

Emergency
Support
Function

2016

Annex # 10
Oil & Hazardous Materials
Response



Authorization & Concurrence:

This Annex is considered operational and serves as a guide for rendering assistance whenever the **Montana Emergency Response Framework** (MERF) is activated. It supersedes all previous editions.

Approved: _____

Date: _____

Record of Changes

All changes to this plan annex are to be dated on the master copy kept by the Montana Department of Environmental Quality.

Date Posted	Change	Recommending Agency/Individual
10/01/2015	Grammar, Formatting, & Industry Resources	DEQ/Bonnie Lovelace
10/1/2016	Changes from Support Agencies	DEQ / Bob Habeck

Record of Concurrence

When assistance is requested by the Montana Department of Environmental Quality (DEQ), the following agencies have concurred to provide the role of supporting the DEQ in rendering assistance to state, local, and tribal jurisdictions within the State of Montana during an emergency, disaster, or incident whenever ESF #10 is activated:

Support Agencies	Authorized Representative	Date of Concurrence

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Section I: Agencies

Coordinating Agency:

Disaster & Emergency Services

Primary Agency:

Department of Environmental Quality

Support Agencies:

Department of Public Health & Human Services

Department of Transportation

Department of Military Affairs

Department of Justice

Department of Agriculture

Department of Livestock

Montana Fish, Wildlife, & Parks

Department of Natural Resources & Conservation

State HazMat Incident Response Team

Montana Rail Link HazMat Team

Private HazMat Cleanup Companies

Section II: Purpose & Scope

Purpose:

The purpose of Emergency Support Function (ESF) #10 is to provide state support to local governments in response to an actual or potential discharge or release of hazardous materials resulting from a natural, manmade, or technological disaster and other environmental protection issues.

Additionally, ESF #10 acts as the initiator for activating other resources within the DEQ that provide authorization and guidance for environmental protection issues that are the responsibility of that agency.

Scope:

This ESF Annex is a part of the Montana Emergency Response Framework (MERF) and was designed to be consistent with and subordinate to higher-level plans including the National Response Framework (NRF).

In the context of this plan, *hazardous materials* (HazMat) refer to any CBRNE (chemical, biological, radiological, nuclear, and explosive) material, regardless of source, that poses a threat to life safety, public health, the environment, and/or property.

This ESF Annex provides for a coordinated response to actual or potential discharges and/or releases of hazardous materials anywhere within the State of Montana and/or those in neighboring states/countries having the potential to impact Montana.

Section III: Assumptions & Relationships

Assumptions

- Actual or potential releases of hazardous materials may occur on a daily basis, either by accident or as the result of an intentional/ terrorist act.
- A hazardous materials incident may progress to a point where it becomes a serious threat to the public's health and safety and to the environment.
- Multiple hazardous materials incidents may occur simultaneously following a major disaster such as a flood or terrorist attack.
- Exceptions to current disposal practices may be necessary during major disasters.
- In the event of a terrorist event, the Federal Bureau of Investigations (FBI) will be the lead agency with State agencies providing support and resources to assist.

Relationships

This section describes how ESF #10 relates to other elements of the whole community. Basic concepts that apply to all members of the whole community include:

Situation

- Large quantities of hazardous materials are transported via highway, rail, airfreight, and pipeline within and through the State on a daily basis. Therefore, there is a high possibility of an actual or potential release occurring on any given day as a result of a transportation accident and/or incident.
- Hazardous materials are manufactured, stored, distributed, utilized, and disposed of at numerous fixed facilities located throughout the State creating a high possibility of an actual or potential release occurring on any given day at one of these sites.
- The threat presented by hazardous material incidents is often to both public health and safety, and the environment. While most hazardous material incidents involve smaller volumes of material, they do require specific approaches to different types of chemical and waste releases. It is important to assess the characteristics of the hazard, acquire the necessary resources and develop a site-specific emergency response plan.
- The commencement of emergency response operations of hazardous material incidents may require multiagency and multi-disciplinary responses. Disciplines involved may include fire responders, law enforcement, environmental containment and cleanup specialists, fish and wildlife experts, emergency medical services, environmental health and other agencies.
- While upon initial assessment, some incidents may not have obvious impacts on life, property, and the environment. They may have subtle long-term consequences for human health, and the environment that will require further remediation.

- Montana Disaster and Emergency Services is the statutorily assigned agency for notification of reportable hazardous materials incidents as established by Montana Code Annotated (MCA) 10-3-1211 and the Superfund Amendments and Reauthorization Act (SARA) Title III.
- Montana has six Regional HazMat Teams that together compose the State HazMat Incident Response Team (SHMIRT) and can conduct technical level-response. Additionally, the Montana Army National Guard (MANG) 83rd CST at Ft. Harrison can be called upon to provide technical level support.

Local, Tribal, & State Government

- The MERF follows the principle that “all incidents are local”. As such, it is the responsibility of the local jurisdiction(s) to establish and manage the initial on scene Incident Command System (ICS) structure. This includes notification of local emergency response agencies and elected officials / field representatives.
- State resources will supplement, not supplant, local resources and will work under the local ICS structure or as part of a Unified Command (UC), depending on the situation.
- Local and tribal government fire departments generally provide the first response to oil and hazardous materials incidents. State and territorial governments may have environmental response programs that supplement local governments for larger-scale or more complex responses.
- When activated to respond to a Stafford Act incident, the primary agencies for ESF #10 develop work priorities in coordination with local, state, and tribal area governments and coordinate activities with them as appropriate at the Incident Command Post, Joint Field Office (JFO), and local EOCs and State SECC.

Private Sector/Nongovernmental Organizations

- The private sector owns many of the facilities that manufacture, use, and manage oil and hazardous materials. Under the NCP, the parties responsible for oil discharges and hazardous substance releases must clean them up or reimburse the government for the response. (The CERCLA and CWA/OPA provide certain defenses to liability.)
- Private contractor resources may be employed to assist in conducting State response actions. Other parties responsible for cleaning up releases may also hire private contractors to perform the work.
- Due to the hazardous nature of the work, public volunteers are not normally used in oil and hazardous materials response. However, in extraordinary situations, they may be used to assist in less hazardous support functions. Some nongovernmental organizations may also contribute specific skills, such as wildlife recovery and rehabilitation.

Section IV: Core Capabilities

The following table lists the Response core capabilities that ESF #10 most directly supports, along with the particular ESF #10 roles related to these core capabilities. In addition, all ESFs, including ESF #10, support the core capabilities of Planning and Operational Coordination.

Core Capability	ESF #10 – Oil & Hazardous Materials Response
<p>Environmental Response/Health & Safety</p>	<ul style="list-style-type: none"> • Conduct actions to detect and assess the nature and extent of oil and hazardous materials releases. • Take actions as appropriate to stabilize the release and prevent the spread of contamination; conduct environmental clean-up actions and decontaminate buildings and structures; and manage wastes. • Follow applicable health and safety requirements for ESF #10 responders and coordinate, as needed, with Worker Health and Safety Support Annex response activities.
<p>Critical Transportation</p>	<p>For incidents where transportation infrastructure or routes are contaminated by oil or hazardous materials:</p> <ul style="list-style-type: none"> • Help to identify safe evacuation and ingress routes; assess the nature and extent of contamination; and clean up and/or decontaminate infrastructure and routes. <p>For incidents involving a blast or explosion associated with a chemical, biological, radiological, or nuclear (CBRN) threat agent resulting in a contaminated debris field:</p> <ul style="list-style-type: none"> • ESF #10 leads State actions to clear critical transportation routes of CBRN-contaminated debris during the emergency phase, in consultation with ESF #10. • ESF #10 assumes leadership for management of CBRN-contaminated debris after the emergency phase is over.
<p>Infrastructure Systems</p>	<p>For incidents where infrastructure is contaminated by oil or hazardous materials:</p> <ul style="list-style-type: none"> • Assess the nature and extent of contamination and clean up and/or decontaminate infrastructure.
<p>Public Information & Warning</p>	<ul style="list-style-type: none"> • Provide the technical expertise to support the preparation of Federal public information related to the environmental response in support of ESF #15. • It is recognized, however, that, in some cases, it may be necessary for ESF #10 to communicate with the media/public on tactical operations and matters affecting public health and safety directly from the scene, particularly during the early stages of the emergency response.

Section V: Operational Functions

Emergency Support Function #10 provides for a coordinated, effective and efficient response to discharges and releases of hazardous materials by committing human, financial and material resources into action in the impacted area. At the request of DES, ESF #10 Primary and Support agencies will coordinate state response and resources as appropriate. This may include coordinating directly with on-scene responders and/or staffing ESF #10 during an activation of the SECC.

The overall tasks for ESF #10 include:

- DES and DEQ are responsible for coordinating the functions of ESF #10 and for obtaining other resources from State, Federal and/or private agencies as they are needed to support ESF #10 operations.
- During an emergency or disaster, the primary and support agencies of ESF #10 will assign personnel to the SECC, if activated. Agency representatives at the SECC may serve in both a primary and/or support agency role for several ESF Annexes depending on the situation. To facilitate accomplishment of assigned responsibilities, the number of agency personnel operating in each ESF Annex will be based on operational requirements and coordinated with the appropriate primary agency.
- ESF Annex member agencies will coordinate state efforts to prevent, mitigate, or minimize the threat of potential releases and provide technical assistance and public information on the actions necessary to preserve health and protect property.
- Agency representatives must be knowledgeable of the resource request, deployment, and accountability methodology for committing assets or services that may be at their disposal. Agency representatives are expected to have a working knowledge of ICS and be fully-functional upon activation.

The following table lists the response operational functions that ESF #10 primary and support agencies most directly perform:

Primary Agency	Operational Functions:
<p style="text-align: center;">Department of Environmental Quality</p>	<ul style="list-style-type: none"> • Provide expertise on environmental effects of oil discharges or releases of hazardous materials, and environmental pollution control techniques. • Provide investigative support and expertise on environmental and public health issues related to oil and hazardous material incidents. • Provide technical support to local and State hazardous materials teams. • Evaluate and provide recommendations pertaining to the public health and the environmental risks related to food, air, water, and soil contamination. • Request federal assistance as necessary. • Recommend hazardous materials disposal option.

Supporting Agencies	Operational Functions:
<p style="text-align: center;">Department of Environmental Quality</p>	<ul style="list-style-type: none"> • Assist in identifying personnel and resources to support this ESF Annex. • Work with DES to keep this ESF Annex up-to-date. <p>Impact Assessments & Cleanup Operations:</p> <ul style="list-style-type: none"> • ESF #10 will coordinate to manage the overall state effort to detect, identify, contain, cleanup, dispose, or minimize releases of oil or hazardous materials including assessment impacts and cleanup needs or priorities, and advising and assisting others where the source of the spill is known. Where the source is unknown or the responsible party unwilling or unable to respond, ESF #10 will coordinate with other government authorities, including local and federal, to adequately abate, contain, and remove contaminants. <p>Cost Recovery & Mitigation:</p> <p>DEQ (in collaboration with DES) will be responsible for coordinating state efforts to recover response costs through any federal reimbursement options or directly from responsible parties. Also, where actions may be taken to mitigate potential spills or effects of future spills, the agencies will coordinate mitigation actions.</p>
<p style="text-align: center;">Department of Transportation</p>	<ul style="list-style-type: none"> • Provide personnel and heavy equipment to assist with operations and other scene control measures during a hazardous material/terrorist incident. • Provide personnel and equipment to assist with traffic control and scene access and egress. • Determine load variances on State roads to assist with the movement of heavy equipment during an oil or hazmat spill incident. • Coordinate and assist with the containment and cleanup of any discharge that occurs on State maintained roads or right-of-way.
<p style="text-align: center;">Department of Fish, Wildlife, & Parks</p>	<ul style="list-style-type: none"> • Prepare an assessment of damages to fish & wildlife populations and habitats resulting from a pollutant or hazmat discharge incident. • Provide personnel and equipment to assist with identifying resources at risk during a hazmat or oil spill incident. • Assist with traffic supervision and control of water transportation routes adversely affected by a hazardous materials release. • Coordinate for the use of access sites or wildlife management areas as staging areas for response resources.
<p style="text-align: center;">Department of Natural Resources & Conservation</p>	<ul style="list-style-type: none"> • Provide State level coordination with fire service agencies during declared disasters and major incidents involving hazardous materials. • Provide assistance with locating fire service resources in support of State and local emergency response agencies.

Supporting Agencies	Operational Functions:
<p style="text-align: center;">Department of Military Affairs</p>	<ul style="list-style-type: none"> • Provide transportation resources to move emergency response personnel and equipment resources to declared disasters or major incidents involving hazardous materials, when required or requested by DES. • Provide personnel and equipment resources to assist with on-scene mitigation operations during a disaster or major incident involving hazardous materials.
<p style="text-align: center;">Non-Governmental Support Entities</p>	<p>Typically, during an incident, a responsible party will provide part of the response. Industry, such as pipeline companies and railroads will have response equipment and resources to bring to the incident. Industry contribution to response will include privately held equipment and their personnel or consultants and may include coalitions formed to assist them. Two coalitions that may be called upon in Montana include the Montana-Wyoming Oil Spill Control Cooperative, LLC and the Northern Montana Oil Spill Cooperative, LLC. These may be called upon by members for equipment needs.</p>
<p style="text-align: center;">Other Support Agencies -Livestock -Agriculture</p>	<ul style="list-style-type: none"> • Provide personnel and equipment resources within agencies scope of responsibility and capability, as required and/or requested. • Provide technical or other specialized support as required and/or requested. • Send an Emergency Response Coordinator to the SECC as requested by DES. • Develop applicable SOPs, guidelines and/or checklists detailing the accomplishment of assigned functions. • When requested, deploy a representative to the SECC to assist with ESF #10 activities. • Provide ongoing status reports as requested. • Maintain updated resource inventories of supplies, equipment, and personnel resources, including possible sources of augmentation or replacement. • Document all costs and expenses associated with response and recovery activities taking care to clearly separate disaster related work from daily work in the event that federal or state reimbursement becomes available. • Maintain up-to-date rosters for notifying personnel and 24-hour staffing capabilities. • Perform other emergency responsibilities as assigned. • Assist in identifying personnel and resources to support this Annex. • Work with DES to keep this Annex up-to-date.