**Section 727.130 Preparedness and Prevention**

a) Applicability of this Section. This Section applies to the owner and operator of a facility that treats or stores hazardous waste under a RCRA standardized permit pursuant to Subpart J of 35 Ill. Adm. Code 703, except as provided in Section 727.100(a)(2).

BOARD NOTE: Subsection (a) is derived from 40 CFR 267.30 (2015).

b) General Facility Design and Operation Standards. The facility owner or operator must design, construct, maintain, and operate its facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water that could threaten human health or the environment.

BOARD NOTE: Subsection (b) is derived from 40 CFR 267.31 (2015).

c) Required Facility Equipment. A facility must be equipped with all of the following, unless none of the hazards posed by waste handled at the facility could require a particular kind of equipment specified below:

1) An internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel;

2) A device, such as a telephone (immediately available at the scene of operations) or a hand-held two-way radio, capable of summoning emergency assistance from local police departments, fire departments, or State or local emergency response teams;

3) Portable fire extinguishers, fire control equipment (including special extinguishing equipment, such as that using foam, inert gas, or dry chemicals), spill control equipment, and decontamination equipment; and

4) Water at adequate volume and pressure to supply water hose streams, or foam-producing equipment, or automatic sprinklers, or water spray systems.

BOARD NOTE: Subsection (c) is derived from 40 CFR 267.32 (2015).

d) Equipment Testing and Maintenance Requirements. The facility owner or operator must test and maintain all required facility communications or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment, as necessary, to assure its proper operation in time of emergency.

BOARD NOTE: Subsection (d) is derived from 40 CFR 267.33 (2015).

e) Facility Personnel Access to Communication Equipment or an Alarm System.

1) Whenever hazardous waste is being poured, mixed, spread, or otherwise handled, all personnel involved in the operation must have immediate access to an internal alarm or emergency communication device, either directly or through visual or voice contact with another employee, unless the device is not required pursuant to Section 727.130(c).

2) If just one employee is on the premises while the facility is operating, that person must have immediate access to a communication device, such as a telephone (immediately available at the scene of operation) or a hand-held two-way radio, capable of summoning external emergency assistance, unless the device is not required pursuant to Section 727.130(c).

BOARD NOTE: Subsection (e) is derived from 40 CFR 267.34 (2015).

f) Ensuring Access for Personnel and Equipment During Emergencies. The facility owner or operator must maintain enough aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency, as appropriate, considering the type of waste being stored or treated.

BOARD NOTE: Subsection (f) is derived from 40 CFR 267.35 (2015).

g) Required Emergency Arrangements with Local Authorities.

1) The facility owner or operator must attempt to make the following arrangements, as appropriate, for the type of waste handled at its facility and the potential need for the services of these organizations:

A) Arrangements to familiarize police, fire departments, and emergency response teams with the layout of the facility, properties of hazardous waste handled at the facility and associated hazards, places where facility personnel would normally be working, entrances to and roads inside the facility, and possible evacuation routes;

B) Agreements designating primary emergency authority to a specific police and a specific fire department where more than one police and fire department might respond to an emergency, and agreements with any others to provide support to the primary emergency authority;

C) Agreements with State emergency response teams, emergency response contractors, and equipment suppliers; and

D) Arrangements to familiarize local hospitals with the properties of hazardous waste handled at the facility and the types of injuries or illnesses that could result from fires, explosions, or releases at the facility.

2) If State or local authorities decline to enter into such arrangements, the facility owner or operator must document the refusal in the operating record.

BOARD NOTE: Subsection (g) is derived from 40 CFR 267.36 (2015).

(Source: Amended at 40 Ill. Reg. 12011, effective August 9, 2016)