

Tips on ICP/FRP Development and Compliance

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What is an ICP?

OPA 1990 – Response to Exxon Valdez Oil Spill

“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).”

Federal Register / Vol. 61, No. 109 / Wednesday, June 5, 1996, p. 28642



What Can/Should You Integrate into an ICP?

Standard EPA list:

- EPA FRP (40 CFR 112)
- EPA SPCC (40 CFR 112)
- USCG FRP (33 CFR 154)
- DOI/BSEE FRP (30 CFR part 254)
- DOT/PHMSA FRP (49 CFR part 194)
- EPA RMP (40 CFR part 68)/OSHA PSM (29 CFR 1910.119)
- OSHA Emergency Action Plan (29 CFR 1910.38)
- EPA RCRA Contingency Plan (40 CFR 264/265.52)



What Can/Should You Integrate into an ICP?

Additional potential items:

- **NYS CBS (6 NYCRR 595-599), SPR = 6 NYCRR 598.1(k)**
- **NYS PBS (6 NYCRR 610-614)**
- **SWPPP**
- **SPDES BMP**



Structure of an ICP

NRT ICP Suggested Format:

Section 1 – Introduction Elements

1. Purpose and Scope of Plan Coverage
2. Table of Contents
3. Current Revision Date
4. General Facility Identification Information



Structure of an ICP

NRT ICP Suggested Format:

Section 2 – Core Plan Elements

1. Discovery
2. Initial Response
3. Sustained Actions
4. Termination and Follow-Up Actions



Structure of an ICP

NRT ICP Suggested Format:

Annexes

- Annex 1. Facility and Locality Information
- Annex 2. Notification
- Annex 3. Response Management System
- Annex 4. Incident Documentation
- Annex 5. Training and Exercises/Drills
- Annex 6. Response Critique and Plan Review/Modification
- Annex 7. Prevention
- Annex 8. Regulatory Compliance and Cross-Reference Matrices



Why an ICP?

Benefits of an ICP:

- Consolidation/everything in one location
- Better tracking
- Ease for auditors/regulators
- Especially consider ICP if you have an FRP

Reasons not to have an ICP:

- Lack of complexity at facility
- RCRA contingency plan as part of RCRA permit



ICP That Includes an FRP

- FRP forms backbone of the ICP
- Do the FRP part first, then add other plans
- ERAP – focus of EPA review
- Drawings – amount of information, use reference tables



Tips/Cautions/Lessons Learned

- If ICP includes FRP, take time to meet with EPA Regional FRP Coordinator especially if proposing deviations.
- Annual plan review – calendar item?
- Develop annual plan review checklist
- Drills/exercises (performing and documenting, actual responses as drills, PREP)
- Record of non-applicability



Tips/Cautions/Lessons Learned

- Cross reference table (thorough, do not wait until the end)

Citation	Description	Plan Location
40 CFR 112.1	General Applicability	Section 1.1
40 CFR 112.2	Definitions	N/A
40 CFR 112.3(a), (b), (c)	SPCC Implementation	Section 1.1
40 CFR 112.3(d)	PE Certification	Section 1.3
40 CFR 112.3(e)	Plan Availability	Section 1.1
40 CFR 112.3(f)	Extension Of Time	N/A
40 CFR 112.4	Amendment Of SPCC Plan By Regional Administrator	Annex 6.C.1
40 CFR 112.5	Amendment Of SPCC Plan By Owner Or Operator	Annex 6.C.2
40 CFR 112.6	Reserved	N/A
40 CFR 112.7	Cross-Reference	Section 1.5.A



Tips/Cautions/Lessons Learned

- Drawings
 - Start drawings right away
 - Think about ERAP
 - Tables relating requirement (FRP) to location in table or drawing
- Management of Change (MOC)
- ISO 14001
- RMP – Don't forget General Duty Clause



Tips/Cautions/Lessons Learned

- Finally: know your plan!



PDH Questions

What agency is the chair of the NRT?

EPA

What law resulted in SPCC and FRP regulations?

OPA 1990

What is the stand alone part of an FRP called?

ERAP

What is the air speed velocity of an unladen swallow?

English or African?



Questions

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