

EPA CLEAN WATER ACT HAZARDOUS SUBSTANCE FACILITY RESPONSE PLAN (40 CFR 118) CHECKLIST

Applicability (40 CFR 118.3)	
	Is your facility located within 1/2 mile of water?
	Do you have 1,000 times the reportable quantity of any CWA hazardous substance listed at 40 CFR 116.4 ?
	Does your facility have the potential to cause substantial harm to a waterway?

If your facility meets these three criteria, a Facility Response Plan is required.

Exemptions (40 CFR 118.8)	
	Equipment and vessels subject to US DOT regulations
	Equipment and vessel subject to USCG regulations
	Underground storage tanks subject to 40 CFR 280
	TSDFs subject to 40 CFR 264 or 265
	Large Quantity Generators subject to 40 CFR 262

Clean Water Act Hazardous Substance Response Plan Elements	
	Complete the Substantial Harm Criteria Form (40 CFR 118 Appendix A)
	Complete worst-case scenario discharge modeling - including releases in adverse weather considerations (40 CFR 118.10)
	Review plan for consistency with the National Contingency Plan [40 CFR 118.11(a)(1)]

Clean Water Act Hazardous Substance Response Plan Elements (continued)	
	Name a qualified Individual(s) in the plan and ensure proper training for this individual(s). [40 CFR 118.11(a)(2)]
	Conduct and document training, testing, and drills (40 CFR 118.13)

Emergency Response Plan Information [40 CFR 118.11(b)]	
	Facility Information
	Owner/Operator Information
	Hazard Evaluation
	Reportable Discharge History
	Response Personnel and Equipment
	Contracts with Outside Response Agencies, Local Resources
	Notifications: Facility, Community, Federal, State, and Local Authorities
	Personnel Roles and Responsibilities
	Response Equipment Information including age, testing information, frequency of use and location
	Evacuation Plans: Facility, Community
	Discharge Detection Systems
	Response Actions (One and Two Hour)
	Containment Measures
	Training Procedures

	Emergency Response Plan Information [40 CFR 118.11(b)]
	Exercise Procedures
	Self-Inspection
	Emergency Response Action Plan (front of binder or as a separate document)

	Plan Coordination and Reviews
	Annual plan coordination with LEPC and documentation of invitations to drills (40 CFR 118.12)
	Plan reviewed at least every five years or when changes occur at the facility
	Resubmit reviewed/updated plans to regional administrator for approval

Notes: