

State Emergency Response Commission

State of Montana Hazardous Material Plan

This document was prepared for the
State Emergency Response Commission
by the
Department of Military Affairs (DMA)



Montana Disaster & Emergency Services Division (MT DES)



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Public comment period was promoted for 30 days

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Record of Change

Date	Description of Change	Initials

Record of Distribution

Upon approval of this Plan, the MT DES Division provided an electronic copy to the following contacts. To provide comments and suggestions for future revisions, call 406-324-4777.

Date	Receiving Partner Agency/Organization

Background

Hazardous material incidents can occur anywhere in the state. The State Emergency Response Commission (SERC) is established by federal law to help ensure the state is prepared for hazardous material incidents.¹ It is comprised of a 29-member multi-disciplinary body appointed by the Governor. Outlined in Montana Code Annotated (MCA), the SERC may prepare, coordinate, implement, and update a plan that coordinates state and local emergency authorities to respond to hazardous material incidents within the state.²

All counties are required by federal law to have a functioning Local Emergency Planning Committee (LEPC)³ and to develop and maintain a Hazardous Material Plan.⁴ LEPCs are also a multi-disciplinary body established for the primary purpose of hazardous material response planning. In addition to hazardous material planning, LEPCs are encouraged to serve as an all-hazards advisory group to assist with emergency preparedness activities and contribute to the development of county level all-hazard Emergency Operations Plans (EOPs).

State law outlines that the governing body of each incorporated city and county must designate an agency to serve as the Local Emergency Response Authority (LERA). The LERA is responsible for the management of hazardous material incidents at the corresponding county or local level. An incorporated city may, with the mutual consent of the county, designate the county as its LERA and participate in the local emergency operations plan for incident response.⁵ The LERA should be an active member of the LEPC.

The SERC is responsible for developing a State Hazardous Material Plan. Resources identified in the State Hazardous Material Plan are intended to supplement, not replace, locally identified resources and response plans. The state plan does not replace the requirement for LEPCs to develop local hazardous material plans, or for LERAs to ensure their jurisdictions are trained and able to respond to hazardous materials incidents.⁶

The SERC also has the authority to establish State Hazardous Material Response Teams.⁷ Members are designated as state employees to assist with a response and can be made up of SERC members, and state and local government responders.⁸ At this time, no State Teams have been designated by the SERC. However, there are several local hazardous material incident response teams serving as

¹ Emergency Planning and Community Right-To-Know, 42 U.S.C. §§11001 et seq. (1986)

² State Emergency Response Commission -- Members -- Duties -- Establishment of Incident Response and Incident Management Teams, 10-3-1204 MCA

³ Emergency Planning and Community Right-To-Know Act, Establishment of Local Emergency Planning Committees, 42 U.S.C. §§11001(c)

⁴ Comprehensive Emergency Response Plans, 42 U.S.C. §§11003(a)

⁵ Local Emergency Response Authorities -- Designation, 10-3-1208 MCA

⁶ Occupational Safety and Health Standards, Hazardous Materials, Training Curriculum Guidelines, 29 CFR 1910.120(q),

⁷ SERC -members- duties- establishment of incident response and incident management teams 10-3-1204(2) MCA

⁸ Response to Hazardous Material Incident, Definitions – MCA 10-3-1203(13)

“Regional Hazardous Materials Teams.” Regional Hazardous Materials (Hazmat) Teams are local assets trained and equipped to mutually agreed upon standards adopted by the Hazardous Material Technical Advisory Group (HTAG). The HTAG is comprised of specialists from Regional Hazmat Teams. These standards contribute to a safe, rapid deployment that can augment the response of the local responding agency. Teams adhere to the command control as outlined in statute under the Montana Intrastate Mutual Aid System.⁹

The 83rd Civil Support Team (CST), located at Fort Harrison, can provide assistance similar to a Regional Hazmat Team. The CST can deploy equipment and team members via military air transportation or self-sustained ground transportation.¹⁰

Section I Purpose & Scope

Purpose

This document outlines how jurisdictions can prepare for hazardous material incidents, describing the process to request additional resources to support an incident and how to recover costs associated with a response. This document also describes how Regional Hazardous Materials Teams are established and maintained.

Scope

The scope of this plan is:

- To provide guidance on preparing for a hazardous material release
- To provide guidance on mitigating a hazardous material release
- To provide guidance on requesting additional support and resources during a hazardous material incident response
- To provide guidance on recovering costs associated with hazardous material incidents
- To establish a process on adopting mutually agreed-upon training qualification standards and equipment capabilities necessary to be recognized as a Regional Hazardous Materials Team

Assumptions

This document is produced with the following assumptions:

- Each incorporated city and county have designated a Local Emergency Response Authority
- Each LEPC has developed a Hazardous Material Plan
- The command control of a Regional Hazardous Materials Team will be in accordance with Intrastate Mutual Aid System¹¹
- Some political subdivisions will not have the capability to fully respond to a hazardous materials incident

⁹ Intrastate Mutual Aid System – MCA 10-3 Part 9

¹⁰ National Guard Regulation 500-3/Air National Guard Instruction 10-2503; NGR 500-3/ANGI 10-2503

¹¹ Intrastate Mutual Aid System -- Limitation on Assistance -- Command and Control, 10-3-908 MCA

Section II Roles and Responsibilities

Implementation of this plan requires the coordination of multiple organizations and groups. Each fulfill critical responsibilities to ensure this plan is functional. Roles and Responsibilities for the following organizations and groups are listed below.

State Emergency Response Commission (SERC)

- Approve the Regional Hazardous Materials Teams cost-rate agreement annually
- Review and recommend payment or nonpayment for Regional Hazardous Materials Team reimbursement requests in accordance with the cost-rate agreement
- Provide guidance and assignments to the SERC Hazardous Material Committee
- Report the status of LEPC membership and LERA designation to the Governor
- Review local Hazardous Material plans¹²

Hazardous Material Subcommittee of the SERC

- Review this document annually
- Review the cost-rate developed by the Hazardous Material Technical Advisory Group and submit the proposed cost-rate agreement to the SERC annually
- Perform Hazardous Material Planning as assigned by the SERC

Hazardous Material Technical Advisory Group (HTAG)

- Develop written training and equipment standards for Regional Hazardous Materials Teams
- Determine the cost-rate for Regional Hazardous Materials Team deployment

Disaster and Emergency Services Division (MT DES)

- Serve as the administrative agency for the SERC¹³
- Enter into MOUs with local jurisdictions with hazardous material resources that are qualified to serve as a Regional Hazardous Materials Team
- Coordinate and approve the deployment of Regional Hazardous Materials Teams in support of a requesting jurisdiction
- Consolidate hazardous material incident reports and provide a biannual summary to the SERC.
- Inform local Disaster and Emergency Services of reported hazardous material incidents within their jurisdictions
- Inform the SERC of all Regional Hazardous Materials Team deployments and associated expenses
- Upon approval from the SERC, process Regional Hazardous Materials Team deployment reimbursement in accordance with the cost-rate agreement
- Maintain a record of Regional Hazardous Materials Team deployments

¹² Emergency Planning and Community Right-To-Know, 42 U.S.C. §§11003(e) Comprehensive Emergency Response Plans

¹³ State Emergency Response Commission -- Members -- Duties -- Establishment of Incident Response and Incident Management Teams, 10-3-1204 (1) MCA

Local Emergency Response Authority (LERA)

- Manage hazardous material incidents¹⁴
- Ensure LERA members are appropriately trained in hazardous material incident response¹⁵
- Respond to hazardous material incidents¹⁶
- Define its incident management system and agency that will be the incident commander¹⁷

Local Emergency Planning Committee

- Develop and maintain a Hazardous Material Plan for the jurisdiction and submit the plan to the SERC¹⁸
- Establish procedures for receiving and processing requests from the public for information including an official to serve as a coordinator for information.¹⁹
- Annually submit EPCRA required membership and LERA information to the SERC²⁰

Regional Hazardous Materials Teams

- Ensure qualification and equipment standards are met and maintained
- Notify MT DES of changes that affect the Regional Hazardous Materials Team capabilities
- Determine if the Regional Hazardous Materials Team can support a requesting jurisdiction at the time of an event
- Maintain command control of personnel and equipment under the direction of the responding Regional Hazardous Materials Team's jurisdiction
- Ensure the operational control of personnel and equipment support the LERA, or incident commander, of the requesting jurisdiction
- When requested, provide technical assistance/advice to requesting jurisdictions
- Submit documentation for deployment expenses to MT DES in accordance with the most current cost-rate agreement

83rd Civil Support Team (CST)

- Determine if the CST can support a requesting jurisdiction at the time of an event
- Provide technical assistance/advice to jurisdictions as requested

¹⁴ Definitions, 10-3-1203(10) MCA

¹⁵ Local Emergency Response Authorities – Designation, 10-3-1208(2) MCA

¹⁶ Local Emergency Response Authorities – Powers and Duties, 10-3-1209(1) MCA

¹⁷ Local Emergency Response Authorities – Powers and Duties, 10-3-1209(2) MCA

¹⁸ Comprehensive Emergency Response Plans, 42 U.S.C. §§11003 (1986)

¹⁹ Establishment of Local Emergency Planning Committees, 42 U.S.C. §§11001(c) (1986)

²⁰ Establishment of State Commissions, Planning Districts, and Local Committees, 42 U.S.C. §§11001 (1986)

Section III Concept of Operations

The use of hazardous materials such as chemical, biological, radiological, nuclear or high-yield explosive (CBRNE) devices has the potential to cause mass casualties and high levels of destruction. When preparing for or responding to emergencies involving CBRNE agents, it is critical for first responders, health and medical personnel and other responders to have immediate access to the best available information and resources.

Hazardous Material Plans at the state and local level must align to ensure a timely and safe response to an incident. The concept provided below describes preparedness considerations, the process to request additional support during a response, and how to recover expenses related to a hazardous material incident.

A. Preparing for a hazardous material response

Local capabilities available for a hazardous materials incident vary across the state. Often fire departments are designated as the LERA for a jurisdiction. Yet law enforcement officers are often first on-scene of a hazardous material incident. Because of this, hazardous material planning requires close coordination between all response agencies at the local level.

When the ability to respond to an incident is beyond the capability of the local jurisdiction and the resources identified in the local hazardous material plan, the jurisdiction can request assistance from a Regional Hazardous Materials Team or the 83rd CST through MT DES. The Regional Hazardous Materials Teams and CST are intended to be utilized to respond to the most acute and critical hazardous emergencies in the state when an incident exceeds a local jurisdiction's capability. Their primary objective is to protect human life, the environment and property during the early stages of an emergency. While these teams can support local response capabilities, the Regional Hazardous Materials Teams and CST do not replace the roles or responsibilities of the LERA or LEPC.

a. SERC Support and Oversight.

The SERC provides oversight for LEPCs. Each county selects representatives to fill required membership of their LEPC. LEPC membership is reviewed and approved annually by the SERC. The SERC also reviews the agencies named as the LERA by political subdivisions. The SERC ensures that a summarized status of LEPC membership and LERA agencies is reported to the Governor's Office.

b. Local Support and Oversight.

Each political subdivision in the state designates a local agency responsible for all-hazard emergency and disaster prevention, preparedness, and coordination of response and recovery.²¹ Incorporated cities and counties also must designate an agency to serve as the LERA which is specifically responsible to respond to hazardous material incidents.²² These agencies should participate in their LEPC. LEPCs are required to develop and maintain a Hazardous Material Plan. At a minimum, LEPCs must ensure Hazardous Material Plans

²¹ Local and Interjurisdictional Emergency and Disaster Agencies and Services, MCA 10-3-201

²² Local Emergency Response Authorities -- Designation, 10-3-1208 and 1209 MCA

contain the following elements:²³

- Identify facilities and transportation routes of extremely hazardous substances
- Describe emergency response procedures, on and off site
- Designate a community coordinator and facility coordinator(s) to implement the plan
- Outline emergency notification procedures
- Describe local emergency equipment and facilities and the persons responsible for them
- Outline evacuation plans
- Provide a training program for emergency responders (including schedules)
- Provide methods and schedules for exercising emergency response plans

Local Hazardous Material Plans should identify the local resources available for the initial response to an incident. Local plans should identify what private industry resources are available to support a local response. Plans should also identify mutual aid agreements that can supplement local resources. As with all incidents, the plan should reflect that the local jurisdiction always remains in charge of an incident.

In addition to hazardous material planning, LEPCs are encouraged to serve as an all-hazards advisory group to assist with emergency preparedness activities and to contribute to the development of county level all-hazard Emergency Operations Plans.

B. Mitigating Hazardous Material Risks

a. Incorporate Hazardous Material Risks in State and Local Mitigation Plans

Multi-Hazard Mitigation Plans evaluate the risk of various hazards and the potential risks posed to communities. In addition to the state Multi-Hazard Mitigation Plan, most of the counties have a Mitigation Plan. These mitigation plans are updated every five (5) years. Local mitigation plans are reviewed by a local Mitigation Planning Committee which are typically designated as the LEPC in each county. Mitigation plans establish a strategy to reduce risks to communities and environment. Hazardous Materials risks should be included in the analysis and strategy at both the state and local level.

b. Training

All jurisdictions must ensure local response personnel are trained to respond to a hazardous material release for the duration of the response in accordance with their local Hazardous Material Plan. This should include, but is not limited to, Hazardous Material Awareness training and ICS training for law enforcement and fire departments.

c. Establish a Regional Hazardous Materials Team

Local jurisdictions have the option to create and maintain hazardous material response resources that can serve as a Regional Hazardous Materials Team. Each team must meet the qualification standards for personnel, training, and equipment (Appendix B and

²³ Establishment of State Commissions, Planning Districts, and Local Committees 42 U.S. Code § 11001 (Sections 301-303)

Appendix C). Qualification standards are reviewed by the Hazardous Material Technical Advisory Group (HTAG) annually and are provided to the SERC Hazardous Material Committee for acceptance.

Once qualifications are met, the local jurisdiction may enter into a Memorandum of Understanding (Appendix A) with MT DES that identifies the resource as a Regional Hazardous Materials Team. When identified resources are deployed as a Regional Hazardous Materials Teams, they are eligible for reimbursement through the cost-rate agreement that is annually approved by the SERC.

Jurisdictions that host a Regional Hazardous Materials Team must ensure the team remains qualified to support hazardous material response missions that support a jurisdiction responding to an event. Annually, the local jurisdiction will provide MT DES verification that the team has maintained the required equipment and training, as well a list of team members and their qualifications. (Appendix D).

The State of Montana and Regional Hazardous Materials Teams are committed to the principles of integrated emergency management. Command and control functions will use ICS to coordinate response efforts with all responding organizations including the responsible party's authorities and response personnel. Through the ICS system, organizations with a legal or regulatory response role will coordinate together to achieve a comprehensive and efficient response with life and safety of individuals and the environment as a priority.

C. Requesting Additional Support for an Incident.

a. Notification of an Incident.

MT DES Duty Officer is notified of hazardous material releases that meet the reporting thresholds.²⁴ MT DES will immediately notify Department of Environmental Quality (DEQ) of the reported release.²⁵ DEQ will follow identified procedures in responding to the incident.

b. Technical Assistance.

An Incident commander may request technical advice regarding the response to an incident by contacting the MT DES Duty Officer at 406-324-4777. MT DES can coordinate with Regional Hazardous Materials Team experts, the 83rd CST, private industry representatives, or other subject matter experts. Based on this discussion, the jurisdiction may submit a resource request to effectively respond to the incident.

c. Request Process.

When jurisdictions are unable to acquire necessary resources to respond, they may request assistance from the state. MT DES will coordinate to locate the closest qualified resource when filling a request for additional resources. This may require coordination with other jurisdictions, private industry, neighboring states, Canada, or nationwide

²⁴ Montana Department of Environmental Quality, Spill Management and Reporting Policy (<https://deq.mt.gov/Portals/112/DEQAdmin/ENF/Documents/Reports/SpillPolicy.pdf>)

²⁵ Notification of Release, 10-3-1211 MCA

resources available through the Emergency Management Assistance Compact (EMAC).

The owner or agent of the hazardous material involved in an incident shall assist the state as requested by the incident commander as necessary to address an acute threat to public health, safety, or environment until the event is over.²⁶

If additional support is needed to respond to an incident, the local agency responding to the incident can contact the MT DES Duty Officer.

The MT DES Duty Officer can be reached 24/7 at 406-324-4777.

When requesting a Regional Hazardous Materials Team or 83rd CST, MT DES will coordinate a conference call with the Incident Commander and the Team Leader or designee. Decisions regarding a deployment of any component of the Regional Hazardous Materials Team or CST will be made jointly by:

- The on-scene Incident Command
- Two Regional Hazardous Materials Team Members, or CST members
- The MT DES Duty Officer
- The MT DES Administrator or designee
- And if applicable, a subject matter expert of the affected facility

There may be circumstances that prevent a Regional Hazardous Materials Team from deploying to support a response. At all times, Regional Hazardous Materials Teams remain under the command control of their host jurisdiction. When deployed on scene, operational control of personnel and equipment fall under the Incident Command of the jurisdiction receiving assistance.

MT DES will notify the SERC of all Regional Hazardous Materials Team deployments.

d. Orphaned Material.

Orphaned materials are hazardous materials that do not have an identified owner. Regional Hazardous Materials Teams or the CST may be requested to assist in identification of the substance. MT DES will consult with state and federal agencies to provide guidance to the incident commander related to securing, transporting, clean up, and disposal of the orphaned material.

D. Cost Recovery

a. Standard Event

Cost recovery is the responsibility of the city or county having authority where an incident occurred.²⁷ They will identify the Responsible Party as the owner or agent of the hazardous material involved in an incident. The governor may authorize payments from the environmental contingency account for reasonable and documented costs associated

²⁶ Required Assistance in Hazardous Material Incident, 10-3-1218 MCA

²⁷ Cost Recovery and Civil Remedies, 10-3-1216(6) MCA

with the response. State reimbursed costs must be deposited in the environmental contingency account to offset amounts paid as reimbursement.²⁸

b. Regional Hazardous Materials Team Cost Recovery

Regional Hazardous Materials Teams must track all expenditures associated with their deployment. All eligible costs of the deployment may be reimbursed according to the rates approved by the SERC. Reimbursement rates are reviewed annually by the Hazardous Material Committee.

Only those costs associated with the deployment of a Regional Hazardous Materials Team may be eligible for reimbursement. If costs are incurred that are not identified in the approved rates, the submitted costs will be reviewed by MT DES and presented to the SERC to approve or deny a recommendation for payment. Costs associated with routine mutual aid or first responder costs may not be claimed for reimbursement through the SERC. Other federal and state laws, and administrative rules may allow other means of cost recovery that are not allowable as reimbursable costs.

Eligible costs must be submitted to the SERC through MT DES within sixty days of the termination of the response.²⁹ Recommendations to pay the reimbursement claim must be made to the governor within ninety days of receipt of the reimbursement claim.³⁰

Eligible costs may include:

- Responding personnel's time during the duration of deployment
- Eligible backfill of deployed personnel
- All travel during the duration of deployment by recording mileage
- Equipment and supplies used
- Lodging and per diem rates

Costs that are submitted for reimbursement must be accompanied by documentation which include:

- Original receipts
- Mileage records
- Equipment logs
- Personnel time logs
- Local employing jurisdictions lodging and per diem rates

²⁸ Cost Recovery and Civil Remedies, 10-3-1216(8) MCA

²⁹ Right to Reimbursement, 10-3-1214 MCA

³⁰ Deficiency Warrants For Reimbursement Of Response Costs, 10-3-1215

Section IV Maintenance

The SERC Hazardous Material Committee will review this document annually to ensure it is current and accurate. The SERC Co-Chairs approve this document upon recommendations and major updates. The goals of the review include:

- Ensure overall plan accuracy
- Address and resolve policy, methodology, and technological issues
- Coordinate with related plans, procedures, and protocols

Minor corrections, edits, updates, or adjustments that do not impact procedures or roles and responsibilities do not need vetting by a review group. Those changes, however, should be tracked in a versioning method or in the Record of Change log which can be updated by MT DES.

Appendix A

Memorandum of Understanding Between

Montana Disaster and Emergency Services Division and Regional Hazardous Material Response Team (Regional Hazmat Team) host jurisdiction

1. Parties: The parties to this Memorandum of Understanding (MOU) are Montana Disaster and Emergency Services (MT DES) as the administrative agency of the State Emergency Response Commission (SERC) and the host jurisdiction of a Regional Hazardous Material Response Team (Regional Hazmat Team), hereafter referred to collectively as “Parties and individually as “Party”.
2. Authority: This MOU is authorized under Montana Code Annotated Title 10-3-105 “Division of Disaster and Emergency Services - Duties”
3. Purpose: The purpose of this MOU is to identify the terms as related to the deployment of Regional Hazmat Team to a hazardous materials incident.
4. Regional Hazmat Team Certification: Host jurisdiction will annually certify training and equipment standards are met in accordance with the State of Montana Hazardous Material Plan (Hazmat Plan) and are able to respond to a hazardous material incident outside the jurisdiction, if requested.
5. Deployment Procedures: Requests for assistance from the Regional Hazmat Team for a hazardous materials incident will follow the request process of the State of Montana Hazardous Material Plan (Hazmat Plan).
 - a. Regional Hazmat Team will dispatch equipment and personnel, as determined, for use outside the host agency’s jurisdiction as approved and agreed upon between the parties.
 - b. The rendering of assistance under the terms of this MOU shall not be mandatory. If the Regional Hazmat Team is unable to respond to a request, the team will notify MT DES of the reason’s assistance cannot be rendered.
6. Costs: MT DES will reimburse, upon State Emergency Response Commission approval, the Regional HazMat Team according to the requirement of Montana Code Annotated 10-3-1214 and the procedures for Regional Hazmat Team Cost Recovery as established in the Hazmat Plan. Nothing in this Understanding shall be construed as to prevent MT DES from seeking reimbursement and damages from third parties.

7. Other Provisions

- a. Nothing in this Understanding is intended to restrict authority of any party to act as provided in statute or regulation, conflict with current law or regulation or the directives of MT DES or Regional HazMat Teams jurisdiction. If a term of this Understanding is inconsistent with such authority, then that term shall be invalid, but the remaining terms and conditions of this Understanding shall remain in full force and effect.
 - b. Each party is responsible for compliance with applicable federal, state, tribal, and local laws and regulations.
8. Effective Date: This MOU is effective on the date the MOU is signed by both Parties.
9. MODIFICATION: This MOU, upon execution, may be modified only upon the mutual written consent of the Parties.
10. TERMINATION: The terms of this MOU, as modified with the mutual written consent of both Parties, will remain in full force and effect until terminated by either party. Either party may terminate this MOU upon thirty (30) days written notice or Regional Hazmat Team not providing annual certification of personnel and equipment.

Authorized Agency Chief
Title:
City/County of

Date Signed:

Delila Bruno
Administrator
Montana Disaster and Emergency Services

Date Signed:

Appendix B

Regional Hazardous Materials Team Standard Equipment

Scope: These standards are applicable to the Regional Hazmat Teams to assure consistency in capabilities when deployed. These standards are reviewed and agreed upon by the Hazmat Committee of the SERC, which includes Regional Hazmat Team representation.

Purpose: This standard specifies minimum hazardous material equipment requirements for regional teams involved in mitigating hazardous material related activities. These standards are not intended to restrict jurisdictions from exceeding these minimum equipment standards. It is the intent for a full mobilization of a Regional Hazardous Materials Response Team that this minimum equipment will be available for response.

Reference Materials:

NFPA Fire Protection Guide on Hazardous Materials Condensed Chemical Dictionary
A Farm Chemical Reference Book (Farm Chemical Handbook, AG Products Safety Manual) CHRIS Manual, Volumes 1, 2, & 3
Merck Index - current edition
Emergency Care for Hazardous Materials Exposure or HAZMAT Injuries ACRR HAZMAT Spill Control
NIOSH Pocket Guide To Chemical Hazards DOT Emergency Response Guide "ERG" "Janes" Chem-Bio handbook

Protective Clothing Equipment (NFPA-NIOSH-OSHA approved):

4 - Flash Protection suits 8 - Level "A" suits	Cryogenic gloves
Hard Hats	Chemical resistant boots
Vinyl Boot Covers	Neoprene Boot Covers
Latex Boot Covers	Butyl Rubber Boot Covers
Fire Boots	Butyl Rubber Gloves
Viton Rubber Gloves	Nitrile Rubber Gloves
PVC/Nitrile Gloves Neoprene Gloves	Silvershield HAZMAT Gloves
4 - Approved Self Contained Breathing Apparatus (SCBA)	6 - 1 hour spare bottles for SCBA

Spill/Leak Control Equipment:

Chlorine kit "A"	Access to a Chlorine "B"& Chlorine "C" kit
Adsorbent booms and sheets	2 Dome Clamp set
Plug/Patch Kits	Plug dike
PVC pipe - assorted sizes	Assorted Plumbing adapters
Non-sparking barrel pump	Funnels - assortment
55 & 85 Gallon over pack drums	

Monitoring Equipment:

Binoculars	Gas detection monitors (4 gas minimum)
Extension probes	PH Paper
Radiation detector and monitor PCB Kit	Spill-Father Chemical Classifier Weather Station
Mercury Spill Kit	Heinz 5 step Field Identification Kit

Tools:

Non-sparking tool kit	Standard tool kit
Shovel, round point and square point	Regular and non-sparking Bung wrench
Non-sparking pipe wrenches	Non-sparking push broom
Poly broom	Plastic dustpans Squeegee
Dolly	Pinch or crow bar non-sparking Sledgehammer, 8 lb.
24" bolt cutter drum lifters	

Decontamination Equipment:

Acid neutralizer	Caustic neutralizer
Solvent neutralizer	Plastic sheeting
Disposable trash bags	Salvage Covers
Eyewash kit	Disposable latex gloves
Trash cans	Bleach
Vinegar	Ammonia
Soap Disinfectant	Scrub brushes with handles
Plastic pails	Disposable coveralls with booties and hoods
Wash, rinse and containment system	

Communications/ Command Equipment:

Portable Radios, 5 Watt – Programmable,	Batteries
Chargers	Belt Clips
Cellular phones	

Computer Equipment:

PC of choice – Compatible with Regional Teams 9600 baud or greater modem
Portable printer
Portable Fax
Cameo/Aloha Software

Appendix C

Regional Hazardous Materials Team Qualifications Requirements

The Montana Safety Culture Act at 39-71-1501, MCA requires all employers to provide training and education to make safety awareness part of the requirement for each worker's satisfactory job performance. Education-based safety program requirements found at 24.30.2501, ARM must include, in part, information on accident and hazard reporting procedures; emergency procedures; fire safety; first aid; personal protective equipment; and work site hazards. State agencies that provide relevant training courses such as **the First Responder Hazmat Awareness course**, include, but is not limited to, the Montana Law Enforcement Academy, MSU FTS, and MT-DES.

The state also requires certain positions to receive Hazardous Waste Operations and Emergency Response 'HAZWOPER' training compliant with OSHA standard 29 CFR Part 1910.120. This federal law is recognized by the Montana and requires state and local workers that are exposed to or handle hazardous materials to receive HAZWOPER training at a level required by their job function and responsibility before they are permitted to engage in hazardous waste operations that could expose them to hazardous substances.

The **First Responder Hazmat Operations** level is for those personnel who respond on-site to hazardous materials releases (or potential releases). With Operations level training, an individual should be prepared to take necessary defensive actions to protect people, property, and the environment from the effects of a release. The State of Montana recommends that all fire fighters, any law enforcement officer, emergency management, emergency medical, health or environmental personnel or anyone else who may respond to a hazardous materials incident should be trained to the First Responder Hazmat Operations level.

Hazardous Materials Technician and Specialist level training is for those personnel who attempt to stop a release of hazardous materials. This training is required for hazardous materials response teams. It is the state's recommendation that fire departments that have identified a serious hazardous materials risk within their jurisdiction train several members of their organization to the technician level, with specialist support if possible.

Individuals who may be called upon to serve as **Incident Commander** for a response beyond the awareness level are required to have special knowledge and training in the ICS. The State of Montana recommends that the LEOP establish a minimum number of qualified hazardous materials Incident Commanders to be available to provide Command at a hazardous materials incident in the county. These might include a fire chief, county sheriff, emergency services director, or others as appropriate to the county.

The following training levels are defined 29 CFR 1910.120:

TRAINING LEVELS Training shall be based on the duties and function to be performed by each responder of and emergency response organization. The skill and knowledge levels required for all new responders, those hired after the effective date of this standard, shall be conveyed to them through training before they are permitted to take part in actual emergency operations at an incident. Employees who participate, or are expected to participate, in emergency response, shall be given training in accordance with the following paragraphs:

FIRST RESPONDER HAZMAT AWARENESS LEVEL First responders at the awareness level are individuals who are likely to witness or discover a hazardous substance release and who have been trained to initiate an emergency response sequence by notifying the proper authorities of the release. They would take no further actions beyond notifying the authorities of the release. First responders at the awareness level shall have sufficient training or have had sufficient experience to objectively demonstrate competency in the following areas:

- (A) An understanding of what hazardous materials are, and the risks associated with them in an incident.
- (B) An understanding of the potential outcomes associated with an emergency created when hazardous materials are present.
- (C) The ability to recognize the presence of hazardous material in an emergency.
- (D) The ability to identify the hazardous materials, if possible.
- (E) An understanding of the role of the first responder awareness individual in the employer's emergency response plan including site security and control and the
- (F) U.S. Department of Transportation's Emergency Response Guidebook.
- (G) The ability to realize the need for additional resources, and to make appropriate notifications to the Coordination center.

FIRST RESPONDER HAZMAT OPERATIONS LEVEL First responders at the operations level are individuals who respond to releases or potential releases of hazardous substances as part of the initial response to the site for the purpose of protecting nearby persons, property, or the environment from the effects of the release. They are trained to respond in a defensive fashion without actually trying to stop the release. Their function is to contain the release from a safe distance, keep it from spreading, and prevent exposures. First responders at the operational level shall have received at least eight hours of training or have had sufficient experience to objectively demonstrate competency in the following areas in addition to those listed for the awareness level and the employer shall so certify:

- (H) Knowledge of the basic hazard and risk assessment techniques.
- (I) Know how to select and use proper personal protective equipment provided to the first responder operational level.
- (J) An understanding of basic hazardous materials terms.
- (K) Know how to perform basic control, containment and/or confinement operations within the capabilities of the resources and personal protective equipment available with their

unit.

- (L) Know how to implement basic decontamination procedures.
- (M) An understanding of the relevant SOP procedures and termination procedures.

HAZARDOUS MATERIALS TECHNICIAN Hazardous materials technicians are individuals who respond to releases or potential releases for the purpose of stopping the release. They assume a more aggressive role than a first responder at the operations level in that they will approach the point of release in order to plug, patch, or otherwise stop the release of a hazardous substance. Hazardous materials technicians shall have received at least 24 hours of training equal to first responder operations level and in addition have competency in the following areas and the employer shall so certify:

- (N) Know how to implement the employer's emergency response plan.
- (O) Know the classification, identification and verification of known and unknown materials by using field survey instruments and equipment.
- (P) Be able to function within an assigned role in the Incident Command System.
- (Q) Know how to select and use proper specialized chemical PPE provided to the hazardous materials technician.
- (R) Understand hazard and risk assessment techniques.
- (S) Be able to perform advance control, containment, and/or confinement operations within the capabilities of the resources and PPE available on the unit.
- (T) Understand and implement decontamination procedures.
- (U) Understand termination procedures.
- (V) Understand basic chemical and toxicological terminology and behavior.

HAZARDOUS MATERIALS SPECIALIST Hazardous materials specialists are individuals who respond with and provide support to hazardous materials technicians. Their duties parallel those of the hazardous materials technician, however, those duties require a more directed or specific knowledge of the various substances they may be called upon to contain. The hazardous materials specialist would also act as the site liaison with Federal, state, local and other government authorities in regards to site activities. Hazardous materials specialists shall have received at least 24 hours of training equal to the technician level and in addition have competency in the following areas and the employer shall so certify:

- (W) Know how to implement the LEOP
- (X) Understand classification, identification and verification of known and unknown materials by using advanced survey instruments and equipment.
- (Y) Knowledge of the state emergency response plan.
- (Z) Be able to select and use proper specialized chemical PPE provided to the hazardous materials specialist.
- (AA) Understand in-depth hazard and risk assessment techniques.
- (BB) Be able to perform specialized control, containment, and/or confinement operations within the capabilities of the resources and PPE available.
- (CC) Be able to determine and implement decontamination procedures.
- (DD) Understand chemical, radiological and toxicological terminology and behavior.

ON-SCENE INCIDENT COMMANDER ICs, who will assume control of the incident scene beyond the first responder awareness level, shall receive at least 24 hours of training equal to the first responder operations level and in addition have competency in the following areas and the employer shall so certify:

- (A) Know and be able to implement the employer's ICS.
- (B) Know how to implement the employer's emergency response plan.
- (C) Know and understand the hazards and risks associated with employees working in chemical protective clothing.
- (D) Knowledge of the state emergency response plan and of the Federal Regional Response Team.
- (E) Know and understand the importance of decontamination procedures.

Appendix D

Regional Hazardous Materials Team Certification Template

Date:

MEMORANDUM FOR Montana Disaster and Emergency Services, 1956 Mt. Majo Street, Fort Harrison, MT 59636

SUBJECT: **Jurisdiction/Agency Name** Hazardous Material Incident Response Team (Regional Hazmat Team) Annual Certification

In accordance with the State of Montana Hazardous Materials Plan (Hazmat Plan) **Jurisdiction/Agency Name** is requesting approval as a Regional Hazmat Team.

Jurisdiction/Agency Name certifies that training and qualifications of Regional Hazmat Team members meet the performance criteria requirements as established by 29 CFR 1919.120(q) and the National Fire Protection Association (NFPA) Standards 471 and 472 for response operation that meet the scope of 29 CFR 1910.120 (a)(1)(v). Certified Regional Hazmat Team members are listed in the attached Team Roster with qualification level. Changes or modifications to the Team Roster and qualifications will be sent to MT DES as needed.

The person responsible for certifying members of the **Jurisdiction/Agency Name** Regional Hazmat Team is **Name, Title, Agency**

Certification of Training documentation for **Jurisdiction/Agency Name** Regional Hazmat Team, is kept on file at **Records Location**

Equipment received through the State of Montana for hazardous material incident response has been maintained and in operational condition.

Typed Name
Title
Jurisdiction/Agency
(Must be signed by individual with Signatory Authority)

Date

Jurisdiction/Agency Team Roster

Pursuant to Title 29 of the Code of Federal Regulations (CFR), Part 1910.120, Section (q)(6) the following named individuals have completed the required courses of instruction for the indicated skill level.

	First Name	Last Name	Qualification Level
1.			
2.			
3.			
4.			
5.			
6.			
7.			
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21.			
22.			
23.			
24.			
25.			
<i>Use attached pages for additional team members</i>			

Appendix E
Regional Hazardous Materials Team Deployment
Reimbursement Rates for the period of:
December 1, 2018 to November 30, 2019

Reimbursable Item	RATE	Comments
Tow Vehicle	\$104.00/DAY \$0.84/mile	Based on GVW of 21,000+
Hazmat Trailer	\$200.00/DAY	Includes Communications and Generator Expenses
Hazmat Trailer Equipment	Actual Replacement Costs	
Sport Utility Vehicle, ½ Ton	\$58.00/DAY \$0.31/mile	
Sport Utility Vehicle, ¾ Ton (+)	\$65.00/DAY \$0.35/mile	
ALS Ambulance	\$56.00/hour	Vehicle only/no personnel in cost rate
DEQ 12' and 14' Trailer	\$100.00/day	
DEQ 18' and 20' Trailer	\$150.00/Day	
Equipment Not Listed Above	NRCG RATES	Authorized and Deployed in support of Hazmat Teams
PERSONNEL/PER DIEM COSTS	RATE	COMMENTS
Hazmat Technician	\$64.07 / Hour	
Backfill for Technician	Actual Backfill Cost	Includes overtime and benefits associated
PER Diem – Food	Department Rates	Variance by prior DES approval only
Lodging	Department Rates	Variance by prior DES approval only

Appendix F

Regional Hazardous Materials Team Financial Reimbursement Procedures & Recovery Packet

Local responders and their mutual aid response are not eligible for reimbursement from the state fund, however, they may be able to collect for eligible expenses under federal and state statutes. Provisions for cost recovery for hazmat incidents are provided in 75-10-717, MCA.

Within sixty days of a Regional Hazmat Team's release from the incident they shall submit to MT DES (as the administrative agent of the SERC) a detailed invoice and documentation of costs. Charges must be according to the State Hazardous Material Plan Appendix E – Reimbursement Rates-Regional Hazmat Team Deployment, established annually by the SERC Hazmat Committee, and approved by the SERC.

The Cost Recovery Package in this appendix is the format to submit expenses to the SERC, through MT-DES. Deployed Regional Hazmat teams will document all costs by:

- Providing receipts
- Record Mileage
- Document Equipment time usage
- Detail supplies used
- Record personnel response times
- Lodging and per diem rates

When a Regional Hazmat Team (or components thereof) is deployed according to this plan, all associated response costs, including backfilling of personnel to cover for deployed members are eligible for reimbursement. Unless otherwise identified in the Reimbursement Rates, equipment costs will be at the same rate as used by Northern Rockies Coordinating Group.

Cost Recovery Forms

The following is a guide for completing a Cost Recovery Packet and other related documents.

- Attach a copy of the incident report and all related documents.
- Billing Information Worksheets:
 - Complete all spiller data.
 - Incident report number and names of agencies - law enforcement, fire department, other.
 - Exact location of incident.
 - Date and time of incident.
 - Name of material(s) released.
 - Attachments: Resource Order Number(s), Incident Report, invoices for costs of rental equipment, and any other reports that may apply to cost recovery.
 - Description of incident activities

- Apparatus/Vehicle Cost Worksheet - Fill in the appropriate information.
- Personnel Cost Worksheet - Fill in the appropriate information.
- Equipment Cost Worksheet - Fill in the appropriate information.
- Miscellaneous Cost Worksheet - Fill in the appropriate information.
- Cost Summary Sheet (transfer sub-totals from cost worksheets to this page).
- Within five days, forward copy of completed packet to the SERC for their approval.
- Upon approval from the SERC, send the completed packet to the Governor's Office for approval for payment from the Environmental Contingency Fund.
- The Governor's Office will submit the approved request to the Budget Office for payment. MT-DES will coordinate with the Governor's Office and Budget Office to ensure all proper paperwork is completed for payment.

Cost Recovery for State Response Personnel

The SERC, through MT-DES, will provide the following:

- Notify the requesting jurisdiction within 5 business days explaining their responsibility for cost recovery for the hazmat teams.
- Notify the requesting jurisdiction within 5 business days after receiving the hazmat team cost recovery packet of the response costs. The cost recovery packet will be sent to the jurisdiction to be included in their submittal of expenses to the responsible party.
- Follow-up letters will be sent every 30 days to the jurisdiction requesting payment for the hazmat team response.
- Once payment is received, a close out letter will be sent to the jurisdiction.

STANDARD COST RECOVERY PACKET

INCIDENT #:	
LOCATION:	DATE:
AGENCY NAME:	TELEPHONE:
COMPLETED BY:	

Send to: SERC c/o MT Disaster & Emergency Services, 1956 Mt Majo Street, PO Box 4789, Fort Harrison MT 59636-4789.

BILLING INFORMATION WORKSHEET
Billing Information - Spiller Information
Incident #

<p>A) Spiller Name:</p> <p>Address:</p> <p>City:</p> <p>State: Zip:</p> <p>Telephone No:</p>	<p>B) Response Entity Name:</p> <p>Address:</p> <p>City:</p> <p>State: Zip:</p> <p>Telephone No:</p>
<p>C) Location of Incident:</p>	<p>D) Date/Time of Incident:</p>
<p>E) Chemical(s):</p>	<p>F) Include the following with this submittal:</p> <p>Resource Order Number(s):</p> <p>Invoice(s):</p> <p>Any other documents that may apply:</p>
<p>G) Actions Taken:</p>	

APPARATUS/VEHICLE COST WORKSHEET INCIDENT NO.

APPARATUS/VEHICLE DESCRIPTION	TIME REQUESTED	TIME ON SCENE	TIME RELEASED	RATE PER MILE	RATE PER DAY	# Miles	TOTAL COST

SUBTOTAL _____

PERSONNEL COST WORKSHEET
INCIDENT NO.

DATE	AGENCY	RESPONDER	POSITION	TOTAL HOURS	HOURLY RATE	TOTAL COST

SUBTOTAL _____

**EQUIPMENT COST WORKSHEET
INCIDENT NO.**

ITEM DESCRIPTION	USED BY	# USED	HOURS USED	RATE	TOTAL COST

SUB TOTAL _____

MISCELLANEOUS/MATERIALS COST WORKSHEET
INCIDENT NO.

DESCRIPTION	USED BY	# USED	COST EACH	TOTAL COST

SUB TOTAL _____

COST SUMMARY SHEET

APPARATUS/VEHICLE COST	
PERSONNEL COST	
EQUIPMENT COST	
MISC./MATERIALS COST	
TOTAL INCIDENT COST	