

EMERGENCY SUPPORT FUNCTION # 10 - OIL AND HAZARDOUS MATERIALS

PRIMARY

Campbell County Fire Chiefs Association

LOCAL SUPPORT

Chief Elected Officials
Northern Kentucky Regional HazMat Team
Campbell County Fire Departments
County and City Law Enforcement Agencies
Northern Kentucky Emergency Planning Committee
Northern Kentucky Independent Health District

LOCAL RESOURCES

County EMS Agencies
ERT
County and City Road Departments

STATE RESOURCE

Office of the State Fire Marshal
Kentucky Department of Military Affairs, Division of Emergency Management
Kentucky Transportation Cabinet, Department of Highways
Justice and Public Safety Cabinet, Kentucky State Police
Cabinet for Health and Family Services, Department for Public Health
Kentucky Office of Homeland Security

PURPOSE

To provide a framework for coordinated and effective local, state, federal, and private sector (responsible party) efforts in reducing or removing the danger to public health, safety and the environment from threatened or actual incidents involving oil or hazardous material releases.

SITUATION AND ASSUMPTIONS

Situations

- Hazardous materials are produced, used, stored, and transported throughout the Commonwealth.
- Accidents or incidents involving hazardous materials are one of the most common emergencies in the Commonwealth.

- Hazardous material releases require swift and decisive emergency response action.

Assumptions

- All on-scene emergency response operations for oil or hazardous material incidents shall be conducted in accordance with the Incident Command System (ICS) described in the National Incident Management System (NIMS).
- Response to oil and hazardous materials incidents shall be executed in conformity with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, the Superfund Amendments and Reauthorization Act of 1986, Section 311 of the Clean Water Act of 1972 as amended by the Oil Pollution Act of 1990, Kentucky Occupational Safety and Health Program (KY-OSH) regulations and the Kentucky Revised Statutes (KRS) 224 and 227 as they pertain to hazardous substances.
- Response to oil and hazardous substances discharges will be in accordance with the National Contingency Plan (40 CFR 300) and as authorized pursuant to KRS 224, delegating to the DEP the power and duty to control, prohibit, and respond to pollution of the air, water, and lands of the Commonwealth, and protect human health, safety, and the environment from the effects of hazardous substances.
- The majority of hazardous material incidents require coordination between state and local agencies. In most incidents, state level involvement is limited until the scope of the disaster exceeds local government capabilities. However, state level involvement may occur at any time since the state has certain jurisdictional responsibilities, complex federal and state statutes to enforce, and technical expertise that may not be available at the local level.
- ESF 10 will facilitate the coordination between responding local and state agencies and between these agencies and federal response agencies in the event that the involvement of the latter is required.
- All persons responding to hazardous materials incidents will respond only up to their highest level of OSHA 29 CFR 1910.120 (HAZWOPER) training.

MISSION

To protect human health and the environment from releases of hazardous materials.

DIRECTION AND CONTROL

The Chief Elected Official will appoint an ESF 10 Coordinator, which may be the Emergency Management Director, or designee.

The ESF 10 Coordinator will be responsible for coordinating local response to hazardous materials incidents in a manner that ensures properly trained and equipped local emergency responders are available, as necessary. The ESF 10 Coordinator will also coordinate local response with the State if the incident is beyond the scope of local resources.

CONCEPT OF OPERATIONS

General

- Response to hazardous materials incidents may be initiated by a call to local 911, or as an incident report to the DEP-Environmental Response Team (ERT) or the duty officer at the State Emergency Operations Center.
- All hazardous materials incident responses regardless of size shall have an Incident Command Staff consisting at a minimum of an Incident Commander (IC), Safety Officer (SO), and Operations Section Chief (OSC). The same individual may serve as IC and OSC. In all instances a separate SO shall be assigned. The SO shall determine the level of Personal Protective Equipment (PPE) to be used by responders and shall be required to prepare the Site Safety Plan.
- The Incident Command shall establish an Incident Command Post and shall secure the scene in a manner that protects the surrounding community and ensures non-response personnel and responders without proper PPE are not allowed into areas determined to be unsafe.
- The OSC shall determine a staging location for resources reporting to the scene.
- Local officials shall, as soon as practically possible, contact the Kentucky Division of Emergency Management (KyEM) Duty Officer (1-800-255-2587) and provide all known information about the incident. The KyEM Duty Officer and the State Emergency Operations Center (SEOC) shall be kept informed of local situations to the maximum extent possible, even if the situation can be dealt with locally.
- Based upon evaluation of the emerging situation and the anticipated need for additional resources, KyEM can activate the SEOC.
- Prior to activation of the SEOC, the KyEM Area Manager (AM) shall act as a liaison between the local on-scene responders and KyEM Duty Officer. The AM shall provide on-scene information that shall be used in the decision to activate the SEOC. The AM shall continue in the liaison role in the event the SEOC becomes activated. The AM shall support responding agencies in the coordination of resources and shall be responsible for keeping KyEM personnel staffing the SEOC apprised of the on-scene situation.
- Upon activation, the DEP liaison(s) shall report to the SEOC for coordination of hazardous materials response actions.
- As the primary coordinating agency for all activities under ESF 10, the DEP shall ensure that all agencies assigned to ESF 10 respond to all requests for local and state hazardous materials response assistance in accordance with their assigned tasks.
- All support agencies and organizations shall be notified and tasked to provide 24-hour representation as necessary. Every support agency and organization is responsible for ensuring that sufficient program staff is available to report to and support the SEOC and to carry out the activities tasked to their organization on a continuous basis if needed.
- KyEM will facilitate a formal After Action Report (AAR) using the KyEM Standard AAR within 30 days of the Hazardous Materials Response.

Procedure for Transition from Incident Command to Unified Command

Initial Incident Command

- Regardless of size, all responses to hazardous materials incidents shall have an Incident Command Staff.

- Incident Command Staff shall consist at a minimum of an Incident Commander (IC), Safety Officer (SO), and Operations Section Chief (OSC). For responses involving multiple agencies, a Liaison Officer shall also be assigned.
- If information is to be disseminated to the general public, a Public Information Officer (PIO) shall be appointed for this purpose.
- For small incidents an individual may serve as IC, OSC, and PIO. In all instances the SO shall function only in this capacity.
- The Incident Command Staff shall be responsible for establishing an Incident Command Post and securing the scene.
- The OSC or his/her designee shall establish a staging location for responding resources and personnel.
- As the incident response increases, Logistics, Planning and Financial/Administrative Sections may be added and staffed to maintain a manageable span of control.
- Operational resources and personnel that have been ordered by the IC should check in at the location determined by the OSC, his/her designee or Resource Unit Leader if assigned. State and local Agency representatives shall report to the Liaison Officer.
- The OSC or designated representative(s) shall brief all responders on the current incident status and necessary Personal Protective Equipment (PPE) for on-scene response. The OSC or designated representative(s) shall be responsible for the staging of equipment and other resources.
- Transfer of command may be initiated by the senior official(s) from the agencies having primary responsibility for the major threat posed by the incident if it is the consensus opinion of the officials that the command is not acting in the best interests of the affected community and/or responders. All reasoning for the transfer of command shall be documented and presented during the next on-site briefing. The State Emergency Operations Center shall also be notified of the change.

Transition to Unified Command

Basis for Transition

- Transition to a Unified Command (UC) will be considered if the response to an incident will require more than one operational period.
- Transition to a UC may become necessary when multiple agencies with regulatory or statutory authority respond to an incident.
- Transition to a UC may be made when the incident complexity and scope exceed the management capabilities of a Single Incident Command, and shall be made when multiple jurisdictions are involved in the response.

Implementation

- The Planning Chief shall formally brief representative(s) from each of the agencies having statutory or regulatory authority on the current incident status.
- The IC and briefed agency representatives shall decide if transition to a UC should occur at this time.

- If the determination is made to transition to a UC, each agency with regulatory or statutory authority shall assign a representative to the UC. A representative of private sector responsible party(s) may also be assigned to the UC.
- The Operations Section shall establish a staging location for the check-in of supporting agencies having regulatory or statutory authority. Liaison Officers shall provide incident status update and communication between supporting agencies and the UC.

Unified Command Operations

- Unified Command shall be a mechanism for coordination, cooperation, and communication under which each member is allowed to operate in its appropriate sphere of command.
- All members of the UC shall recognize each other's authorities, capabilities, and limitations. Responsibilities and roles of the UC members and lines and methods of communication shall be established.
- Members of the UC do not relinquish agency authority, responsibility, or accountability.
- Each member of the UC shall commit to speak with "one voice" to the public through the PIO or Joint Information Center, if established.
- The members of the UC shall agree to act in concert and coordinate efforts, and shall set objectives, priorities and strategies to be included in a written Incident Action Plan (IAP). All members of the UC must be able to sustain a 24-hour a day, 7-day a week commitment to the incident.
- UC members shall function as members of the Operations, Logistics, Planning and Financial/Administrative Response Sections in a manner that best utilizes their technical expertise and resource capabilities.
- The Planning Chief shall establish a planning cycle. After the planning cycle is established, the Planning Section shall develop an IAP for the next operational period to help focus available resources on the highest priorities/incident objectives. At the end of each operational period the Planning Section Chief shall hold a briefing for the UC and update the current incident status. It shall also be determined at this briefing if the need for a UC still exists.
- If situations arise where members of the UC cannot reach consensus, the UC member representing the agency with primary jurisdiction over the issue shall be deferred to for the final decision.
- UC members may change as the response transitions out of emergency response and into long-term cleanup.

Transition to Single Incident Command

- As the danger from an incident decreases, agencies with regulatory or statutory authority may withdraw from on-scene response activities.
- If the incident no longer requires more than one operational period for completion, the UC shall hold a meeting to determine if transition to a Single Incident Command is appropriate.
- If the transition is made to a Single Incident Command, the UC shall appoint an Incident Commander and Operations Section Chief. These may be the same individuals serving in these capacities during the Unified Command.

- The IC shall appoint a Safety Officer.
- Personnel from the Logistics, Planning and Financial/Administrative Sections shall be incorporated into the Operations Section as their individual Sections are no longer needed. Personnel shall be incorporated as needed to maintain a manageable span of control.
- The OSC shall have direction over those individuals incorporated into his/her section.
- The Planning Section shall be responsible for checking out responders leaving the scene. When the Planning Section is no longer needed, responsibility for check out of responders shall become the responsibility of the Operations Section Chief or his/her designee.

ORGANIZATION AND ASSIGNMENT OF RESPONSIBILITIES

The ESF 10 Coordinator will identify and coordinate local, state and federal agencies to respond to hazardous materials incidents for the County.

GENERAL ORGANIZATION RESPONSIBILITIES

Operational control remains the same during emergency situations as during normal activities; however, operations may require 24-hour coverage, and a central point of overall coordination. The ESF 10 Coordinator must be prepared to assist in lengthy operations that start in response and continue through recovery and involve clean up activities and return of resources.

SPECIFIC KEY POSITION RESPONSIBILITIES

The task assignments and responsibilities of the Incident Command Staff remain constant regardless of the type of hazardous materials incident being responded to.

Incident Command Staff

- The Incident Command Staff shall be responsible for establishing an Incident Command Post and securing the scene.
- The Incident Command Staff shall be responsible for preparing the initial Incident Action Plan (IAP). The IAP shall set objectives, priorities and strategies for managing the incident and shall include provisions for incident briefings, organizational assignment lists, and a communications plan. The IAP shall address site security and control measures to be used throughout the incident. For small incidents of short duration, the IAP may not need to be written. However, if the duration of the response period extends over several hours, multiple units from various levels of government and the private sector are involved, the situation is complex, and intensive response efforts are required, the IAP must be written. An incident site map and a traffic plan, as appropriate, are attached to the plan. Additional check-in lists, unit logs, etc. shall be appended to the plan as they are completed. If a Planning Section Chief is assigned to an incident, that individual or the staff of the Planning Section, shall be responsible for preparing an updating the IAP to meet the tactical objectives and strategies for each operational period. If a Planning Section is not assigned for an incident, the Operations Section Chief shall be responsible for preparing the IAP.

Incident Commander

- The Incident Commander (IC) is responsible for all incident activities, including the development of strategies and tactics and the ordering and release of resources.
- The IC has overall authority and responsibility for conducting incident operations and is responsible for the management of all incident operations at the incident site.

Operations Section Chief

- The Operations Section Chief (OSC) is selected by the IC for each incident on a case-by-case basis relating to the threat presented by the hazardous material(s), and the statutory authority and expertise of responding agencies.
- The OSC supervises the technical operational procedures relating to containment, control, and removal of the hazardous material(s) release(s).
- The OSC is responsible for implementation and direction of the primary tactical objectives in the Incident Action Plan.
- The OSC position shall be staffed for all hazardous materials incidents for which state agency personnel are assigned incident command or unified command roles. The OSC position may shift from one agency to another as the incident situation changes.

Safety Officer

- The Safety Officer (SO) shall be appointed by the IC after consultation with senior response officials.
- The SO is responsible for identifying and evaluating hazards at the incident scene, and in consultation with the IC and the OSC, is responsible for providing guidance for safety operations during the emergency response.
- The SO shall complete the Site Safety Plan contained in Appendix (C) of this ESF 10 Annex or an equivalent. A written Site Safety Plan is required for all emergency responses involving oil and hazardous materials. The Site Safety Plan must address the safety and health hazards of each phase of site operations and include the level of personal protective equipment (PPE) necessary for personnel responding to the incident. The Safety Plan also establishes the limits of the Protective Action Zones (PAZs) as these terms are defined in Appendix (A) of this Annex. The Plan must include site specific procedures for alerting all incident responders of protective action needs including shelter-in-place and evacuation. If evacuation is required, the Site Safety Plan shall include a description and drawing of the evacuation routes to be used by affected persons. The Site Safety Plan shall also describe the decontamination procedures to be undertaken by emergency responders leaving each PAZ. The Plan must be conspicuously posted at the on-scene Incident Command Post and at other appropriate locations. The Plan shall contain the location and contact information for the facility to which injured persons are to be transported and the extent of services the facility can provide.
- The SO shall brief all in-coming response personnel on the contents of the Site Safety Plan and verify personnel are equipped with appropriate PPE for their level of response.
- The SO shall ensure a record is kept of persons entering the PAZs; date of entry; time of entry; time of exit; and level of PPE used by each responder. The SO shall also maintain a log of all injuries incurred during the incident response.

- The SO has the authority/duty to direct curtailment or suspension of response operations by any personnel in violation of safety standards.

Public Information Officer (PIO) (if assigned)

- All public information activities and releases shall be coordinated by the PIO at the scene or at the EOC depending upon the severity of the incident. Informational releases shall be approved by the IC or UC prior to being issued.
- The PIO shall develop accurate and complete information on the incident's cause, size, and current situation; resources committed; and other matters of general interest for both internal and external consumption. The PIO may also perform a key public information-monitoring role.
- All state agencies shall refer media inquiries to the PIO or his/her assistants.
- In order to ensure accuracy of information disseminated to the public, the PIO shall arrange for periodic briefings between the news media and state agency personnel who are able to provide technical data on response operations.
- The PIO may establish a Joint Information Center (JIC) from which persons granted release authority may issue information to the general public and media. The JIC is a physical location where public affairs professionals from organizations involved in incident management activities collocate to perform critical emergency information, crisis communications, and public-affairs functions. Since it is important for those staffing the JIC to have the most current and accurate information regarding incident management activities at all times, the JIC staff should include representatives from each jurisdiction, agency, private- sector, and nongovernmental organization involved in incident management activities. The JIC provides the organizational structure for coordinating and disseminating official information. JICs may be established at each level of incident management, as required.

Liaison Officer (LNO) (for multi-agency responses)

- Liaison Officer(s) (LNOs) shall provide incident status update and communication between supporting agencies and the IC staff or UC.
- The LNO shall maintain a log of senior agency representatives responding to the incident.

Local Government

- Implement protective action including sheltering-in-place or evacuation as recommended by the Incident Command Staff at the scene.
- Based on the severity of the incident activate the County EOC to which all local agencies involved in emergency response shall dispatch a representative to act on behalf of their agency.
- Request state/federal assistance when local resources are inadequate to cope with the situation. Requests shall contain sufficient information for evaluation of the recovery effort.

REFERENCES AND AUTHORITIES

Kentucky Revised Statutes (KRS) 224.10-100, effective July 15, 1994

Occupational Safety and Health Administration (OSHA), Hazardous waste operations and emergency response. 29 CFR 1910.120

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); United State Code Title 42 Chapter 103; enacted December 11, 1980

CERCLA Superfund Amendments and Reauthorization Act (SARA) of 1986, Subtitle III Emergency Protection and Community Right to Know Act (EPCRA) codified at 42 United States Code (U.S.C.) §§11001-11050

Hazardous Materials Emergency Planning Guide, NRT-1, Environmental Protection Agency, Washington, DC, March 1987.

Federal Water Pollution Control Act (Clean Water Act), 33 U.S.C. §§ 1251-1387

The National Response Framework, September 2007

The National Incident Management System, March 1, 2004

ANNEXES

- Annex A - PIPELINE EMERGENCY RESPONSE FOR CHEMICAL AND PETROLEUM PIPELINES EXCEPT NATURAL GAS
- Annex B - PIPELINE EMERGENCY RESPONSE FOR NATURAL GAS PIPELINES
- Annex C - EMERGENCY RESPONSE TO EVENTS INVOLVING RADIOLOGICAL MATERIALS