**Section** **845.530 Safety and Health Plan**

a) The owner or operator of the CCR surface impoundment must develop a Safety and Health Plan and ensure that employees, contract workers, and third-party contractors are informed regarding the Safety and Health Plan. The owner or operator must conduct ongoing worker hazard analyses and ensure employees, contract workers, and third-party contractors are aware of those analyses. The plan must be updated as needed based on the worker hazard analyses, but at least annually. The plan, and all amendments to the plan, must be placed in the facility's operating record as required by Section 845.800(d)(12), and on the owner's or operator's publicly accessible internet site.

b) For worker exposure safety, in addition to all other applicable local, State and federal requirements, the owner or operator of the CCR surface impoundment, for all chemical constituents identified in the CCR under Sections 845.230(a)(15) and 845.230(d)(2)(C), must:

1) Consider the recommendations in the most recent "NIOSH Pocket Guide to Chemical Hazards", Department of Human Health and Services, Centers for Disease Control and Prevention, National Institute for Occupational Safety and Health (available at cdc.gov/niosh/npg/

default.html);

2) Implement the Occupational Safety and Health Administration regulations in Chapter 17 of Title 29 of the Code of Federal Regulations for all hazards not otherwise classified as defined in 29 CFR 1910.1200(c); and

3) Provide safety data sheets (Globally Harmonized System of Classification and Labeling of Chemicals adopted by OSHA) or create a facility-specific safety data sheet under 29 CFR 1910.1200(g).

c) The Safety and Health Plan must include a personnel training program that meets the following minimum requirements:

1) Employees, contract workers, and third-party contractors must successfully complete a training program that informs them of the hazards at the facility to ensure compliance with the requirements of this Part. The facility must maintain an outline of the training program used (or to be used) at the facility and a brief description of training program updates.

2) At a minimum, the training program must be designed to ensure that employees, contract workers, and third-party contractors understand and are able to respond effectively to the following:

A) Procedures for using, inspecting, repairing, and replacing facility emergency and monitoring equipment;

B) Communications or alarm systems;

C) Response to fires or explosions;

D) Response to a spill or release of CCR;

E) The training under the Occupational Safety and Health Standards in 29 CFR 1910.120, 29 CFR 1926.65, and the OSHA 10-hour or 30-hour construction safety training;

F) Information about chemical hazards and hazardous materials identified in subsection (b); and

G) The use of engineering controls, administrative controls, and personal protective equipment.

d) Employees, contract workers, and third-party contractors must successfully complete the program required in subsection (c) before undertaking any activity to construct, operate or close a CCR surface impoundment.

e) Employees, contract workers, and third-party contractors must take part in an annual review of the initial training required in subsection (c).

f) The owner or operator of the CCR surface impoundment must perform, at a minimum, the following hazard communication activities:

1) Post signs at the facility identifying the hazards of CCR, including dust inhalation when handling CCR;

2) Post signs at the facility identifying unstable CCR areas that may make operation of heavy equipment hazardous; and

3) Post signs at the facility where the CCR surface impoundment is located identifying safety measures and necessary precautions, including the proper use of personal protective equipment.