worst case discharge). Facilities may address such planning scenarios and associated calculations in this section of Annex 3 or as part of a separate annex depending on the size and complexity of the facility.*

(2) Protection

*This section of Annex 3 should present a discussion of strategies for protecting the vulnerable receptors identified through the hazard analysis. Primary consideration should be given to minimizing those risks identified as a high priority. Activities to be considered in developing this section include: population protection; protective booming; dispersant use, in-situ burning, bioremediation; water intake protection; wildlife recovery/rehabilitation; natural remediation; vapor suppression; and monitoring, sampling, and modeling. ACPs and LEPC plans may contain much of this information.*

(3) Coordination with natural resource trustees.

*This section should address coordination with government natural resource trustees. In their role as managers of and experts in natural resources, trustees assist the federal OSC in developing or selecting removal actions to protect these resources. In this role, they serve as part of the*

*response organization working for the federal OSC. A key area to address is interaction with facility response personnel in protection of natural resources.*

*Natural resource trustees are also responsible to act on behalf of the public to present a claim for and recover damages to natural resources injured by an oil spill or hazardous substance release. The process followed by the natural resource trustees, natural resource damage assessment (NRDA), generally involves some data collection during emergency response. NRDA regulations provide that the process may be carried out in cooperation with the responsible party. Thus, the facility may wish to plan for how that cooperation will occur, including designation of personnel to work with trustees in NRDA.*

(4) Waste management.

*This section should address procedures for the disposal of contaminated materials in accordance with federal, state, and local requirements.*

e. Logistics

- (1) Medical needs of responders
- (2) Site security
- (3) Communications (internal and external resources)
- (4) Transportation (air, land, water)
- (5) Personnel support (e.g., meals, housing, equipment)
- (6) Equipment maintenance and support

*This section of the Annex 3 should address how the facility will provide for the operational needs of response operations in each of the areas listed above. For example, the discussion of personnel support should address issues such as: volunteer training; management; overnight accommodations; meals; operational/administrative spaces; and emergency procedures. The NRT recognizes that certain logistical considerations may not be applicable to small facilities with limited hazards.*

f. Finance/procurement/administration

- (1) Resource list
- (2) Personnel management
- (3) Response equipment
- (4) Support equipment
- (5) Contracting
- (6) Claims procedures
- (7) Cost documentation

*This section of Annex 3 should address the acquisition of resources (i.e., personnel and equipment) for the response and monitoring of incident-related costs. Lists of available equipment in the local and regional area and how to procure such equipment as necessary should be*

*included. Information on previously established agreements (e.g., contracts) with organizations supplying personnel and equipment (e.g., oil spill removal organizations) also should be included. This section should also address methods to account for resources expended and to process claims resulting from the incident.*

Annex 4. Incident Documentation

- a. Post accident investigation
- b. Incident history

*This annex should describe the company's procedures for conducting a follow-up investigation of the cause of the accident, including coordination with federal, State, and local officials. This annex should also contain an accounting of incidents that have occurred at the facility, including information on cause, amount released, resources impacted, injuries, response actions, etc. This annex should also include information that may be required to prove that the facility met its legal notification requirements with respect to a given incident, such as a signed record of initial notifications and certified copies of written follow-up reports submitted after a response.*

Annex 5. Training and Exercises/Drills

*This annex should contain a description of the training and exercise program conducted at the facility as well as evidence (i.e., logs) that required training and exercises have been conducted on a regular basis. Facilities may follow appropriate training or exercise guidelines (e.g., National Preparedness for Response Exercise Program Guidelines) as allowed under the various regulatory requirements.*

Annex 6. Response Critique and Plan Review and Modification Process

*This annex should describe procedures for modifying the plan based on periodic plan review or lessons learned through an exercise or a response to an actual incident. Procedures to critique an actual or simulated response should be a part of this discussion. A list of plan amendments (i.e., history of updates) should also be contained in this annex. Plan modification should be viewed as a part of a facility's continuous improvement process.*

Annex 7. Prevention

*Some federal regulations that primarily address prevention of accidents include elements that relate to contingency planning (e.g., EPA's RMP and SPCC regulations and OSHA's Process Safety Standard). This annex is designed to allow facilities to include*

prevention-based requirements (e.g., maintenance, testing, in-house inspections, release detection, site security, containment, fail safe engineering) that are required in contingency planning regulations or that have the potential to impact response activities covered in a contingency plan. The modular nature of the suggested plan outline provides planners with necessary flexibility to include prevention requirements in the ICP. This annex may not need to be submitted to regulatory agencies for review.

#### Annex 8. Regulatory Compliance and Cross-Reference Matrices

This annex should include information necessary for plan reviewers to determine compliance with specific regulatory requirements. To the extent that plan drafters did not include regulatory required elements in the balance of the ICP, they should be addressed in this annex. This annex should also include signatory pages to convey management approval and certifications required by the regulations, such as certification of adequate response resources and/or statements of regulatory applicability as required by regulations under OPA authority. Finally, this annex should contain cross-references that indicate where specific regulatory requirements are addressed in the ICP for each regulation covered under the plan. As discussed previously, Attachment 3 contains a series of matrices designed to fulfill this need in those instances where plan drafters adhere to the outline contained in this guidance.

#### Attachment 1—ICP Outline

##### Section I—Plan Introduction Elements

1. Purpose and Scope of Plan Coverage
2. Table of Contents
3. Current Revision Date
4. General Facility Identification Information
  - a. Facility name
  - b. Owner/operator/agent (include physical and mailing address and phone number)
  - c. Physical address of the facility (include county/parish/borough, latitude/longitude, and directions)

- d. Mailing address of the facility (correspondence contact)
- e. Other identifying information (e.g., ID numbers, SIC Code, oil storage start-up date)
- f. Key contact(s) for plan development and maintenance
- g. Phone number for key contact(s)
- h. Facility phone number
- i. Facility fax number

##### Section II—Core Plan Elements

1. Discovery
2. Initial Response
  - a. Procedures for internal and external notifications (i.e., contact, organization name, and phone number of facility emergency response coordinator, facility response team personnel, federal, state, and local officials)
  - b. Establishment of a response management system
  - c. Procedures for preliminary assessment of the situation, including an identification of incident type, hazards involved, magnitude of the problem, and resources threatened
  - d. Procedures for establishment of objectives and priorities for response to the specific incident, including:
    - (1) Immediate goals/tactical planning (e.g., protection of workers and public as priorities)
    - (2) Mitigating actions (e.g., discharge/release control, containment, and recovery, as appropriate)
    - (3) Identification of resources required for response
  - e. Procedures for implementation of tactical plan
  - f. Procedure for mobilization of resources
3. Sustained Actions
4. Termination and Follow-Up Actions

##### Section III—Annexes

#### Annex 1. Facility and Locality Information

- a. Facility maps
- b. Facility drawings
- c. Facility description/layout, including identification of facility hazards and vulnerable resources and populations on and off the facility which may be impacted by an incident

#### Annex 2. Notification

- a. Internal notifications
- b. Community notifications
- c. Federal and state agency notifications

#### Annex 3. Response Management System

- a. General
- b. Command

- (1) List facility Incident Commander and Qualified Individual (if applicable) by name and/or title and provide information on their authorities and duties
- (2) Information (i.e., internal and external communications)
- (3) Safety
- (4) Liaison—Staff mobilization
- c. Operations
  - (1) Operational response objectives
  - (2) Discharge or release control
  - (3) Assessment/monitoring
  - (4) Containment
  - (5) Recovery
  - (6) Decontamination
  - (7) Non-responder medical needs including information on ambulances and hospitals
  - (8) Salvage plans
- d. Planning
  - (1) Hazard assessment, including facility hazards identification, vulnerability analysis, prioritization of potential risks
  - (2) Protection
  - (3) Coordination with natural resource trustees
  - (4) Waste management
- e. Logistics
  - (1) Medical needs of responders
  - (2) Site security
  - (3) Communications (internal and external resources)
  - (4) Transportation (air, land, water)
  - (5) Personnel support (e.g., meals, housing, equipment)
  - (6) Equipment maintenance and support
- f. Finance/procurement/administration
  - (1) Resource list
  - (2) Personnel management
  - (3) Response equipment
  - (4) Support equipment
  - (5) Contracting
  - (6) Claims procedures
  - (7) Cost documentation

#### Annex 4. Incident Documentation

- a. Post accident investigation
- b. Incident history

#### Annex 5. Training and Exercises/Drills

#### Annex 6. Response Critique and Plan Review and Modification Process

#### Annex 7. Prevention

#### Annex 8. Regulatory Compliance and Cross-Reference Matrices

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**Attachment 2: ICP Development Matrix**

ICP Elements	RCRA (40 CFR part 264, Subpart D, 40 CFR part 265, Subpart D, and 40 CFR 279.52)	EPA's Oil Pollution Prevention Regulation (40 CFR part 112)	USCG-FRP (33 CFR part 154)	DOT/RSPA-FRP (49 CFR part 194)	OSHA Emergency Action Plans (29 CFR 1910.38(a) and Process Safety (29 CFR 1910.119)	OSHA HAZWOPER (29 CFR 1910.120)	CAA RMP (40 CFR part 68)
<b>Section I - Plan Introduction Elements</b>							
<b>1. Purpose and scope of plan coverage</b>	264.51 265.51 279.52(b)(1) 264.52(a) 265.52(a) 279.52(b)(2)(i)				38(a)(1) <sup>1</sup> 119(n) 272(d)	(l) <sup>2</sup> (p)(8) (q)(1)	
<b>2. Table of contents</b>		112.20(h) Appendix F	1035(a)(4) <sup>3</sup> 1030(b)	Appendix A			
<b>3. Current revision date</b>		F1.2	1035(a)(6)				
<b>4. General facility identification information</b>		F1.2 F1.9		194.107(d)(1)(i) 194.113 194.113(b)(1)			
<b>a. Facility name</b>		F1.2	1035(a)(1)				
<b>b. Owner/operator/ agent</b>		F1.2 F2.0	1035(a)(3)	194.113(a)(1) A-1			
<b>c. Physical address and directions</b>		112.20(h)(2) F1.2 F2.0	1035(a)(1) 1035(a)(2) 1035(e)	194.113(a)(2) 194.113(b)(3),(4) A-1			
<b>d. Mailing address</b>		112.20(h)(2)	1035(a)(1)	194.113(a)(1)			
<b>e. Other identifying information</b>							

<sup>1</sup> All citations refer to part 1910 unless otherwise noted.  
<sup>2</sup> All citations refer to 29 CFR 1910.120 unless otherwise noted.  
<sup>3</sup> All citations refer to part 154 unless otherwise noted.

ICP Elements	RCRA (40 CFR part 264, Subpart D, 40 CFR part 265, Subpart D, and 40 CFR 279.52)	EPA's Oil Pollution Prevention Regulation (40 CFR part 112)	USCG-FRP (33 CFR part 154)	DOT/RSFA-FRP (49 CFR part 194)	OSHA Emergency Action Plans (29 CFR 1910.38(a) and Process Safety (29 CFR 1910.119)	OSHA HAZWOPER (29 CFR 1910.120)	CAA RMP (40 CFR part 68)
f. Key contact(s) for plan development and maintenance					38(a)(2)(vi)	(l)(2)(i),(ii) (p)(8)(ii)(A),(B) (q)(2)(i),(ii)	
g. Phone number for key contact(s)							
h. Facility phone number		F1.2 F2.1	1035(a)(1)				
i. Facility fax number			1035(a)(1)				
<b>Section II - Core Plan Elements</b>							
<b>1. Discovery</b>		112.20(b)(6) F1.6.1, F1.6.2	1035(b)(3)(i)	194.107(d)(1)(iii) A-3	119(n)	(l)(2)(iii) (p)(8)(ii)(C) (q)(2)(iii)	68.95(a)(1)(iii)
<b>2. Initial response</b>		112.20(b)(7)(i) F1.3.6 F1.7	1035(b)(2)(ii) 1035(b)(3)(i) 1035(b)(3)(ii)	A-2	38(a)(2)(i) 38(a)(2)(ii) 119(n)	(l)(2)(ix) (p)(8)(ii)(I) (q)(2)(ix)	68.95(a)(1)(iii)
<b>a. Procedures for internal and external notifications</b>	264.52(d) 265.52(d) 279.52(b)(2)(iv) 264.55 265.55 279.52(b)(5) 264.56(a)(1),(2) 265.56(a)(1),(2) 279.52(b)(6)(i)(A),(B) 264.56(d)(1),(2) 265.56(d)(1),(2) 279.52(b)(6)(iv)(A),(B)	112.20(b)(1)(iii) 112.20(b)(3)(iii) 112.20(b)(3)(iii) 112.20(b)(3)(iv) F1.2 F1.3.1	1026 1035(a)(3) 1035(b)(1)(i) 1035(e)(2)	194.107(d)(1)(ii) 194.113(b)(2) A-1, A-1(b)(2) A-2 A-5	38(a)(2)(v) 38(a)(2)(vi) 38(a)(3)(i) 38(a)(3)(ii) 165	(l)(2)(ix) (p)(8)(ii)(I) (q)(2)(ix)	68.95(a)(1)(i)
<b>b. Establishment of a response management structure</b>	264.37 265.37 279.52(a)(6) 264.52(c) 265.52(c) 279.52(b)(2)(iii)	112.20(b)(1)(v) 112.20(b)(3)(v) F1.3.4	1035(b)(3)(iii)	194.107(d)(1)(v) A-4 A-9		(l)(2)(i),(ii) (p)(8)(ii)(A),(B) (q)(2)(i),(ii) (q)(3)(i)	
<b>c. Preliminary assessment</b>	264.56(b),(c) 265.56(b),(c) 279.52(b)(6)(ii),(iii)	112.20(b)(3)(ix) 112.20(b)(4) F1.4, F1.4.2	1035(b)(3) 1035(b)(4)(i)	194.107(d)(1)(ii)	38(a)(2)(i) 38(a)(2)(ii)	(l)(2)(i) (l)(3)(vii) (p)(8)(ii)(A) (q)(2)(i) (q)(3)(ii),(iii)	

ICP Elements	RCRA (40 CFR part 264, Subpart D, 40 CFR part 265, Subpart D, and 40 CFR 279.52)	EPA's Oil Pollution Prevention Regulation (40 CFR part 112)	USCG-FRP (33 CFR part 154)	DOT/RSFA-FRP (49 CFR part 194)	OSHA Emergency Action Plans (29 CFR 1910.38(a) and Process Safety (29 CFR 1910.119)	OSHA HAZWOPER (29 CFR 1910.120)	CAA RMP (40 CFR part 68)
d. Establishment of objectives and priorities for response, including: (1) Immediate goals/tactical planning actions (2) Mitigating actions (3) Response resources	264.52(e) 265.52(e) 279.52(b)(2)(v)	112.20(b)(1)(iv) 112.20(b)(1)(vii) 112.20(b)(3)(vi) 112.20(b)(3)(ix) 112.20(b)(7) FI.3.2 FI.7.1, FI.7.3	1035(b)(2) 1035(b)(3)(iv),(v)	194.107(d)(1)(iii) 194.107(d)(1)(v)	38(a)(4) 119(n)	(l)(2)(vi),(viii) (p)(8)(ii)(F),(H) (q)(2)(vi),(viii) (p)(8)(iv)(F) (q)(3)(ii),(iii),(iv),(vi),(vii)	
e. Implementation of tactical plan	264.52(e) 265.52(e) 279.52(b)(2)(v)	112.20(b)(3)(ix) 112.20(b)(7)	1035(b)(2)(iii) 1035(b)(3) 1035(b)(4)(iii)	194.107(d)(1)(v) A-3	38(a)(2)(ii)	(l)(3)(vii) (p)(8)(iv)(F) (q)(3)(iii)	
f. Mobilization of resources	264.52(e) 265.52(e) 279.52(b)(2)(v)	112.20(b)(7) FI.7.1	1035(b)(2)(iii) 1035(b)(3) 1035(b)(4)(iii)	194.115 194.107(d)(1)(v) A-1 A-3		(l)(2)(ix) (p)(8)(ii)(I) (q)(2)(ix)	
3. Sustained actions		112.20(b)(7)	1035(b)(3)	194.107(d)(1)(v) A-9	38(a)(2)(iii)	(l)(2)(x) (p)(8)(ii)(J) (q)(2)(x)	68.95(a)(1)(iii)
4. Termination and follow-up actions	264.56(i) 265.56(i)	112.20(b)(7)	1035(b)(3)			(l)(2)(ix) (p)(8)(ii)(I) (q)(2)(ix)	68.95(a)(1)(iii)
<b>Section III - Annexes</b>							
1. Facility and locality information		112.20(b)(2) FI.2 FI.9	1035(a) 1035(e)(1)	194.107(d)(1)(i) 194.113 194.113(b)(1)			
a. Facility maps		112.20(b)(1)(viii) FI.9		194.113(b)(2) A-9			
b. Facility drawings		112.20(b)(1)(viii) 112.20(b)(9) FI.9	1035(e)	A-9			
c. Facility description/layout		FI.9	1035(b)(4)	A-9		(l)(3)(i)(A) (p)(8)(iv)(A)(1)	

ICP Elements	RCRA (40 CFR part 264, Subpart D, 40 CFR part 265, Subpart D, and 40 CFR 279.52)	EPA's Oil Pollution Prevention Regulation (40 CFR part 112)	USCG-FRP (33 CFR part 154)	DOT/RSPA-FRP (49 CFR part 194)	OSHA Emergency Action Plans (29 CFR 1910.38(a) and Process Safety (29 CFR 1910.119)	OSHA HAZWOPER (29 CFR 1910.120)	CAA RMP (40 CFR part 68)
<b>2. Notification</b>	264.52(d) 265.52(d) 279.52(b)(2)(iv) 264.56(a)(1),(2) 265.56(a)(1),(2) 279.52(b)(6)(A),(B) 264.56(d)(1),(2) 265.56(d)(1),(2) 279.52(b)(6)(iv)(A),(B)	112.20(h)(1)(ii)		194.107(d)(1)(ii) A-2	119(n) 165(b)(1) 165(b)(4) 272(d)	(1)(3)(i)(B) (1)(2)(ix) (p)(8)(ii)(I) (p)(8)(iv)(A)(2) (q)(2)(ix)	68.95(a)(1)(i)
<b>a. Internal</b>		112.20(h)(3)(iii) F1.3.1	1035(b)(1)(i) 1035(b)(1)(ii) 1035(e)(2)	194.107(d)(1)(iv)	119(n) 165(b)(1)	(1)(2)(ix) (q)(2)(ix) (p)(8)(ii)(I)	
<b>b. Community</b>		112.20(h)(3)(iii) 112.20(h)(3)(ix) F1.3.1	1035(b)(1)(i) 1035(b)(1)(ii) 1035(e)(2)		119(n)	(1)(2)(i),(ii),(ix) (p)(8)(ii)(A),(B),(I) (q)(2)(i),(ii),(ix)	
<b>c. Federal and state agency</b>		112.20(h)(3)(iii) 112.20(h)(3)(ix) F1.3.1	1035(b)(1)(i) 1035(b)(1)(ii) 1035(e)(2)	194.107(d)(1)(vi)		(1)(2)(i),(ii),(ix) (p)(8)(ii)(A),(B),(I) (q)(2)(i),(ii),(ix)	
<b>3. Response management structure</b>		112.20(h)(1)(v) 112.20(h)(3)(v) F1.3.4	1035(b)(3)(iii)	194.107(d)(1)(v) A-9		(q)(3)(i)	
<b>a. General</b>	264.52(c) 265.52(e) 279.52(b)(2)(iii)		1035(b)(3)(iii)			(q)(3)(i)	
<b>b. Command</b>		112.20(h)(3)(iv)				(q)(3)(i)	
<b>(1) Facility incident commander and qualified individual</b>	264.55 265.55 279.52(b)(5)	112.20(h)(1)(i) F1.2.5	1026	A-4		(q)(3)(i)	
<b>(2) Information</b>	264.56(a)(1),(2) 265.56(a)(1),(2) 279.52(b)(6)(i)(A),(B)	112.20(h)(3)(iii)	1035(b)(3)(iii) 1035(e)(4)	194.107(d)(1)(v) A-2	38(a)(2)(vi) 38(a)(5)(iii)	(q)(3)(i)	
<b>(3) Safety</b>	264.52(f) 265.52(f) 279.52(b)(2)(vi)	112.20(h)(1)(vi) 112.20(h)(3)(vii) 112.20(h)(3)(viii) F1.3.5	1035(b)(3)(iii) 1035(e)(5)		38(a)(2)(i) 38(a)(2)(iii) 38(a)(2)(iv) 38(a)(4)	(1)(2)(iv),(vi) (p)(8)(ii)(D),(F) (q)(2)(iv),(vi) (q)(3)(vii),(viii)	
<b>(4) Liaison</b>			1035(b)(3)(iii)		38(a)(2)(vi)	(1)(2)(i),(ii) (p)(8)(ii)(A),(B) (q)(2)(i),(ii)	

ICP Elements	RCRA (40 CFR part 264, Subpart D, 40 CFR part 265, Subpart D, and 40 CFR 279.52)	EPA's Oil Pollution Prevention Regulation (40 CFR part 112)	USCG-FRP (33 CFR part 154)	DOT/RSPA-FRP (49 CFR part 194)	OSHA Emergency Action Plans (29 CFR 1910.38(a) and Process Safety (29 CFR 1910.119)	OSHA HAZWOPER (29 CFR 1910.120)	CAA RMP (40 CFR part 68)
<b>c. Operations</b>							
(1) Response objectives			1035(b)(3)(iii) 1035(b)(2)(iii) 1035(b)(4)(iii)	194.107(d)(1)(v)	38(a)(2)(i)-(iv) 38(a)(1)	(q)(3)(iii),(v) (q)(3)(iii)	
(2) Discharge or release control	264.56(e) 265.56(e) 279.52(b)(6)(v)	112.20(h)(3)(i) 112.20(h)(7)(iv) 112.20(h)(1)(vii)	1035(b)(2) 1035(b)(2)(iii) 1035(b)(4)(iii)	194.107(d)(1)(v) A-3			
(3) Assessment/monitoring	264.56(b),(c),(d),(f) 265.56(b),(c),(d),(f) 279.52(b)(6)(ii),(iii),(iv),(vi)	112.20(h)(3)(ix) FI.7.1	1035(b)(2)(iii) 1035(b)(3) 1035(b)(4)(iii)		38(a)(3)(ii) 38(a)(4)	(q)(3)(ii)	
(4) Containment	264.56(e) 265.56(e) 279.52(b)(6)(v)	112.20(h)(1)(vii) 112.20(h)(3)(i) 112.20(h)(7)(iv) FI.7.3	1035(b)(2)(iii) 1035(b)(3)(iv) 1035(b)(4)(iii)	194.107(d)(1)(v)			
(5) Recovery		112.20(h)(3)(i) 112.20(h)(7)(iii) FI.7.2	1035(b)(2)(iii) 1035(b)(3)(iv) 1035(b)(4)(iii)	194.107(d)(1)(v)			
(6) Decontamination	264.56(h)(2) 265.56(h)(2) 279.52(b)(6)(viii)(B)	112.20(h)(7)(iii) FI.7.2		194.107(d)(1)(v)	38(a)(2)(iv)	(k) (l)(2)(vii) (p)(8)(ii)(G) (q)(2)(vii) (q)(3)(ix)	68.95(a)(1)(ii)
(7) Non-responder medical needs			1035(e)(5)			(l)(2)(viii) (p)(8)(ii)(H) (q)(2)(viii)	
(8) Salvage plans				194.107(d)(1)(v)			
<b>d. Planning</b>							
(1) Hazard assessment		112.20(h)(3)(ix) 112.20(h)(4) 112.20(h)(5) 112.20(h)(7)(ii) FI.4.1-FI.4.3 FI.5.1, FI.5.2 112.20(h)(7)(i) 112.20(h)(7)(iv) FI.7.1, FI.7.3	1029 1035(b)(4)(ii)	194.107(a) 194.115 194.105 194.113(b)(6)	38(a)(1) 38(a)(4) 38(a)(4)	(l)(2)(i),(ix) (p)(8)(ii)(A),(I) (q)(1) (q)(2)(i),(ix) (l)(1)(ii)(C),(D) (p)(8)(iv)(A)(1),(F) (q)(3)(iii)	68.20-36 68.50 68.67
(2) Protection			1035(b)(4)			(l)(2)(iv),(v),(vi) (p)(8)(ii)(D),(E),(K) (q)(2)(iv),(v),(vi) (q)(3)(iii)	

ICP Elements	RCRA (40 CFR part 264, Subpart D, 40 CFR part 265, Subpart D, and 40 CFR 279.52)	EPA's Oil Pollution Prevention Regulation (40 CFR part 112)	USCG-FRP (33 CFR part 154)	DOT/RSPA-FRP (49 CFR part 194)	OSHA Emergency Action Plans (29 CFR 1910.38(a) and Process Safety (29 CFR 1910.119)	OSHA HAZWOPER (29 CFR 1910.120)	CAA RMP (40 CFR part 68)
(3) Coordination with natural resource trustees	112.20(g)	194.107(c)	1030(f)				
(4) Waste management	112.20(h)(7)(v) F1.7.2	194.107(d)(1)(v)	1035(b)(5)				
e. Logistics	264.56(h)(1) 265.56(h)(1) 279.52(b)(6)(viii)(A) 264.56(g) 265.56(g) 279.52(b)(6)(vii)		1035(b)(3)(iii)			(l)(3)(iii) (p)(8)(iv)(B) (q)(2)(xii)	
(1) Medical needs			1035(e)(5)		38(a)(2)(iv)	(l)(2)(viii) (p)(8)(ii)(H) (q)(2)(viii)	68.95(a)(1)(ii)
(2) Site security	112.20(h)(10) F1.10					(l)(2)(v) (p)(8)(ii)(E) (q)(2)(v)	
(3) Communications	112.20(h)(1)(v) 112.20(h)(3)(vi) F1.3.2	194.107(d)(1)(v) A-2	1035(e)(3)		38(a)(3) 119(e)(3)(iii) 165(b)	(q)(3)(i)	
(4) Transportation							
(5) Personnel support	112.20(h)(1)(v) 112.20(h)(1)(vi) 112.20(h)(3)(f-H) 112.20(h)(3)(v) 112.20(h)(3)(vii) F1.3.5				38(a)(5)(i)	(l)(2)(ii) (p)(8)(ii)(B) (q)(2)(ii) (q)(3)(v),(vi)	
(6) Equipment maintenance and support	112.20(h)(1)(v) 112.20(h)(3)(vi) 112.20(h)(8) F1.3.3 F1.8.1 112.20(h)(3)(ix)	194.107(d)(1)(viii)	1035(b)(3)(iv) 1035(e)(3) 1057		119(j)(4) 119(j)(5) 165(d)	(l)(2)(xi) (p)(8)(ii)(K) (q)(2)(xi)	68.95(a)(2)
f. Finance/procurement/administration			1028 1035(b)(3)(iii)				
(1) Resource list	264.52(e) 265.52(e) 279.52(b)(2)(v)	112.20(h)(1)(iv) 112.20(h)(3)(vi) F1.3.2 F1.7.1	1035(b)(3)(iv) 1035(e)(3)				
(2) Personnel	112.20(h)(1)(v) 112.20(h)(3)(v) F1.3.4	1035(b)(3)(iv)					

ICP Elements	RCRA (40 CFR part 264, Subpart D, 40 CFR part 265, Subpart D, and 40 CFR 279.52)	EPA's Oil Pollution Prevention Regulation (40 CFR part 112)	USCG-FRP (33 CFR part 154)	DOT/RSPA-FRP (49 CFR part 194)	OSHA Emergency Action Plans (29 CFR 1910.38(a) and Process Safety (29 CFR 1910.119)	OSHA HAZWOPER (29 CFR 1910.120)	CAA RMP (40 CFR part 68)
(3) Response equipment	264.52(e) 265.52(e) 279.52(b)(2)(v)	112.20(h)(1)(iv) 112.20(h)(3)(vi) F1.3.2 F1.7.1	1035(b)(2)(ii) 1035(b)(4)(iii) 1035(e)(3) Appendix C 1035(e)(3)			01(2)(xi) (p)(8)(ii)(K) (q)(2)(xi)	
(4) Support equipment	264.52(e) 265.52(e) 279.52(b)(2)(v)	F1.3.2 F1.7.1	1035(e)(3)				
(5) Contracting		112.20(h)(3)(ii)	1028(a)(1) 1035(e)(3)	194.115			
(6) Claims procedures							
(7) Cost documentation							
4. Incident documentation							
a. Post-accident investigation	264.56(j) 265.56(j) 279.52(b)(6)(ix)				38(a)(2)(iii) 119(e)(3)(ii)	01(2)(x) (p)(8)(ii)(J) (q)(2)(x)	68.60 68.81
b. Incident history		112.20(h)(4) F1.4.4			119(m)	01(2)(x) (p)(8)(ii)(J) (q)(2)(x)	68.42
5. Training and exercises/drills		112.20(h)(8) 112.21 F1.8.2, F1.8.3	1035(c) 1050 1055 Appendix D	194.107(d)(1)(vii) 194.107(d)(1)(ix) 194.117 A-6 A-7	38(a)(5) 119(g)(1)(i)	01(3)(iv) (p)(8)(iii) (q)(6)	68.95(a)(3)
6. Response critique and plan review and modification process	264.54 265.54 279.52(b)(4)	112.20(g)	1035(a)(6) 1035(d) 1065	194.107(d)(1)(x) 194.111 194.119 194.121 A-8	119(i) 119(o)(1)	01(2)(x) (p)(8)(ii)(J) (q)(2)(x)	68.95(a)(4)
7. Prevention						01(2)(iii) (p)(8)(ii)(C) (q)(2)(iii)	

## ATTACHMENT 3: REGULATORY CROSS-COMPARISON MATRICES

	ICP Citation(s)
<b>RCRA (40 CFR Part 264 Subpart D<sup>1</sup>, 40 CFR Part 265 Subpart D<sup>2</sup>, 40 CFR Part 279.52(b)<sup>3</sup>)</b>	
264.52 Content of contingency plan:	
(a) Emergency response actions. <sup>4</sup>	
(b) Amendments to SPCC plan.	
(c) Coordination with State and local response parties <sup>5</sup> .....	II.2.b; III.3.a.
(d) Emergency coordinator(s) .....	II.2.a; III.2.
(e) Detailed description of emergency equipment on-site .....	II.2.d.(3); II.2.e; II.2.f; III.3.f.(1); III.3.f.(3); III.3.f.(4).
(f) Evacuation plan if applicable .....	III.3.b.(3).
264.53 Copies of contingency plan.	
264.54 Amendment of contingency plan .....	III.6.
264.55 Emergency coordinator .....	II.2.a; III.3.b.(1).
264.56 Emergency procedures:	
(a) Notification .....	II.2.a; III.2; III.3.b.(2).
(b) Emergency identification/characterization .....	II.2.c; III.3.c.(3).
(c) Health/environmental assessment .....	II.2.c; III.3.c.(3).
(d) Reporting .....	II.2.a; III.2; III.3.c.(3).
(e) Containment .....	III.3.c.(2); III.3.c.(4).
(f) Monitoring .....	III.3.b.(3); III.3.c.(3).
(g) Treatment, storage, or disposal of wastes .....	III.3.d.(4).
(h) Cleanup procedures:	
(1) Disposal .....	III.3.d.(4).
(2) Decontamination .....	III.3.c.(6).
(i) Follow-up procedures .....	II.4.
(j) Follow-up report .....	III.4.a.
265.52 Content of contingency plan:	
(a) Emergency response actions. <sup>6</sup>	
(b) Amendments to SPCC plan.	
(c) Coordination with State and local response parties <sup>7</sup> .....	II.2.b; III.3.a.
(d) Emergency coordinator(s) .....	II.2.a; III.2.
(e) Detailed description of emergency equipment on-site .....	II.2.d.(3); II.2.e; II.2.f; III.3.f.(1); III.3.f.(3); III.3.f.(4).
(f) Evacuation plan if applicable .....	III.3.b.(3).
265.53 Copies of contingency plan.	
265.54 Amendment of contingency plan .....	III.6.
265.55 Emergency coordinator .....	II.2.a; III.3.b.(1).
265.56 Emergency procedures:	
(a) Notification .....	II.2.a; III.2; III.3.b.(2).
(b) Emergency identification/characterization .....	II.2.c; III.3.c.(3).
(c) Health/environmental assessment .....	II.2.c; III.3.c.(3).
(d) Reporting .....	II.2.a; III.2; III.3.c.(3).
(e) Containment .....	III.3.c.(2); III.3.c.(4).
(f) Monitoring .....	III.3.b.(3); III.3.c.(3).
(g) Treatment, storage, or disposal of wastes .....	III.3.d.(4).
(h) Cleanup procedures:	
(1) Disposal .....	III.3.d.(4).
(2) Decontamination .....	III.3.c.(6).
(i) Follow-up procedures .....	II.4.
(j) Follow-up report .....	III.4.a.
279.52(b)(2) Content of contingency plan:	
(i) Emergency response actions <sup>8</sup>	
(ii) Amendments to SPCC plan.	
(iii) Coordination with State and local response parties <sup>9</sup> .....	II.2.b; III.3.a.
(iv) Emergency coordinator(s) .....	II.2.a; III.2.
(v) Detailed description of emergency equipment on-site .....	II.2.d.(3); II.2.e; II.2.f; III.3.f.(1); III.3.f.(3); III.3.f.(4).
(vi) Evacuation plan if applicable .....	III.3.b.(3).
(3) Copies of contingency plan.	
(4) Amendment of contingency plan .....	III.6.
(5) Emergency coordinator .....	II.2.a; III.3.b.(1).
(6) Emergency procedures:	
(i) Notification .....	II.2.a; III.2; III.3.b.(2).
(ii) Emergency identification/characterization .....	II.2.c; III.3.c.(3).
(iii) Health/environmental assessment .....	II.2.c; III.3.c.(3).
(iv) Reporting .....	II.2.a; III.2; III.3.c.(3).
(v) Containment .....	III.3.c.(2); III.3.c.(4).
(vi) Monitoring .....	III.3.b.(3); III.3.c.(3).
(vii) Treatment, storage, or disposal of wastes .....	III.3.d.(4).
(viii) Cleanup procedures:	
(A) Disposal .....	III.3.d.(4).
(B) Decontamination .....	III.3.c.(6).



ATTACHMENT 3: REGULATORY CROSS-COMPARISON MATRICES—Continued

	ICP Citation(s)
(ix) Follow-up report .....	III.4.a.
<b>EPA's Oil Pollution Prevention Regulation (40 CFR 112)</b>	
112.7(d)(1) Strong spill contingency plan and written commitment of manpower, equipment, and materials. <sup>10,11</sup>	
112.20(g) General response planning requirements .....	III.3.d.(3); III.6.
112.20(h) Response plan elements .....	I.2; III.8.
(1) Emergency response action plan (Appendix F1.1):	
(i) Identity and telephone number of qualified individual (F1.2.5) .....	III.3.b.(1).
(ii) Identity of individuals/organizations to contact if there is a discharge (F1.3.1) .....	III.2.
(iii) Description of information to pass to response personnel in event of a reportable spill (F1.3).	II.2.a.
(iv) Description of facility's response equipment and its location (F1.3.2) .....	II.2.d.(3); III.3.e.(3); III.3.e.(6); III.3.f.(1); III.3.f.(3).
(v) Description of response personnel capabilities (F1.3.4) .....	II.2.b; III.3; III.3.e.(5); III.3.f.(2);
(vi) Plans for evacuation of the facility and a reference to community evacuation plans (F1.3.5).	III.3.b.(3); III.3.e.(5)
(vii) Description of immediate measures to secure the source (F1.7.1) .....	II.2.d.(2); III.3.c.(2); III.3.c.(4).
(viii) Diagram of the facility (F1.9) .....	III.1.a-b.
(2) Facility information (F1.2, F2.0) .....	I.4.b-d; III.1.
(3) Information about emergency responses:	
(i) Identity of private personnel and equipment to remove to the maximum extent practicable a WCD or other discharges (F1.3.2, F1.3.4).	III.3.c.(2); III.3.c.(4)-(5); III.3.e.(5).
(ii) Evidence of contracts or other approved means for ensuring personnel and equipment availability.	III.3.e.(5); III.3.f.(5)
(iii) Identity and telephone of individuals/organizations to be contacted in event of a discharge (F1.3.1).	II.2.a; III.2.b-d; III.3.b.(2).
(iv) Description of information to pass to response personnel in event of a reportable spill (F1.3.1).	II.2.a.
(v) Description of response personnel capabilities (F1.3.4) .....	II.2.b; III.3; III.3.e.(5); III.3.f.(2).
(vi) Description of a facility's response equipment, location of the equipment, and equipment testing (F1.3.2, F1.3.3).	II.2.d.(3); III.3.e.(3); III.3.e.(6); III.3.f.(1); III.3.f.(3).
(vii) Plans for evacuation of the facility and a reference to community evacuation plans as appropriate (F1.3.5).	III.3.b.(3); III.3.e.(5).
(viii) Diagram of evacuation routes (F1.9) .....	III.3.b.(3).
(ix) Duties of the qualified individual (F1.3.6) .....	II.2.c; II.2.d.(1); I.2.e; III.2.b-c; III.3.c.(3); III.3.d.(1); III.3.f.
(4) Hazard evaluation (F1.4) .....	II.2.c; III.3.d.(1); III.4.b.
(5) Response planning levels (F1.5, F1.5.1, F1.5.2) .....	II.3.d.(1).
(6) Discharge detection systems (F1.6, F1.6.1, F1.6.2) .....	II.1.
(7) Plan implementation (F1.7) .....	II.2.d-f; II.3; II.4.
(i) Response actions to be carried out (F1.7.1.1) .....	II.2; III.3.d.(2).
(ii) Description of response equipment to be used for each scenario (F1.7.1.1) .....	III.3.d.(1).
(iii) Plans to dispose of contaminated cleanup materials (F1.7.2) .....	III.3.c.(5)-(6)
(iv) Measures to provide adequate containment and drainage of spilled oil (F1.7.3) .....	III.3.c.(2); III.3.c.(4); III.3.d.(2); III.3.d.(4).
(8) Self-inspection, drills/exercises, and response training (F1.8.1-F1.8.3.2) .....	III.3.e.(6); III.5.
(9) Diagrams (F1.9) .....	III.1.b.
(10) Security systems (F1.10) .....	III.3.e.(2).
(11) Response plan cover sheet (F2.0).	
112.21 Facility response training and drills/exercises (F1.8.2, F1.8.3) .....	III.5.
Appendix F Facility-Specific Response Plan: <sup>12</sup>	I.2.
1.0 Model Facility-Specific Response Plan.	
1.1 Emergency Response Action Plan.	
1.2 Facility Information .....	I.3; I.4.a; I.4.b-c; I.4.h; II.2.a; III.1.
1.3 Emergency Response Information:	
1.3.1 Notification .....	II.2.a; III.2.a-c.
1.3.2 Response Equipment List .....	II.2.d.(3); III.3.e.(3); III.3.f.(1); III.3.f.(3)-(4).
1.3.3 Response Equipment Testing/Deployment .....	III.3.e.(6).
1.3.4 Personnel .....	II.2.b; III.3; III.3.f.(2).
1.3.5 Evacuation Plans .....	III.3.b.(3); III.3.e.(5).
1.3.6 Qualified Individual's Duties .....	II.2.
1.4 Hazard Evaluation .....	II.2.c.
1.4.1 Hazard Identification .....	III.1.c; III.3.d.(1).
1.4.2 Vulnerability Analysis .....	II.2.c; III.3.d.(1).
1.4.3 Analysis of the Potential for an Oil Spill .....	III.3.d.(1).
1.4.4 Facility Reportable Oil Spill History .....	III.4.b.
1.5 Discharge Scenarios:	
1.5.1 Small and Medium Discharges .....	III.3.d.(1).
1.5.2 Worst Case Discharge .....	III.3.d.(1).
1.6 Discharge Detection Systems:	
1.6.1 Discharge Detection By Personnel .....	II.1.

## ATTACHMENT 3: REGULATORY CROSS-COMPARISON MATRICES—Continued

	ICP Citation(s)
1.6.2 Automated Discharge Detection .....	II.1.
1.7 Plan Implementation .....	II.2.
1.7.1 Response Resources for Small, Medium, and Worst Case Spills .....	II.2.d.(3); II.2.f; III.3.c.(3); III.3.d.(2); III.3.f.(1); III.3.f.(3)–(4).
1.7.2 Disposal Plans .....	III.3.c.(5)–(6); III.3.d.(4).
1.7.3 Containment and Drainage Planning .....	II.2.d; III.3.c.(4); III.3.d.(2).
1.8 Self-Inspection, Drills/Exercises, and Response Training:	
1.8.1 Facility Self-Inspection .....	III.3.e.(6).
1.8.2 Facility Drills/Exercises .....	III.5.
1.8.3 Response Training .....	III.5.
1.9 Diagrams .....	I.4; III.1.a–c.
1.10 Security .....	III.3.e.(2).
2.0 Response Plan Cover Sheet .....	I.4.b; I.4.c; I.4.h; III.1.
<b>USCG FRP (33 CFR part 154)</b>	
154.1026 Qualified individual and alternate qualified individual .....	II.2.a; III.3.b.(1).
154.1028 Availability of response resources by contract or other approved means .....	III.3.f or III.8; III.3.f.(5).
154.1029 Worst case discharge .....	III.3.d.(1).
154.1030 General response plan contents:	
(a) The plan must be written in English.	
(b) Organization of the plan <sup>13</sup> .....	I.2.
(c) Required contents.	
(d) Sections submitted to COTP.	
(e) Cross-references .....	III.8.
(f) Consistency with NCP and ACPs .....	III.3.d.(3).
154.1035 Significant and substantial harm facilities:	
(a) Introduction and plan content .....	III.1.
(1) Facility's name, physical and mailing address, county, telephone, and fax .....	I.4.a; I.4.c–d; I.4.h–i
(2) Description of a facility's location in a manner that could aid in locating the facility	I.4.c.
(3) Name, address, and procedures for contacting the owner/operator on 24-hour basis.	I.4.b; II.2.a
(4) Table of contents .....	I.2.
(5) Cross index, if appropriate .....	III.8.
(6) Record of change(s) to record information on plan updates .....	I.3; III.6.
(b) Emergency Response Action Plan:	
(1) Notification procedures:	
(i) Prioritized list identifying person(s), including name, telephone number, and role in plan, to be notified in event of threat or actual discharge.	II.2.a; III.2.a–c.
(ii) Information to be provided in initial and follow-up notifications to federal, state, and local agencies.	III.3.b; III.2.a–c.
(2) Facility's spill mitigation procedures <sup>14</sup> .....	II.2.d.(2); III.3.c.(2).
(i) Volume(s) of persistent and non-persistent oil groups.	II.2.
(ii) Prioritized procedures/task delegation to mitigate or prevent a potential or actual discharge or emergencies involving certain equipment/scenarios.	II.2.e–f; III.3.f.(3); III.3.c.(1)–(5).
(iii) List of equipment and responsibilities of facility personnel to mitigate an average most probable discharge.	II.2.c; II.2.e–f; II.3; II.4; III.3.c.(3).
(3) Facility response activities <sup>15</sup> .....	II.1; II.2.
(i) Description of facility personnel's responsibilities to initiate/supervise response until arrival of qualified individual.	II.2.
(ii) Qualified individual's responsibilities/authority .....	II.2.b; II.3; III.3.a; III.3.b.(2)–(4); III.3.c; III.3.d.(1); III.3.e–f.
(iii) Facility or corporate organizational structure used to manage response actions	II.2.d.(3); III.3.c.(4)–(5); III.3.e.(6); III.3.f.(1)–(2); III.3.f.(5).
(iv) Oil spill response organization(s)/spill management team available by contract or other approved means.	II.2.d.(3).
(v) For mobile facilities that operate in more than one COTP, the oil spill response organization(s)/spill management team in the applicable geographic-specific appendix.	
(4) Fish and wildlife sensitive environments .....	III.1.c; III.3.d.(1)–(2).
(i) Areas of economic importance and environmental sensitivity as identified in the ACP that are potentially impacted by a WCD.	II.2.c.
(ii) List areas and provide maps/charts and describe response actions.	II.2.e–f; III.3.f.(3); III.3.c.(1)–(5).
(iii) Equipment and personnel necessary to protect identified areas .....	III.3.d.(4).
(5) Disposal plan .....	III.5.
(c) Training and exercises .....	III.6.
(d) Plan review and update procedures .....	I.4.c; III.1.b.
(e) Appendices .....	III.1.
(1) Facility specific information .....	II.2.a; III.2.a–c; III.3.b.(1).
(2) List of contacts .....	III.3.e.(3); III.3.e.(6); III.3.f.(1); III.3.f.(3)–(5).
(3) Equipment lists and records .....	III.3.b.(2).
(4) Communications plan .....	III.3.b.(3); III.3.c.(7); III.3.e.(1).
(5) Site-specific safety and health plan .....	

ATTACHMENT 3: REGULATORY CROSS-COMPARISON MATRICES—Continued

	ICP Citation(s)
(6) List of acronyms and definitions.	
(7) A geographic-specific appendix.	
154.1040 Specific requirements for substantial harm facilities.	
154.1041 Specific response information to be maintained on mobile MTR facilities.	
154.1045 Groups I–IV petroleum oils.	
154.1047 Group V petroleum oils.	
154.1050 Training .....	III.5.
154.1055 Drills .....	III.5.
154.1057 Inspection and maintenance of response resources .....	III.3.e.(6).
154.1060 Submission and approval procedures.	
154.1065 Plan revision and amendment procedures .....	III.6.
154.1070 Deficiencies.	
154.1075 Appeal Process.	
Appendix C—Guidelines for determining and evaluating required response resources for facility response plans.	III.3.f.(3).
Appendix D—Training elements for oil spill response plans .....	III.5.

**DOT/RSPA FRP (49 CFR Part 194)**

194.101 Operators required to submit plans.	
194.103 Significant and substantial harm: operator's statement .....	III.8.
194.105 Worst case discharge .....	III.3.d.(1).
194.107 General response plan requirements:	
(a) Resource planning requirements .....	III.3.d.
(b) Language requirements.	
(c) Consistency with NCP and ACP(s) .....	III.3.d.(3); III.8.
(d) Each response plan must include:	
(1) Core Plan Contents:	
(i) An information summary as required in 194.113 .....	I.4; III.1.
194.113(a) Core plan information summary:	
(1) Name and address of operator .....	I.4.b; I.4.d.
(2) Description of each response zone .....	I.4.c.
(b) Response zone appendix information summary:	
(1) Core plan information summary	I.4; III.1.
(2) Name and address of operator Submission and approval procedures .....	III.6.
194.121 Response plan review and update procedures .....	III.6.
Appendix A—Recommended guidelines for the preparation of response plans .....	I.2.
Section 1—Information summary .....	I.4.b–c; II.2.a; II.2.f; III.8.
Section 2—Notification procedures .....	II.2.a; III.2; III.3.b.(2); III.3.e.(3).
Section 3—Spill detection and on-scene spill mitigation procedures .....	II.1; II.2.e–f; III.3.c.(2).
Section 4—Response activities .....	II.2.b; III.3.b.(1).
Section 5—List of contacts .....	II.2.a.
Section 6—Training procedures .....	III.5.
Section 7—Drill procedures .....	III.5.
Section 8—Response plan review and update procedures .....	III.6.
Section 9—Response zone appendices .....	II.2.b; II.3; III.1.a–c; III.3.

**OSHA Emergency Action Plans (29 CFR 1910.38(a)) and Process Safety (29 CFR 1910.119)**

1910.38(a) Emergency action plan:	
(1) Scope and applicability .....	III.3.c.(1); III.3.d.
(2) Elements:	
(i) Emergency escape procedures and emergency escape route assignments .....	II.2; II.2.c; III.3.b.(3); III.3.c.
(ii) Procedures to be followed by employees who remain to operate critical plant operations before they evacuate.	II.2; II.2.c; II.2.e; III.3.c.
(iii) Procedures to account for all employees after emergency evacuation has been completed.	II.2.a; III.3.b.(2); III.3.b.(3); III.3.c; III.4.
(iv) Rescue and medical duties for those employees who are to perform them .....	III.3.b.(3); III.3.c; III.3.c.(7); III.3.e.(1).
(v) The preferred means of reporting fires and other emergencies .....	II.2.a; III.3.b.
(vi) Names or regular job titles of persons or departments who can be contacted for further information or explanation of duties under the plan.	I.4.f; II.2.a; III.3.b.(2); III.3.b.(4).
(3) Alarm system <sup>16</sup> .....	II.2.a; III.3.c.(3); III.3.e.(3).
(4) Evacuation .....	II.2.d; III.3.b.(3); III.3.c.(3); III.3.d; III.3.d.(1).
(5) Training .....	III.3.e.(5); III.5.
1910.119 Process safety management of highly hazardous chemicals:	
(e)(3)(ii) Investigation of previous incidents .....	III.4; III.4.b.
(e)(3)(iii) Process hazard analysis requirements .....	III.3.e.(3).
(g)(1)(i) Employee training in process/operating procedures .....	III.5.
(j)(4) Inspection/testing of process equipment .....	III.3.e.(6).
(j)(5) Equipment repair .....	III.3.e.(6).
(l) Management of change(s) .....	III.5.
(m) Incident investigation .....	III.4.a.

## ATTACHMENT 3: REGULATORY CROSS-COMPARISON MATRICES—Continued

	ICP Citation(s)
(n) Emergency planning and response .....	I.1; II.1; II.2; II.2.d; III.2; III.2.a; III.2.b.
(o)(1) Certification of compliance .....	III.6.
1910.165 Employee alarm systems:	
(b) General requirements .....	III.3.e.(3).
(b)(1) Purpose of alarm system .....	III.2; III.2.a.
(b)(4) Preferred means of reporting emergencies .....	III.2.
(d) Maintenance and testing .....	III.3.e.(6).
1910.272 Grain handling facilities:	
(d) Development/implementation of emergency action plan .....	I.1; III.2.
<b>OSHA HAZWOPER (29 CFR 1910.120)</b>	
1910.120(k) Decontamination .....	III.3.c.(6).
1910.120(l) Emergency response program .....	I.1.
(1) Emergency response plan:	
(i) An emergency response plan shall be developed and implemented by all employers within the scope of this section to handle anticipated emergencies prior to the commencement of hazardous waste operations.	
(ii) Employers who will evacuate their employees from the workplace when an emergency occurs, and who do not permit any of their employees to assist in handling the emergency, are exempt from the requirements of this paragraph if they provide an emergency action plan complying with section 1910.38(a) of this part.	
(2) Elements of an emergency response plan:	
(i) Pre-emergency planning and coordination with outside parties .....	I.4.f; II.2.b; II.2.c; III.2.b; III.2.c; III.3.b.(4); III.3.d.
(ii) Personnel roles, lines of authority, and communication .....	I.4.f; II.2.b; III.2.a; III.2.c; III.3.b.(4); III.3.e.(4).
(iii) Emergency recognition and prevention .....	II.1; III.7.
(iv) Safe distances and places of refuge .....	III.3.b.(3); III.3.d.(2).
(v) Site security and control .....	III.3.d.(2); III.3.e.(2).
(vi) Evacuation routes and procedures .....	II.2.d; III.3.b.(3)
(vii) Decontamination procedures .....	III.3.c.(6).
(viii) Emergency medical treatment and response procedures .....	II.2.d; III.3.c.(7); III.3.e.(1).
(ix) Emergency alerting and response procedures .....	II.2; II.2.a; II.2.f; II.4; III.2; III.2.a; III.2.b; III.2.c; III.3.d.
(x) Critique of response and follow-up .....	II.3; III.4; III.4.a; III.6.
(xi) PPE and emergency equipment .....	III.3.e.(6); III.3.f.(3); III.3.d.(2); III.3.e.(6); III.3.f.(3).
(3) Procedures for handling emergency incidents:	
(i) Additional elements of emergency response plans:	
(A) Site topography, layout, and prevailing weather conditions .....	III.1.c.
(B) Procedures for reporting incidents to local, state, and federal government agencies.	II.2.a; III.2.
(ii) The emergency response plan shall be a separate section of the Site Safety and Health Plan.	
(iii) The emergency response plan shall be compatible with the disaster, fire, and/or emergency response plans of local, state, and federal agencies.	III.3.e.
(iv) The emergency response plan shall be rehearsed regularly as part of the overall training program for site operations.	III.5.
(v) The site emergency response plan shall be reviewed periodically and, as necessary, be amended to keep it current with new or changing site conditions or information.	
(vi) An employee alarm system shall be installed in accordance with 29 CFR 1910.165 to notify employees of an emergency situation; to stop work activities if necessary; to lower background noise in order to speed communications; and to begin emergency procedures.	
(vii) Based upon the information available at time of the emergency, the employer shall evaluate the incident and the site response capabilities and proceed with the appropriate steps to implement the site emergency response plan.	II.2.c; II.2.d.
1910.120(p)(8) Emergency response program:	I.1
(i) Emergency response plan.	
(ii) Elements of an emergency response plan:	
(A) Pre-emergency planning and coordination with outside parties .....	I.4.f; II.2.b; II.2.b; III.2.b; III.2.c; III.3.b.(4); III.3.d.
(B) Personnel roles, lines of authority, and communication .....	I.4.f; II.2.b; III.2.c; III.2.c; III.3.b.(4); III.3.e.(4).
(C) Emergency recognition and prevention .....	II.1; III.7
(D) Safe distances and places of refuge .....	III.3.b.(3); III.3.d.(2)
(E) Site security and control .....	III.3.d.(2); III.3.e.(2)
(F) Evacuation routes and procedures .....	II.2.d; III.3.b.(3).
(G) Decontamination procedures .....	III.3.c.(6).
(H) Emergency medical treatment and response procedures .....	II.2.d; III.3.c.(7); III.3.e.(1).
(I) Emergency alerting and response procedures .....	II.2; II.2.a; II.2.f; II.4; III.2; III.2.a; III.2.b; III.2.c; III.3.d.

ATTACHMENT 3: REGULATORY CROSS-COMPARISON MATRICES—Continued

	ICP Citation(s)
(J) Critique of response and follow-up .....	II.3; III.4; III.4.a; III.6.
(K) PPE and emergency equipment .....	III.3.e.(6); III.3.f.(3); III.3.d.(2); III.3.e.(6); III.3.f.(3).
(iii) Training .....	III.5.
(iv) Procedures for handling emergency incidents:	
(A) Additional elements of emergency response plans:	
(1) Site topography, layout, and prevailing weather conditions .....	III.1.c; III.3.d.(1).
(2) Procedures for reporting incidents to local, state, and federal government agencies.	II.2.a; III.2.
(B) The emergency response plan shall be compatible and integrated with the disaster, fire and/or emergency response plans of local, state, and federal agencies.	III.3.e.
(C) The emergency response plan shall be rehearsed regularly as part of the overall training program for site operations.	
(D) The site emergency response plan shall be reviewed periodically and, as necessary, be amended to keep it current with new or changing site conditions or information.	
(E) An employee alarm system shall be installed in accordance with 29 CFR 1910.165.	
(F) Based upon the information available at the time of the emergency, the employer shall evaluate the incident and the site response capabilities and proceed with the appropriate steps to implement the site emergency response plan	II.2.d; II.2.e; III.3.d.(1).
1910.120(q) Emergency response to hazardous substance releases:	
(1) Emergency response plan .....	III.3.1.
(2) Elements of an emergency response plan:	
(i) Pre-emergency planning and coordination with outside parties .....	I.4.f; II.2.b; II.2.c; III.2.b; III.2.c; III.3.b.(4); III.3.d.
(ii) Personnel roles, lines of authority, training, and communication .....	I.4.f; II.2.b; III.2.b; III.2.c; III.3.b.(4); III.3.e.(4). II.1; III.7.
(iii) Emergency recognition and prevention .....	III.3.b.(3); III.3.d.(2).
(iv) Safe distances and places of refuge .....	III.3.d.(2); III.3.e.(2).
(v) Site security and control .....	II.2.d; III.3.b.(3).
(vi) Evacuation routes and procedures .....	III.3.c.(6).
(vii) Decontamination procedures .....	II.2.d; III.3.c.(7); III.3.e.(1).
(viii) Emergency medical treatment and response procedures .....	II.2; II.2.a; II.2.f; II.4; III.2; III.2.a; III.2.b; III.2.c; III.3.d.
(ix) Emergency alerting and response procedures .....	II.3; III.4; III.4.a; III.6.
(x) Critique of response and follow-up .....	III.3.e.(6); III.3.f.(3); III.3.d.(2); III.3.e.(6); III.3.f.(3).
(xii) Emergency response plan coordination and integration .....	III.3.e; III.8.
(3) Procedures for handling emergency response:	
(i) The senior emergency response official responding to an emergency shall become the individual in charge of a site-specific Incident Command System (ICS).	II.2.b; III.3; III.3.a; III.3.b; III.3.b.(1); III.3.b.(2); III.3.e.(3).
(ii) The individual in charge of the ICS shall identify, to the extent possible, all hazardous substances or conditions present and shall address as appropriate site analysis, use of engineering controls, maximum exposure limits, hazardous substance handling procedures, and use of any new technologies.	II.2.c; II.2.d; III.3.c.(3).
(iii) Implementation of appropriate emergency operations and use of PPE .....	II.2.c; II.2.d; II.2.e; III.3.c; III.3.c.(1); III.3.d.(1); III.3.d.(2).
(iv) Employees engaged in emergency response and exposed to hazardous substances presenting an inhalation hazard or potential inhalation hazard shall wear positive pressure self-contained breathing apparatus while engaged in emergency response.	II.2.d.
(v) The individual in charge of the ICS shall limit the number of emergency response personnel at the emergency site, in those areas of potential or actual exposure to incident or site hazards, to those who are actively performing emergency operations.	III.3.c; III.3.e.(5).
(vi) Backup personnel shall stand by with equipment ready to provide assistance or rescue.	II.2.d; III.3.e.(5).
(vii) The individual in charge of the ICS shall designate a safety official, who is knowledgeable in the operations being implemented at the emergency response site.	II.2.d; III.3.b.(3).
(viii) When activities are judged by the safety official to be an IDLH condition and/or to involve an imminent danger condition, the safety official shall have authority to alter, suspend, or terminate those activities.	III.3.b.(3).
(ix) After emergency operations have terminated, the individual in charge of the ICS shall implement appropriate decontamination procedures.	III.3.c.(6).

## ATTACHMENT 3: REGULATORY CROSS-COMPARISON MATRICES—Continued

	ICP Citation(s)
(x) When deemed necessary for meeting the tasks at hand, approved self-contained compressed air breathing apparatus may be used with approved cylinders from other approved self-contained compressed air breathing apparatus provided that such cylinders are of the same capacity and pressure rating.	
(4) Skilled support personnel.	
(5) Specialist employees.	
(6) Training	III.5.
(7) Trainers.	
(8) Refresher training.	
(9) Medical surveillance and consultation.	
(10) Chemical protective clothing.	
(11) Post-emergency response operations.	
<b>EPA's Risk Management Program (40 CFR Part 68)</b>	
68.20–36 Offsite consequence analysis .....	III.3.d.(1).
68.42 Five-year accident history .....	III.4.b.
68.50 Hazard review .....	III.3.d.(1).
68.60 Incident investigation .....	III.4.a
68.67 Process hazards analysis .....	III.3.d.(1)
68.81 Incident investigation .....	III.4.a
68.95(a) Elements of an emergency response program:	
(1) Elements of an emergency response plan:	
(i) Procedures for informing the public and emergency response agencies about accidental releases.	II.2.a; III.2.
(ii) Documentation of proper first-aid and emergency medical treatment necessary to treat accidental human exposures.	III.3.c.(7); III.3.e.(1).
(iii) Procedures and measures for emergency response after an accidental release of a regulated substance.	II.1; II.2; II.3; II.4; III.3.a–c.
(2) Procedures for the use of emergency response equipment and for its inspection, testing, and maintenance.	III.3.e.(6).
(3) Training for all employees in relevant procedures .....	III.5.
(4) Procedures to review and update the emergency response plan .....	III.6.
68.95(b) Compliance with other federal contingency plan regulations.	
68.95(c) Coordination with the community emergency response plan.	

**Notes to Attachment 3**

<sup>1</sup> Facilities should be aware that most states have been authorized by EPA to implement RCRA contingency planning requirements in place of the federal requirements listed. Thus, in many cases state requirements may not track this matrix. Facilities must coordinate with their respective states to ensure an ICP complies with state RCRA requirements.

<sup>2</sup> Facilities should be aware that most states have been authorized by EPA to implement RCRA contingency planning requirements in place of the federal requirements listed. Thus, in many cases state requirements may not track this matrix. Facilities must coordinate with their respective states to ensure an ICP complies with state RCRA requirements.

<sup>3</sup> Facilities should be aware that most states have been authorized by EPA to implement RCRA contingency planning requirements in place of the federal requirements listed. Thus, in many cases state requirements may not track this matrix. Facilities must coordinate with their respective states to ensure an ICP complies with state RCRA requirements.

<sup>4</sup> Section 264.56 is incorporated by reference at § 264.52(a).

<sup>5</sup> Incorporates by reference § 264.37.

<sup>6</sup> Section 265.56 is incorporated by reference at § 265.52(a).

<sup>7</sup> Incorporates by reference § 265.37.

<sup>8</sup> Section 279.52(b)(6) is incorporated by reference at § 279.52(b)(2)(i).

<sup>9</sup> Incorporates by reference § 279.52(a)(6).

<sup>10</sup> Non-response planning parts of this regulation (e.g., prevention provisions) require a specified format.

<sup>11</sup> If a facility is required to develop a strong oil spill contingency plan under this section, the requirement can be met through the ICP.

<sup>12</sup> The appendix further describes the required elements in 120.20(h). It contains regulatory requirements as well as recommendations.

<sup>13</sup> Specific plan requirements for sections listed under 154.1030(b) are contained in 154.1035(a)–(g).

<sup>14</sup> Note: Sections 154.1045 and 154.1047 contain requirements specific to facilities that handle, store, or transport Group I–IV oils and Group V oils, respectively.

<sup>15</sup> Ibid.

<sup>16</sup> Section 1910.38(a)(3) incorporates 29 CFR 1910.165 by reference.

Dated: April 18, 1996.

Elliott P. Laws,

*Assistant Administrator, Office of Solid Waste  
and Emergency Response, U.S.  
Environmental Protection Agency.*

Dated: April 22, 1996.

Rear Admiral James C. Card,

*Chief, Marine Safety and Environmental  
Protection Directorate, U.S. Coast Guard.*

Dated: April 18, 1996.

Richard B. Felder,

*Associate Administrator for Pipeline Safety,  
Research and Special Programs  
Administration, U.S. Department of  
Transportation.*

Dated: April 18, 1996.

John B. Moran,

*Director of Policy, Occupational Safety and  
Health Administration, Department of Labor.*

Dated: April 18, 1996.

Thomas Gernhofer,

*Associate Director, Offshore Minerals  
Management, Minerals Management Service,  
Department of the Interior.*

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