PART THREE: ROLES & RESPONSIBILITIES

SECTION 1.0 - INTRODUCTION

Introduction

Hazardous materials incidents often involve a response from multiple agencies having different capabilities, responsibilities, and functions. In some circumstances, the jurisdictional authorities of several agencies may interconnect and overlap. In other circumstances, certain activities are not required. This portion of the Tool Kit sets forth the roles, resources, responsibilities, and limitations of government and non-government agencies at all levels (federal, state, and local) in hazardous materials incidents.

SECTION 2.0 - LOCAL GOVERNMENT

Overview

Local government has an important responsibility to participate in pre-incident planning through its local hazardous materials Certified Unified Program Agencies/Administering Agencies/Participating Agencies (CUPA/AA/Pas) and other local planning activities related to hazardous materials. Through this mechanism, local area plans can be developed; local agencies can clearly delineate responsibilities with respect to each other and with participating agencies at the State and Federal levels, and liaisons between agencies can be established. The local government descriptions contained in this plan are typical of many jurisdictions throughout the State. However, responsibilities, organization, and authorities may vary depending on the specific jurisdiction. The importance to exercise, revise, and update local plans on a regular and realistic basis cannot be over emphasized.

Although the responsible party may ultimately be responsible for the response and cleanup efforts, they may not always be first on-scene (e.g.; transportation-related incidents). For most hazardous materials emergencies, local government will most likely be the first to respond to incidents within its jurisdiction, and if not present on scene, local government should be brought into the Unified Command (UC). The primary contact point for notification of an incident from the general public is local government (generally by calling 911). If the incident occurs on a highway, California Highway Patrol (CHP) must also be notified by the first on-scene. Local government should provide first response capability, including notification of local agencies and the California State Warning Center (CSWC), for incidents within its jurisdiction.

Certified Unified Program Agencies / Administering Agencies / Participating Agencies (CUPA/AA/PAs)

All counties and a number of cities within California have been designated to implement the State and Federal hazardous materials emergency planning and community right-to-know programs. Title 27 of the California Code of Regulations (CCR) § 15100, *et seq*. allow these program functions to be performed by CUPA/AA/PAs. The conversion process from AAs to CUPAs began in 1996. A current list of certified and non-certified CUPAs has been developed and is maintained by the California Environmental Protection Agency (CalEPA), Unified Program Section. This CUPA list, as well as the addresses and phone numbers of each, can be found on the internet at the following URL address: http://www.calcupa.net

CUPA/AA/PAs are often fire departments, environmental health departments, or emergency services departments. These CUPA/AA/PAs are responsible for the following local "Unified Programs":

- Hazardous Materials Area Plans.
- Hazardous Materials Business Plan program.
- Hazardous Materials Inventory Statement (HMIS) provisions of the Uniform Fire Code.
- Underground storage tank (UST) regulation.
- Inspection of aboveground storage tanks (AST) storing petroleum products to ensure that spill prevention, control and countermeasure (SPCC) plans are in place, where necessary.
- Hazardous waste generator regulation, including most of the state's "tiered permit" requirements.
- California Accidental Release Prevention (CalARP) program.

Emergency Services Direction and Control

The County/City Emergency Services Coordinator acts as local disaster response coordinator of various emergency organizations for multi-agency or multi-jurisdictional operations. This may include activation of the county/city Emergency Operations Center (EOC). This may also include coordination of quasi and non-governmental agencies.

Local Disaster Councils and similar organizations are encouraged to participate in local planning activities related to hazardous materials to work with the appropriate agency in formulating plans prior to the occurrence of an incident.

Fire Protection

Fire prevention, fire suppression, and rescue are the responsibilities of the fire service agency that has jurisdiction or has accepted responsibility for the area involved. Agencies that may be involved include municipal fire departments, local special district fire departments (paid or volunteer), county fire departments, California Department of Forestry and Fire Protection (Cal Fire), or the United States Forest Service (USFS). The fire service agency may have jurisdictional authority (in the absence of a responsible party) for containment of off-highway hazardous materials releases, and is frequently considered to be the best local source of expert opinion and specialized response capabilities for hazardous materials control.

When lives and property may be adversely affected by a hazardous materials incident in which fire prevention, fire suppression, or rescue services are needed, the appropriate fire service agency must be notified. Often the responsibility for decontamination of contaminated victims will fall to the local fire department. Many local plans designate the fire department as the hazardous materials response Incident Commander (IC). The Operational Area Fire and Rescue Coordinator is responsible for mobilization of fire and rescue mutual aid resources requested by the responsible fire service agency.

Law Enforcement

City police departments are responsible for law enforcement, including traffic control and supervision (except on State highways constructed as freeways) within the limits of their respective cities, pursuant to California Vehicle Code (CVC) § 2454. In the absence of local codes, ordinances, or previously written agreements to the contrary, local law enforcement will perform the function of Incident Commander for hazardous materials incidents occurring on roadways within their jurisdiction.

County sheriff departments are responsible for law enforcement (except traffic control and supervision) in the unincorporated areas of their respective counties. Some cities have contracted with their local sheriff's department for law enforcement and traffic control rather than establish a police department. For hazardous materials incidents occurring on the roadways of such cities, the sheriff will function as IC in absence of local codes or ordinances to the contrary.

Public and Environmental Health

Local health agencies are responsible for protecting the public and environmental health and often coordinate emergency medical services. They should be actively involved in situations where the public and/or environmental health is threatened.

According to Health and Safety Code (H&SC) § 101080, if the local health officer reasonably determines that the waste is a hazardous waste or medical waste, or that it may become a hazardous waste or medical waste because of a combination or reaction with other substances or materials, and the director or local health officer reasonably determines that the release or escape is an immediate threat to the public health, or whenever there is an imminent and proximate threat of the introduction of any contagious, infectious, or communicable disease, chemical agent, non-communicable biologic agent, toxin, or radioactive agent, the director may declare a health emergency and the local health officer may declare a local health emergency in the jurisdiction or any area thereof affected by the threat to the public health.

In addition H&SC § 101080.2 states, The local health officer may issue, and first responders may execute, an order authorizing first responders to immediately isolate exposed individuals that may have been exposed to biological, chemical, toxic, or radiological agents that may spread to others.

After the declaration of a health emergency or a local health emergency pursuant to H&SC § 101080, the director or local health officer may…require any person or organization…to furnish any information known relating to the properties, reactions, and identity of the material that has been released,

spilled, or escaped. The director or local health officer may require information to be furnished, under penalty of perjury, by the person, company, corporation, or other organization that had custody of the material, and, if the material is being transferred or transported, by any person, company, corporation, or organization that caused the material to be transferred or transported.

County Agricultural Commissioner

The county agricultural commissioner is responsible for enforcement of all State and Federal regulations relating to the use of herbicides, insecticides, pesticides, and rodenticides. The county commissioner annually provides hazardous materials inventory information to the CUPA/AA/PAs from businesses operating a farm, in accordance with HSC § 25507.1 (a)(1). The county commissioner also provides technical advice at the scene and may assist in cleanup, as necessary.

County Air Pollution Control Officer

There are 35 local air quality agencies in California (either Air Pollution Control Districts or Air Quality Management Districts) that are responsible for the control of air pollution from stationary sources. The Air Pollution Control Officer (APCO), as the executive head of an air district can provide valuable expert advice regarding current and predicted patterns of airborne pollutants originating from a hazardous materials incident. Some districts may be able to provide laboratory support to help identify the substance involved in the incident and/or may be able to provide for the ambient monitoring of certain airborne pollutants, depending upon the incident.

Through air quality modeling, many of the APCDs have developed extensive experience in predicting dispersion patterns for airborne pollutants. Local hazardous materials planning advisory committees and CUPA/AA/PAs should use this experience.

Under Health & Safety Code §41801, the APCO has authority to set or permit fires for the following purposes:

(a) The prevention of a fire hazard which cannot be abated by any other means.
(b) The instruction of public employees in the methods of fighting fire.
(c) The instruction of employees in methods of fighting fire, when such fire is set, pursuant to permit, on property used for industrial purposes.
(d) The setting of backfires necessary to save life or valuable property pursuant to Section 4426 of the Public Resources Code.
(e) The abatement of fire hazards pursuant to Section 13055.
(f) Disease or pest prevention, where there is an immediate need for and no reasonable alternative to burning.
(g) The remediation of an oil spill pursuant to Section 8670.7 of the Government Code.

Public Works

Local streets and road departments are responsible for maintaining roadways in their jurisdiction and may assist in necessary road closures, cleanup, or decontamination (they are not responsible for state highway rights-of-way). Local water supply agencies (which may be public works or another agency) are responsible for maintenance of community water systems. They will provide for remedial actions in coordination with the Regional Water Quality Control Boards (RWQCBs) and the Department of Water Resources (DWR) when a hazardous materials incident may affect water sources such as treatment plants and pumping stations.

Emergency Medical Services

Local emergency medical care providers (public and private sectors) have the responsibility to provide care and/or transportation to the sick and injured, including victims of contamination. No patient contact should be made without adequate decontamination, as determined by local medical protocols. Section 1798.6 of the California Health and Safety Code vests the authority for patient care management in the most qualified emergency medical care provider.

Poison Control Centers

There are presently four Regional Poison Control Centers in California, located in the following locations:

- Sacramento
- San Francisco
- Fresno
- San Diego.

Each center can be accessed by calling telephone number **(800) 876-4766**, which will automatically forward the call to the nearest center. The Regional Poison Control Centers are able to provide the following:

- Toll-free 24-hour answering service.
- Serves as an information source for the general public, hospital staff, and emergency response personnel.
- Staffed by Poison Information Specialists and a Medical Director trained in toxicology.
- Access to an extensive toxicology library and immediate access to expert consultants for evaluating, assessing and medically managing health exposures associated with hazardous materials spills.
- Human poison exposure & medical/health-related hazardous materials information to first responders, hospitals, and the public (in designated counties).
- Provide drug identification for law enforcement.
- Knowledge of hospitals' capabilities for handling hazardous materials victims.

Other Local Government Entities

Other local government entities that have responsibilities related to hazardous materials incidents would include, but are not limited to the following:

- Flood Control Districts
- Sanitation Districts

- School Districts
- Parks and Recreation Departments
- Port Authorities
- City Harbor Departments

These entities should be actively participating in pre-incident planning with the Local Emergency Planning Committee (LEPC), CUPA/AA/PAs, and area committees. Agency resources, capabilities, roles, and responsibilities should be identified and integrated into the local and regional response plans. Regular training and exercising of the plan(s) should take place prior to an actual incident.

SECTION 3.0 - STATE GOVERNMENT

Overview

This section provides a synopsis of State agencies' roles and responsibilities when responding to a hazardous materials incident. In addition to this plan, State and local agencies with an operational role should use their agency and/or jurisdiction specific plan to better effect an efficient response. A matrix of State agency responsibilities as well as the State Emergency Functions (EF) can be found in the State Emergency Plan (SEP) which is available on the California Governor's Office of Emergency Services (Cal OES) website at www.caloes.ca.gov. In addition, both are defined in Part 4 of the Tool Kit under Attachment 2: Glossary of Terms.

During a hazardous materials emergency, State agencies may be contacted after hours (or during business hours) by calling the CSWC at **(800) 852-7550**. Upon notification of a hazardous materials release from either the responsible party (RP) or a responding agency, the CSWC will contact appropriate Federal, State, and local agencies.

Attorney General, Office of (AG) – Department of Justice (DOJ)

- **Responsibilities:** The California Department of Justice (DOJ), under the office of the Attorney General (AG), represents most State agencies in civil litigation arising from hazardous materials incidents, and has general supervisory and enforcement powers under criminal statutes. During hazardous materials incidents, the AG's Office may also assist in criminal intelligence, evidence gathering and analysis, provide surveillance, communications equipment, forensic services, and provide legal advice to State agencies, as necessary.

- **Notification Requirements:** None, unless a State agency requests the immediate involvement of the AG's Office.

- **Follow-up Reports:** None.

- **Capabilities and Limitations:** The AG's Office may represent State agencies in civil litigation arising from hazardous materials incidents and has general supervisory and enforcement powers.

California Governor's Office of Emergency Services (Cal OES)

- **Responsibilities:** Cal OES is responsible for coordinating the mitigation, preparedness, response, and recovery activities related to disasters in California as well as provide for homeland security measures. Cal OES operates the central notification and reporting system for the State of California, through the CSWC, to facilitate coordination of response resources ordered through the Standardized Emergency Management System (SEMS). Once the CSWC receives a warning or notification of a hazardous materials incident, the on-duty Warning Center Coordinator will then make the appropriate notifications (via email, phone, and/or pager) to local, State, and Federal agencies.

Cal OES is delegated substantial emergency duties under the California Emergency Services Act (CESA). Cal OES coordinates all mutual aid within the State and operates regional and the State emergency operations centers.

The State is divided into six mutual aid regions that are managed by three Cal OES Administrative Regions: Southern, Coastal, and Inland. Cal OES is responsible for maintaining a day-to-day working relationship with local emergency management organizations. For overall emergency management (including hazardous materials emergencies), Cal OES provides the following:

- Operations of the CSWC, including notifications of emergencies to Federal, State, and local agencies occur on a 24-hour a day, seven days a week, basis.
- Coordination of the Statewide Mutual Aid system through the California Emergency Operations Center which replaced RIMS.
- Coordination of Statewide Mutual Aid Radio Communication Systems (described in the Logistics Section of this Plan).
- Development of procedures and staffing of the Regional Emergency Operations Centers (REOC) and the State Operations Center (SOC).
- Issuance of mission numbers to State agencies for necessary response resources.
- Collect damage assessment information from respective jurisdictions.
- Work with the affected areas in response and recovery efforts.
- Assistance to local jurisdictions in preparing consolidated; multi-hazard (including hazardous materials) emergency plans.
- Preparation (including planning and training) and response to radiological incidents, including overseeing State and local preparedness for nuclear power plant accidents.
- Development of the SEP that addresses the State's response to extraordinary situations associated with natural and human-caused disasters, and technological incidents (including hazardous materials).
- Maintenance of the Statewide Fire and Rescue Mutual Aid System and the California Law Enforcement Mutual Aid System, and assistance in coordinating mutual aid preparedness, planning, response, and recovery activities.
- Coordination of Firefighting Resources of California Organized for Potential Emergencies (FIRESCOPE), a cooperative effort involving development and promotion of ICS, multi-agency coordination system (MACS), and related activities.
- Assistance to local jurisdictions through training and planning guidance in emergency preparedness.

In addition to Cal OES's overall emergency management activities, the Hazardous Materials Section, the Radiological Preparedness Section, the California Specialized Training Institute (CSTI) and three Regions are involved as follows:

<u>California Specialized Training Institute (CSTI):</u>

- CSTI is Cal OES's training organization.

- CSTI is the only State-operated institute of its kind in the nation, providing specialized training in all aspects of emergency management, including basic planning techniques, earthquake, hazardous materials response, use of computers in emergency management and emergency incident information, and other courses applicable to public safety agencies.
- CSTI manages Department of Homeland Security (DHS) and Federal Emergency Management Agency (FEMA) sponsored emergency management training and Federal Title III (hazardous materials) training.

Hazardous Materials Section:

- Implements the State and Federal hazardous materials emergency planning and community right-to-know programs.
- Reviews CUPA/AA/PA Area Plans.
- Provides support to the State Emergency Response Commission (SERC), together with Cal OES Regions, and the LEPCs for development of regional hazardous materials response plans, and implementation of SARA Title III.
- Provides support to the CUPA/AA/PAs, the public, the private sector, and other State agencies for hazardous materials emergency response planning.
- Provides guidance on CalARP requirements.
- Provides guidance and implementation of the Hazardous Materials Team Typing Project for Cal OES (See Attachment 10).
- Provides technical and specialist support to Cal OESs Executive Management and Fire Branch during Hazardous Materials Incidents.
- Serves as functional branch coordinator for the Hazardous Materials Branch in the REOC and SOC unless the Emergency Function – Hazardous Materials and Oil (EF-10) has been activated.

Cal OES Regions (Inland, Southern, and Coastal):

- Operation of the Regional Emergency Operations Center (REOC) in each of the three regions (Southern California, Coastal, and Inland).
- Each region is responsible for managing and coordinating information and resources among operational areas within the mutual aid regions and between operational areas and the State using Cal EOC.

Radiological Preparedness Section:

- Maintains and establishes programs of planning, training and exercises for response to nuclear power plant accidents, foreign spent nuclear fuel shipments, Waste Isolation Pilot Program (WIPP) and shipments of radioactive waste, originating in and traveling through California.
- Responsible for emergency planning issues related to the two fixed nuclear sites in California - San Onofre Nuclear Generating Station which is currently being decommissioned and the Diablo Canyon Power Plant.
- Responsible for radiological defense with emphasis on response and recovery from threats of nuclear terrorism, transportation accidents, and radiological incidents at fixed facilities other than nuclear power plants.

- **Notification Requirements:** A “responsible party” is required to provide immediate verbal notification to the CSWC of any significant release, or threatened release of hazardous materials. (H&SC § 25510; 19 CCR § 2701, *et seq*.; and GC § 8670.25)

  It is requested that State and local agencies notify the CSWC when they become aware of a reportable incident. However, State and local agencies are required (GC § 8670.26) to make immediate notification to Cal OES when responding to an oil spill, the CHP is required to report on-highway releases to Cal OES (CVC § 2453), and State agencies must make verbal notification to Cal OES for significant emergency situations.

  Once notified, Cal OES will then immediately notify the appropriate Federal, State, and local agencies of the incident, according to Warning Controller procedures and pre-determined criterion, which are based on current laws, regulations, and agreements made with those agencies wanting to be notified. Some laws and regulations specifically outline which agencies Cal OES must notify in the event of a specific type of release, as follows:
  - For oil spills reportable pursuant to GC § 8670.25.5, Cal OES will notify (via email, or phone) OSPR, the SLC, CCC and/or the BCDC, and the appropriate Regional Water Quality Control Board (RWQCB).
  - For a rupture, explosion, or fire involving pipelines reportable pursuant to the GC § 51018, Cal OES will notify (via email, or phone) the California Department of Forestry and Fire Protection (Cal Fire).
  - For both threatened and actual unauthorized releases of a hazardous substance or sewage to any media (land, water, air) of the state reportable pursuant to the California Water Code (CWC) § 13271, *et seq*. and 19 CCR § 2703, Cal OES will notify (via email or phone) the appropriate RWQCB, local health officer, and the administrator of environmental health.

- **Follow-up Reports:** Pursuant to GC § 304 of SARA Title III, the responsible party must provide a follow-up report to the SERC and the LEPC within seven days by sending one copy to Cal OES Hazardous Materials Section at 3650 Schriever Avenue, Mather, California 95655. The report form is contained in Title 19 CCR. For additional information regarding “Section 304 reporting” refer to the *Notification* section within Part Two - Section 3.0 of this Plan.

- **Capabilities and Limitations:** Cal OES personnel can be requested to support local emergency officials (i.e., incident information and emergency management personnel). Cal OES can provide support working directly with the Liaison Officer as an Agency Representative, and by providing communications and mutual aid Mobile Command Posts to support the IC. Cal OES can assist local government in accessing mutual aid resources (i.e., hazardous materials, fire, law, coroner, etc.). Requests must be made according to the SEP and SEMS through the Cal EOC system.

California Environmental Protection Agency (CalEPA)

- **Responsibilities:** California Environmental Protection Agency (CalEPA) emergency response activities are coordinated through the Emergency Response Management Committee (ERMaC), which is comprised of a representative from each of CalEPA's departments. The CalEPA Emergency Operations Center can be opened during a large-scale event by authority of the Secretary of Environmental Protection or by request of Cal OES. CalEPA's emergency response and recovery responsibilities mirror the Agency's mission-essential tasks of protecting public health and the environment, as well as specific legislative and regulatory mandates concerning air quality, waste management, toxic substances, pesticide release or exposure, chemical releases, water quality, and ecosystem effects. CalEPA is also the lead coordinating agency for Emergency Function (EF)10 California Hazardous Materials and Oil Emergency Function.

- **Notification Requirements:** Notification of CalEPA is generally done through the California State Warning Center (CSWC) and the California Department of Toxic Substance Control (DTSC) duty officer system. Other notification requirements are listed by departments below.

- **Follow-up Reports:** CalEPA or one of its boards, department, or offices (BDO), is required to receive reports on pesticide illness and exposure, as well as corrective or enforcement actions required of the responsible party.

- **Capabilities and Limitations:**
    - Scientific support for toxicology, pesticide exposure and drift, aquatic and ecotoxicology, exposure and risk assessment;
    - Debris management and regulatory consult;
    - Technical and regulatory consultation for disinfection/decontamination;
    - Air monitoring and modeling (with mobile and stationary lab capabilities);
    - Mobile and stationary laboratory capabilities for chemical identification (with Level C & D entry capabilities);
    - Recovery assistance following major disasters, including assistance with public health declarations, hazmat identification and removal, and debris management
    - Emergency removals from off-highway emergency response incidents and clandestine drug labs; and
    - Technical support for surface and groundwater contamination

California Air Resources Board (ARB)

- **Responsibilities:** *The California Air Resources Board (ARB) is one of the six CalEPA; Boards, Departments, and Offices (BDO).* ARB is mandated to protect and enhance the ambient air quality of the State. The ARB fulfills this responsibility through local and regional air pollution control authorities.

- **Notification Requirements:** Immediate verbal notification to the ARB is required for hazardous materials incidents that threaten to adversely affect air quality and if air monitoring/modeling services are requested. Local Air Pollution Control Officers should be notified immediately in the event of

airborne releases. In addition, under the National Emission Standards for Hazardous Air Pollutants (NESHAP), ARB is required to ensure safe handling and proper disposal instructions for fire ash and debris containing asbestos within non-delegated air districts. Contractors, owners, or operators are responsible for notifying ARB 10 working days prior to proceeding with regulated asbestos removals and/or demolitions. In the event of a fire emergency, the 10 working day waiting period may be waived. Asbestos notification forms and instructions can be obtained by calling (916) 322-6036 or from ARB's website: http://www.arb.ca.gov/enf/asbestos/asbestos.htm.

More information can be found at www.calepa.ca.gov/disaster/fire/default.htm.

- **Follow-up Reports:** None

- **Capabilities and Limitations:** The ARB's Emergency Response Team has personnel available for technical and public health assessment and analysis, deployment of air monitoring equipment and meteorological and modeling assets to study the impacts of major air releases in downwind communities. Joint concepts of operations allow for mutual deployment of monitoring resources and sharing air quality data between US EPA, the USDA Forest Service, and local air districts. ARB is also a member of the California Air Response Planning Alliance (CARPA), which can be called on as a technical working group or Task Force in the event of a major air release or other emergency with air quality impacts.

  ARB has the following capabilities:
  - **Field Meteorology** – ARB can deploy self-contained, solar powered, portable, meteorological sites with wind speed, wind direction, %RH, solar radiation and temperature; Staff meteorologists are also available.
  - **Portable Samplers/Analyzers** – For community based monitoring; Portable instruments are capable of detecting a wide range of VOC gas families and a combination of hand held and radio transmitted devices. Several of the units are configured to network with other responding agencies sensors to increase the network size. The OER has two different types of PM2.5 samplers used for deployment to monitor wild fire smoke.
  - **Atmospheric Modeling** – Gas and particulate plume models are available using real-time, on-site meteorological sensors and also from data collected from existing monitoring network. Models include ALOHA, ISCST, HYSPLIT and 3-dimensional NARAC model.
  - **Laboratory Services** – Analytical services for gaseous and particulate samples collected on various media; Mobile laboratory equipped with GC/MS capable of analyzing samples on site.
  - **Health Consultation** – Interpretation of health implications of air quality monitoring and modeling results.

California Department of Pesticide Regulation

- **Responsibilities:** *The California Department of Pesticide Regulation (DPR) is one of the six CalEPA BDO.* DPR is the designated State agency responsible for regulating the registration, sale, and use of agricultural chemicals (including pesticides, fertilizers, and livestock drugs) prior to entering the waste stream. DPR has no regulatory responsibility during hazardous materials emergencies. DPR and County Agricultural Commissioner's have the responsibility to investigate any complaint or incident concerning pesticide exposure and may take regulatory and enforcement action.

- **Notification Requirements:** In accordance with 3 CCR § 6634, licensed pest control operators "shall report to the commissioner (County Agricultural Commissioner) as soon as practicable ... any forced landing, or emergency, or accidental release of pesticides. Such report will include the location, the pesticide, and estimated amount."

- **Follow-up Reports**: None.

- **Capabilities and Limitations:** DPR and County Agricultural Commissioner's can provide technical assistance or expertise for incidents involving pesticides and pest control operations. County Agricultural Commissioner's may respond to agricultural chemical incidents, if requested. DPR has the following capabilities:

    - California Department of Food and Agriculture (CDFA), Center for Analytical Chemistry, accessed through the DPR Pesticide Enforcement Branch, may be utilized for emergency HazMat identification purposes if pesticides or fertilizers are suspected.
    - Environmental Monitoring and Pest Management Branch can provide information regarding the environmental fate of pesticides in water, air, and soil.
    - Medical Toxicology Branch can provide medical and toxicological risk assessment regarding active pesticide ingredients.
    - Worker Health and Safety Branch can provide information regarding pesticide exposure assessment, exposure monitoring, evaluation, industrial hygiene and safety, and medical management and illness investigation.
    - Pesticide Registration Branch can provide registration, labeling, and ingredients data for pesticide products.
    - DPR has monitored the environmental fate and human exposure to many pesticides and can provide information on sampling and analytical techniques for pesticides in different media (air, water, soil).

California Department of Resources Recycling and Recovery (CalRecycle)

- **Responsibilities:** *The California Department of Resources Recycling and Recovery (*CalRecycle*) is one of the six CalEPA BDO that was recently added back into the CalEPA structure.* CalRecycle is the designated State agency responsible for overseeing municipal solid waste landfills, other non-hazardous waste or recycling facilities, used oil and household hazardous waste facilities, and waste tire facilities. CalRecycle responds to specific emergencies regarding these facility types by providing technical assistance and expert staff. When involved in an emergency situation, CalRecycle staff works closely with local, State, and Federal entities using SEMS to assure all participating organizations can effectively manage the emergency. CalRecycle can:
    - Respond to incidents involving facilities or activities, where the Department has permitting or enforcement responsibilities to ensure compliance with regulations, and can waive standards, if needed;
    - Assess and provide financial assistance for emergency response in the form of equipment, material, and technical assistance under specific circumstances; and
    - Provide or facilitate access to technical advice regarding the safe handling or suitable disposal of solid waste, used oil and household hazardous waste, and waste tires.

- **Notification Requirements:** CSWC for a hazardous materials release or any other emergency at a facility over which CalRecycle has jurisdiction. In addition, the facility operator must contact the local authorities and if needed CalRecycle staff directly. Depending on the incident other State agencies such as the DTSC or CDPH may be involved.

- **Follow-up Reports:** CalRecycle may be requested to document its actions, including any relevant environmental impacts or financial costs associated with an emergency to which it responds. Minimally, staff would present an informational item to the Department, in a public setting, detailing the particulars of the incident.

- **Capabilities and Limitations:** CalRecycle has an Emergency Plan that designates, in advance, primary and alternate representatives for interagency planning, notification, operations, recovery, mitigation, and public information. An Emergency Response Team has been formed and training in SEMS and emergency response techniques is ongoing. CalRecycle has a wide range of staff expertise that can be called upon during an emergency, such as Registered Professional Civil Engineers, Engineering Geologists, Mechanical Engineers, Environmental Planners, Information Technology Specialists, and Public Information Professionals. CalRecycle maintains lists of local government environmental health and safety department contacts, landfill operators, tire facility managers, used oil and household hazardous waste coordinators, and contractors for removal and proper management of solid and household hazardous wastes, as well as waste tires. Limited funding may be available for emergency response under very specific conditions; however, funding is not a functional responsibility.

California Department of Toxic Substances Control (DTSC)

- **Responsibilities:** *The California Department of Toxic Substance Control (DTSC) is one of the six CalEPA BDO.* DTSC is the lead primary for the handling, storage, treatment, and disposal of hazardous wastes. In addition, it coordinates emergency funding for off-highway emergency response incidents, clandestine drug lab cleanups (including abandoned hazardous wastes resulting from these labs), and oversees the cleanup of sites contaminated with hazardous substances. DTSC will perform the following:
    - Respond to incidents involving facilities or activities, where the division has permitting or enforcement responsibilities to ensure compliance with regulations.
    - Evaluate and fund requests for financial assistance for off-highway emergency response incidents and clandestine drug lab cleanups, if funding criteria are met.
    - Issue emergency Environmental Protection Agency identification numbers for non-responsible party incidents or clandestine drug lab cleanups where funding has been approved.
    - Provide or facilitate access to technical advice regarding the safe handling or suitable disposal of toxic materials and alternative funding sources, if appropriate.

- **Notification Requirements:** Immediate verbal notification, pursuant to facility written contingency plans, is required from a business for major hazardous materials releases at permitted treatment, storage, and disposal facilities.

- **Follow-up Reports:** Written follow-up reports are required for incidents involving funding from the Emergency Reserve or illegal Drug Lab Cleanup Accounts must have either an Emergency Response Incident Report and Cleanup Work Log, or a Clandestine Laboratory Incident Report and Clandestine Laboratory Cleanup Log. All funded incidents require a completed Hazardous Waste Manifest signed by the local agency in charge of the incident.

- **Capabilities and Limitations:** DTSC can provide assistance in the assessment, evaluation, and control phases of a hazardous materials incident. The cleanup of small sites may also be accomplished, but site restoration is not a functional responsibility.

California Office of Environmental Health Hazard Assessment

- **Responsibilities:** *The California Office of Environmental Health Hazard Assessment (OEHHA) is one of the six CalEPA BDO*. OEHAA will assist responders in assessing health effects and in characterizing risk to public health and the environment from toxic chemical releases. In the event of a hazardous materials incident, the principal elements for OEHHA in meeting these responsibilities are:
    - Support responder preparedness by publishing Chemical Emergency Response Fact Sheets. As resources permit, OEHHA prepares fact sheets that relate airborne levels of toxicants to categories of risk such as protective action level, life threatening effect level, and safe community re-entry level.

- Maintain telephone emergency contact list for emergency response assistance. OEHHA toxicologists and other scientists may be contacted at any time to assist responding agencies.
- Provide chemical risk characterization information. OEHHA provides information on public health risk and environmental threats of hazardous substances. OEHHA staff are prepared to:
  - Identify health effects including those that may cause discomfort, disability, or are life threatening.
  - Assist responders in assessing potential exposures for decisions on sheltering-in-place, evacuation, and re-entry.
  - Assist in environmental fate assessment, determining health and environmental consequences of breakdown products, reaction products, and inter-media transfers.
- Health effects information coordination. OEHHA coordinates with appropriate responding agencies to provide timely and accurate health effects information.
- Provides health information to incident command, and as appropriate, the news media and release public health statements and advisories.
- Provides consultation on environmental sampling and residual risks associated with remediation.
- Supports local health agencies and health professionals following chemical releases by providing toxicological information.

- **Notification requirements:** In the event of a major chemical release, OEHHA can be contacted via the CSWC or other appropriate State agency such as the DTSC or CDPH. OEHHA is required to receive notification of pesticide illness or exposure by the affected county's health officer or agricultural commissioner.

- **Follow-up report:** OEHHA may elect, or be requested, to document its actions and relevant human health or environmental effects associated with any chemical emergency to which it responds.

- **Capabilities and limitations:** OEHHA has the capability to characterize risk to public health from toxic chemical releases and to provide a variety of kinds of health information to responding agencies. Generally, OEHHA supports large-scale chemical emergency responses. OEHHA has technical staff that can provide technical and scientific information as well as provide experts in chemical health effects, risk assessment, epidemiology, and medicine. OEHHA can provide environmental fate and transport modeling as well as make a Declaration of a Public Health Emergency in conjunction with the Local Health Officer.

California State Water Resources Control Board (SWRCB)

- **Responsibilities:** *The California State Water Resources Control Board (SWRCB) is one of the six CalEPA BDO.* The primary responsibility of the SWRCB is to protect the State's surface, coastal, and ground water resources. This involves a proactive role in providing technical assistance to the Liaison Officer and DTSC in evaluating the potential impact of hazardous materials spills to water resources. Also, SWRCB issues cleanup and abatement or cease and desist orders to responsible parties, assesses fines, and pursues recovery of costs for abatement, mitigation, or contract cleanup. There are nine Regional Water Quality Control Boards (RWQCB), one

located in each of the major watersheds of the State. RWQCBs develop basin plans, issue waste discharge requirements, take enforcement action against violators, and monitor water quality. They carry out State and Federal law and are guided by policies established by the SWRCB.

- **Notification Requirements:** Immediate verbal notification is required by the CSWC to the Regional Board of all hazardous materials spills that enter or threaten to enter in, or on, any waters of the State is required.

- **Follow-up Reports:** A Damage Assessment Report or Remedial Action Plan may be required of the responsible party. The responsible party will also report accumulated petroleum and heavy metal concentrations in drainage systems to the RWQCB via written follow-up reports.

- **Capabilities and Limitations:** Support functions include the following:
  - Conduct water sampling, analysis, and monitoring activities to assist in hazardous materials release evaluation and mitigation.
  - In cooperation with DTSC, designate sites for disposal of hazardous materials.
  - Assist CDPH in advising water users of potential adverse impacts of a spill.

California Health and Human Services Agency (CH&HS)

The California Health and Human Services Agency (CHHS) oversees thirteen departments and one board that provide a range of health care services, social services, mental health services, alcohol and drug treatment services, income assistance and public health services to Californians from all walks of life. The CH&HS is tasked with administration and oversight of California's significant "State and Federal programs for health care, social services, public assistance and rehabilitation." CH&HS is headed by the Secretary of the California Health and Human Services Agency.

Emergency Medical Services Authority (EMSA)

- **Responsibilities:** *The Emergency Medical Services Authority (EMSA) is one of numerous California Health and Human Services Agency (CH&HS) Boards.* EMSA is the State agency responsible for developing general guidelines for triage and handling of contaminated/exposed patients; develops and promotes hazardous materials training for emergency medical responders in the field and hospital emergency rooms; coordinates mutual aid assistance when local and/or regional resources are depleted including medical personnel, supplies, pharmaceuticals, and state mobile medical resources; and, coordinates the evaluation of casualties to other areas of the State. EMSA provides the following:

  - Assists with the development of general guidelines for the triage and handling of contaminated/exposed patients.
  - Assists with the development guidelines and promotes the training of emergency medical response personnel involved in a hazardous materials incident, including personal safety at the site of an incident, triage and medical management of contaminated/exposed patients, and limiting the contamination of transport vehicles and hospital emergency departments.

- Coordinates through the Regional Disaster Medical Health Coordinators (RDMHCs) program requests for medical mutual aid, including medical personnel and available mobile medical assets.
- With the regional RDMHC and Local Emergency Medical Service Agencies (LEMSAs) identifies medical facilities capable of handling injured and contaminated patients outside of the affected area, and mobilizes emergency medical transportation for the transport of injured persons.
- Arranges for emergency procurement, storage, distribution, and handling of supplementary medical supplies and equipment in support of local government response.
- Coordinates procurement of medical assistance from other state departments, hospitals, and ambulance providers.
- Coordinates the evacuation of casualties from the affected area to definitive care facilities throughout and outside the State.

- **Notification Requirements:** Immediate verbal notification is required when a significant number of human exposures, any evacuation, or when a chemical fire or vapor cloud has occurred or is expected to occur per H&S Code § 1797.150 & § 151, and GC § 8569.

- **Follow-up Reports:** None.

- **Capabilities and Limitations:** EMSA provides funding and management for the State Regional Poison Control Centers. EMSA is responsible for the development and support of the mobile medical assets which include: Ambulance Strike Teams (AST) and Disaster Medical Support Units (DMSU), California Disaster Medical Assistance Teams (CAL-MAT), Disaster Healthcare Volunteers of California, Mobile Field Hospitals (MFHs), and State Mission Support Team (MST).

California Department of Public Health (CDPH)

- **Responsibilities:** *The California Department of Public Health (CDPH) is the only CH&HS Department.* CDPH is responsible to protect public health from the effects of hazardous and radioactive materials. These responsibilities include the following:
  - The CDPH Radiological Health Branch (RHB) has statutory responsibility to regulate the use of radioactive materials through licensing and compliance programs. In the event of a spill or release of radioactive material, RHB will provide technical expertise and assistance to evaluate the incident, provide protective action recommendations to protect public health and the environment, and provide on-site expertise to support field response activities. The Sanitation and Radiation Laboratory support RHB for analysis of materials for radioactive contamination.

  - The CDPH Division of Drinking Water and Environmental Management has statutory responsibility for the regulation of public water systems to ensure that drinking water is safe, wholesome, and potable. In the event of a hazardous materials spill or threatened release which affects a public water system or source of drinking water such as a lake, river, or aqueduct, the Drinking Water Field Operations Branch will work with

the water utility to prevent contamination of the system. The Field Operations Branch will also issue recommendations to the public in coordination with the utility and local health department to prevent use of contaminated water. The CDPH Drinking Water program also maintains a close working relationship (regulatory assistance and program oversight) with 35 local environmental health jurisdictions that have been delegated primacy by CDPH to conduct a small water system regulatory program (e.g. for public water systems serving less than 200 connections). The Drinking Water and Radiation Laboratory (DWRL) provides laboratory support for analysis of drinking water samples.

- The CDPH Food and Drug Branch (FDB) has statutory responsibility to ensure the safety of food, drugs, medical devices, cosmetics, bottled water and other such products at the manufacturer and wholesale level. FDB will respond to any release or threatened release affecting such products or facilities, to ensure product safety and embargo contaminated products to prevent their use or consumption. The Food and Drug Laboratory provides laboratory support for the Branch.

- Environmental Management Branch (EMB)
  - The Nuclear Emergency Response Program within the Environmental Management Branch (EMB) serves as the lead technical agency in the ingestion pathway, recovery, and re-entry phases of a nuclear power plant emergency. Staff of the EMB Nuclear Emergency Response Program, will establish a joint operations facility with the U.S. Department of Energy (DOE) along with other Federal, State, and local agencies to issue protective action recommendations and coordinate long-term response activities. These recommendations and activities include the interdiction of; coordination of environmental and crop sampling activities, decontamination, and other measures to ensure the safe reentry and recovery of contaminated areas. The DWRL is responsible for laboratory support to nuclear power plant emergencies.

  - The EMB Medical Waste Management Program is the lead state agency for the response to a spill of medical wastes. The Medical Waste Management Program will work with local agencies to ensure the safe removal of such material and decontamination of the affected area.

  - The EMB Shellfish Program is responsible for the safety of commercially grown shellfish in California. Program staff will respond to hazardous materials or sewage spills that threaten shellfish growing areas and, along with the Food and Drug Branch and other State and local agencies, prevent harvesting or sale of contaminated mussels, clams, and oysters.

- The CDPH Division of Environmental and Occupational Disease Control (DEODC) provides technical expertise and assistance to local agencies in preparing for or following hazardous material releases in order to reduce risks and minimize health impacts on workers, first

responders, communities, and vulnerable populations. DEODC has statutory authority for access to workplaces for purposes of conducting necessary activities regarding occupational injury and illness prevention. DEODC has the lead responsibility for medical and toxicological assessments of occupational exposures for first responders and provides medical and toxicological consultation to local and other State agencies for exposures experienced by the community. DEODC's Emergency Preparedness Team (EPT) consists of environmental scientists, epidemiologists, health educators, industrial hygienists, laboratory scientists, physicians, and toxicologists.

EPT performs the following activities in preparation for or following hazardous material events:

- Conduct surveillance of chemical releases and their health impacts
- Carry out public health investigations using a variety of tools, including:
    - Community Assessment for Public Health Emergency Response (CASPER), a rapid needs assessment to aid public health practitioners and emergency management officials in determining the health status and basic needs of the affected community following a disaster or evaluating general community preparedness
    - Assessment of Chemical Exposures (ACE), a rapid registry and public health investigation following a large scale chemical or hazardous material incident
- Identify vulnerable areas and communities
- Collect environmental, exposure, and health effects data to assess exposures and health effects, and determine necessary protective public health measures for affected populations
- Create risk communication messages and fact sheets; maintain a library of response resources
- Develop guidance on occupational health and safety issues; provide assistance with emergency response planning
- Provide laboratory-based technical assistance for the identification of potential chemical hazards

- The CDPH Licensing and Certification Division has statutory responsibility to respond to reportable incidents that affect licensed health facilities. Hazardous materials releases or threatened releases that result in evacuation or otherwise affect hospitals or other health facilities must be reported to the Department.

- **Notification Requirements:** Immediate verbal notification is required for radioactive material incidents; releases involving a public water system or drinking water source; releases affecting a food, drug, medical device, cosmetic, or bottled water manufacturer or wholesaler; or significant releases affecting a large population or involving deaths, serious injuries, evacuations or in-place sheltering.

- **Follow-up Report:** Required in accordance with standards outlined in 17 CCR, and SEMS.

- **Capabilities and Limitations:** The department will respond to all incidents for which it has statutory authority and will provide technical advice and assistance to any incident upon request of local, State, or Federal agencies. The various departmental programs maintain equipment for radiological monitoring, personal air monitoring, environmental and product sampling, and remote plume monitoring. CDPH laboratory support is available for sample analysis of materials including air, water, food, and fiber for radiological or other hazardous materials contamination.

  The department does not have staff trained for hazardous materials first response capability, or for entry into contaminated areas. CDPH response activities will only be conducted outside of the control zones for the incident.

California Department of Industrial Relations – Division of Occupational Safety & Health Administration (Cal OSHA)

- **Responsibilities:** The primary responsibility of the Division of Occupational Safety and Health Administration (Cal OSHA), under the California Department of Industrial Relations, is to prevent and regulate occupational exposures and injuries in the workplace. Cal OSHA also administers the Process Safety Management Program (which is closely aligned with the CalARP program). Regulations regarding worker health and safety at hazardous materials incidents are contained in 8 CCR § 5192.

- **Notification Requirements:** Immediate telephone notification is required of employers when there is an exposure to a regulated carcinogen, serious injury, illness or death of an employee during any work activity, including those associated with hazardous materials incidents.

- **Follow-up Reports:** None.

- **Capabilities and Limitations:** This agency has the capability to evaluate the adequacy of health and safety plans designed to protect employees from exposure to hazardous materials during hazardous materials response and recovery operations.

California Military Department – National Guard (CNG)

- **Responsibilities:** The California National Guard (CNG) is a State military agency that provides support to fire and law enforcement operations, aviation, general transportation, and other support for emergency operations. In the event of a major hazardous materials incident. The CNG can provide support functions.

- **Notification Requirements:** CSWC.

- **Follow-up Reports:** None.

- **Capabilities and Limitations:** CNG can provide limited support operations in the event of a large hazardous materials release. The agency has limited resources to apply to hazardous materials incidents; the resources are not deployed until tasked by Cal OES to assist in mitigation of HazMat incident.

Civil Support Team (CST)

- **Responsibilities:** The CNG, Weapons of Mass Destruction (WMD), Civil Support Teams (CSTs) are designed to support local ICs and local emergency first responders 24 hours a day, seven days per week for any WMD terrorist event. The team assesses the situation, advises civilian authorities on appropriate actions, and provides assistance to expedite the arrival of additional State and Federal resources.

- **Notification Requirements:** No statutory notifications required. Request for response to assist local agencies must be directed to and processed by the CSWC, and forwarded to the Governor's Office for authorization.

- **Follow-up Reports:** None.
- **Capabilities:**
  - Chemical Resistant, Self-Contained/Qualified HazMat Specialist Entry Teams;
  - Provides reconnaissance, detection and sampling of WMD events and material in a WMD environment;
  - Detection capabilities for chemical, biological and radiological sources;
  - Field analytical laboratory system equipped with gas chromatographs (GCMS), Infrared technology (FTIR), polymerase chain reaction technology (PCR), Gamma Spectrometer and other state of the art analytical assessment equipment for WMD identification;
  - Computer modeling for crisis and consequence management;
  - UC communications suite equipped with satellite communications, Secure and non-secure voice and data, VHF, UHF, AM and FM capabilities;
  - Technical reference resources for medical, biological, radiological and chemical incidents;
  - Medical support section to assist in providing WMD effects information to the EMS community;
  - Self-Decontamination Capability.

- **Limitations:**
  - Limited sustainability after 72 hours;
  - Cannot conduct Mass Decontamination;
  - Limited mitigation capability.

California Public Utilities Commission (CPUC) – Railroad Operations & Safety Branch

- **Responsibilities:** The Railroad Operations and Safety Branch of the California Public Utilities Commission (CPUC) have responsibility and authority for investigation of railroad accidents and pipeline incidents. This includes those incidents involving hazardous materials. It performs railroad safety oversight of daily operations and inspections of new and existing facilities for compliance with the PUC General Orders and with 49 CFR.

- **Notification Requirements:** Immediate verbal notification is required via the CSWC for railroad accidents and pipeline incidents.

- **Follow-up Reports:** Internal staff investigation reports are required. These reports can result in a formal Commission Investigation under the Public Utilities Code § 315.

- **Capabilities and Limitations:** The headquarters office and field offices throughout the state provide field investigators to conduct on-site investigations of transportation incidents.

California Natural Resources Agency (CNRA)

The California Natural Resource Agency (CNRA) mission is to restore, protect and manage the State's natural, historical and cultural resources for current and future generations using creative approaches and solutions based on science, collaboration and respect for all the communities and interests involved. The CNRA has numerous Boards, Departments, and Commissions under its scope of responsibility that can bring specialized HazMat resources to an incident.

Bay Conservation & Development Commission - San Francisco (BCDC)

- **Responsibilities:** *The San Francisco Bay Conservation & Development Commission (BCDC) is one of the numerous CNRA Boards, Departments, and Commissions.* BCDC is a State agency with planning, permitting and enforcement authority over development within San Francisco, San Pablo, and Suisun Bays and in a 100-foot band of the surrounding shoreline. BCDC is also authorized by the Coastal Zone Management Act (CZMA) to review proposed Federal actions for consistency with the Coastal Management Program for the San Francisco Bay segment of the California coastal zone, which comprises the Commission's governing statutes, regulations and adopted plans. Further, BCDC must fulfill specific mandates under the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act (OSPRA), including the review of local government oil spill contingency plans and marine facility oil spill contingency plans within its jurisdiction.

  BCDC's permitting and enforcement authority are set forth in the McAteer-Petris Act [Government Code (GC) § 66600 *et seq*.] and the Suisun Marsh Preservation Act [Public Resources Code (PRC) § 29000 *et seq*.]. The San Francisco Bay Plan and the Suisun Marsh Protection Plan, which have the force of law, also articulate BCDC's resource protection and land use policies. Among other concerns, these policies address the protection of fish and wildlife, water quality, marshes and mudflats, and fresh water inflow. They also provide that development in the Bay be seismically safe; that dredging and disposal of dredged materials serve an important public purpose and should be performed in a manner protective of Bay resources; and that water-related uses of the Bay and shoreline such as water related-industry, ports, and airports be promoted. BCDC's policies also promote navigation safety, commercial fishing, recreation, and public access. All of these resources and uses have the potential to be negatively impacted by oil and hazardous materials spills as well as by response activities. BCDC's policies should be considered by responding agencies in a spill.

- **Permits:** Some, but not all, oil or hazardous materials response activities in the Bay and shoreline may require a BCDC permit. The general policy of BCDC is not to allow the necessity for a permit to interfere with spill response, but there are some occasions when the law requires Commission authorization. A permit is most likely to be required for response activities that include dredging in the Bay; grading or excavation in the Bay or within the 100-foot shoreline band; the placement of berms, dams, dikes or coffer dams; temporary storage of waste materials along the shoreline; the removal

of piers or shoreline protective works; the removal of vegetation in Suisun Bay; and activities connected with site restoration.

In a spill, the BCDC staff person monitoring the spill can advise response organizations of any likely need for a permit and will facilitate the emergency issuance of any permit. The Executive Director can issue emergency permits, and emergency pre-authorization for response activities, orally when necessary. The necessity for a permit during cleanup is determined on a case-by-case basis by the Executive Director.

- **Notification Requirements:** Pursuant to GC § 8670.25.5(b), BCDC must be notified by the CSWC of any discharge or threatened discharge of oil in marine waters. Because of the potential for impacts to natural resources, water quality, port activities, and public access and recreation, BCDC should also be notified of oil or hazardous materials spills anywhere within or near its jurisdiction.

- **Follow-up Report:** None is required, although written follow-up reports for major spills are desired to assist in the coordination of information and in determining necessary action to prevent or mitigate future incidents.

- **Capabilities:** During a spill, BCDC staff will:
  - Provide on-site evaluation of the necessity for an emergency permit and, if needed, permitting assistance;
  - Provide technical assistance based on BCDC's local knowledge, on potential resource impacts, site ownership, and site access;
  - Assist with coordination with local government agencies, public interest groups, and media contacts.

- **Limitations:** BCDC does not possess any equipment, communications systems, or funding sources for response to a spill.

California Coastal Commission

- **Responsibilities:** *The California Coastal Commission (CCC) is one of the numerous CNRA; Boards, Departments, and Commissions.* CCC exercises authority under the California Coastal Act of 1976 (CCA) (PRC § 30000 *et seq*.) to manage the conservation and development of California's 1,100 mile coastline. The CCC performs this responsibility primarily by issuing permits for development activity that occurs within the coastal zone. The cleanup of a spill may require issuance of a coastal development permit. Cleanup activities that may require a permit include but are not limited to:
  - Grading or construction with the coastal zone for temporary storage (i.e., storage tank for oil or other hazardous wastes), access roads or staging areas;
  - Grading or clearing vegetation in sensitive resource areas;
  - Berming a river mouth or lagoon;
  - Repair of pipelines and facilities under water or near sensitive habitats;
  - Construction of retaining walls as spill containment barriers.

  Under the Federal CZMA, the CCC also has Federal consistency review authority over a Federal agency activity or Federally permitted activity

located within or outside the coastal zone "that affects any land or water use or natural resources of the coastal zone" [CZMA § 307(c)(1(A) and § 307(c)(3)(A)]. The Federal consistency process is similar to the permit process because the CCC evaluates the activity's consistency with the Coastal Act's resource protection policies. The cleanup of a spill could therefore trigger the CCC's Federal consistency review authority.

The CCA contains policies for the prevention and mitigation of oil spills (PRC § 30232), protection of coastal and marine resources (PRC § 30232-30214), archeological sites (PRC § 30244), coastal waters (PRC § 30230-30237), environmentally sensitive habitat, and endangered, threatened or rare species of plants and wildlife (PRC § 30240). Any or all of these CCA sections may be invoked during a spill and a spill response.

The 1990 Lempert-Keene-Seastrand Oil Spill Response Act provided a distinct role for the CCC in spill contingency planning. Under an Interagency Agreement with OSPR, the CCC operates an oil spill program and maintains an oil spill staff. CCC staff review contingency plans and regulations related to marine vessels, marine facilities and marine vessel routing and provide comments to both State (OSPR) and Federal (USCG) agencies. The CCC is also an active participant in all State Area Contingency Plan and Harbor Safety Committee meetings, as well as related subcommittees.

- **Notification Requirements:** The CCC must be notified by the CSWC of any spill in marine waters.

- **Follow-up Report:** None is required, although CCC staff provide monthly updates to the Coastal Commission for all major spills, and internally tracks spill histories for the purpose of spill prevention and response planning and review. To this end, the Coastal Commission staff participation in agency debriefings following a spill incident are extremely beneficial both in development of accurate reports and in setting the direction for future policy decisions.

- **Capabilities and Limitations:** During a spill, the CCC can provide several types of assistance. In addition to providing assistance with CCC permits, staff are trained in the Incident Command System (ICS), hazardous materials recognition and protection (24-hour HAZWOPER), SCAT, All-Terrain Vehicle (ATV) use, geographic information system (GIS) data entry and retrieval, and oil spill wildlife volunteer coordination. Some specific examples of CCC roles used at past spills include:

    - Regulatory assistance aid in determining whether spill response and cleanup activities require a coastal development permit, and in assuring a quickly approved emergency permit whenever possible. This can often be accomplished with a verbal approval so as not to impede cleanup activities, and an application for a follow-up regular coastal development permit may be required within 60 days of the issuance of the emergency permit.
    - Assist local governments, special purpose districts, and property owners in addressing resource protection issues.
    - Provide liaison support to local agencies with jurisdictional responsibilities for resource protection.

- Serve on the MACS and Liaison Officer assistance at an Incident Command Center.
- Planning Section Assistance.
- Technical Operations and Resource Assessment Assistance - provide detailed knowledge of resource base (archeological, biological, sensitive habitats, endangered species), jurisdictions, property ownership, access and local contacts.
- Mapping Support (GIS) for the above.
- Help determine preferred response and cleanup activities to avoid or minimize adverse resource impacts.
- Field Observer/SCAT Team Member.

The CCC does not have any equipment, communications systems, funding sources, or response manuals for response to a spill.

California Conservation Corps

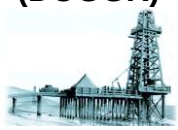
- **Responsibilities:** *The California Conservation Corps (Corps) is one of the numerous CNRA; Boards, Departments, and Commissions.* Crews of the Corps provide approximately 3,000,000 hours of public services conservation work every year. In addition, Corps legislative mandate requires the agency to provide crew labor to assist in emergency operations and disaster relief. This may include trained crews responding to such events as fires, floods, earthquakes, or oil spills as well as providing support functions at emergency feeding operations or mass care centers.

- **Notification Requirements:** None

- **Follow-up Reports:** None

- **Capabilities and Limitations:** Corps can dispatch a trained and disciplined work force in excess of 1,200 corps members or as few as one crew when and where requested. Corps can also dispatch cooks, clerks, and overhead staff to provide for staging area support of corps members dispatched outside their normal service area. The Corps has established a partnership with the Northern California Environmental Training Center at Mission College to perform OSHA-approved training curriculum (40-hour HAZWOPER) for 250 corps-members per year.

California Department of Conservation – Division of Oil, Gas, and Geothermal Resources (DOGGR)



- **Responsibilities:** *The Division of Oil, Gas, and Geothermal Resources (DOGGR), under the Department of Conservation is one of the numerous CNRA; Boards, Departments, and Commissions.* DOGGR is responsible for preventing damage to life, health, property, and natural resources that could result from oil, gas, and geothermal drilling, production, or plugging and abandonment operations. Through statutory authority, DOGGR is the lead State agency responsible for the supervision and regulation of well drilling and production operations within the territorial boundaries of California. In the event of a pollution incident resulting from a drilling or production facility, DOGGR determines the responsible party and appropriate actions necessary to control and secure the source.

- **Notification Requirements:** Immediate verbal notification directly to DOGGR and the CSWC is required for oil spills related to the drilling, maintenance, and plugging and abandonment of oil and gas wells, both onshore and offshore. This includes all the associated facilities, such as tanks and oil field pipelines. A reportable spill is defined as any oil spill one barrel or greater or any amount of oil that enters a waterway, except in the San Joaquin Valley. The spill-reporting threshold in the San Joaquin Valley is the same for spills to waterways, but increases to five barrels in unconfined areas and ten barrels within a confined area. Furthermore geothermal operators provide similar notification for emergencies.

- **Follow-up Reports:** None required.

- **Capabilities and Limitations:** DOGGR has emergency permitting authority if emergency well work is required to control a release. DOGGR maintains a record of the operator, location, production and injection data, and construction details for all oil, gas, and geothermal wells in the State. There is also location and capacity information for tanks associated with oil production operations. This information is located at eight field offices throughout the state, and each office has an engineer on call twenty-four hours a day, seven days a week. While the DOGGR jurisdiction extends throughout the territorial boundaries of the State for oil and gas wells, its jurisdiction over pipelines is limited to those lines associated with the production of oil and gas within administrative field boundaries. Other oil pipelines are under the jurisdictions of the State Fire Marshal, State Lands Commission (SLC), and OSPR.

California Energy Commission (CEC)

- **Responsibilities:** *The California Energy Commission (CEC) is one of the numerous CNRA; Boards, Departments, and Commissions.* CEC oversees cleanup and remedial action at CEC licensed facilities (>50 MW) and ensures that the responsible party complies with the applicable laws, ordinances, regulations, and standards. In addition, the Commission shares responsibility with the California Department of Public Health (CDPH), Cal OES, and CHP for planning for radioactive material shipments.

- **Notification Requirements:** Immediate verbal notification is required for all hazardous material incidents related to the operation or construction of electric power plant which has been licensed by the Commission.

  This includes transportation of hazardous materials and hazardous wastes to or from the facility site. The Chair of the CEC is California's State Liaison Officer to the Nuclear Regulatory Commission and should be notified of any incident involving nuclear materials.

- **Follow-up Reports:** Written follow-up reports are necessary if they are required by another legislative mandate, such as SARA Title III or Proposition 65.

- **Capabilities and Limitations:** The CEC has the capability to assess potential public health, environmental, and safety hazards associated with the release of hazardous materials from energy facilities. The CEC is also responsible for developing specific State "actions to be taken in the event of

an impending serious shortage of energy, or a clear threat to public health, safety, or welfare." As a result, the CEC responds to events that have the potential of disrupting energy supplies in the State. In addition, the CEC participates on advisory boards of western state associations (Western Interstate Energy Board, Western Governors Association) in planning for nuclear waste shipments. This includes Federal and State emergency response procedures for accidents involving nuclear waste shipments.

California Department of Fish & Wildlife (DFW)

The California Department of Fish and Wildlife (DFW) is one of the numerous CNRA; Boards, Departments, and Commissions. DFW has public trust responsibility for the state's fish, wildlife, and their habitat. The mission of DFW is to preserve, protect, and enhance the state's living natural resources and the habitat on which these resources depend for the use and enjoyment of the people of California. Because of this responsibility and because DFW wardens are State Peace Officers, DFW has traditionally accepted the role of lead State agency when fish or wildlife or their habitat are threatened or injured by a spill of oil, hazardous materials, or other deleterious substance that occurs off a highway or the right-of-way or either threatens or enters waters of the State. The Director of DFW must stop fishing activities in marine waters where there is a spill of more than 42 gallons of oil unless the Office of Environmental Health Hazard & Assessment determines there is no health risk.

Office of Spill Prevention and Response (OSPR)

- **Responsibilities:** The Administrator of the Office of Spill Prevention and Response (OSPR) has the State authority over response and cleanup of oil spills in marine waters (tidally influenced) and non-marine waters. The Administrator is also a Chief Deputy Director of the Department of Fish & Wildlife, and in this capacity has been given the responsibility to direct the Department's statewide water pollution response and clean-up activities, and to oversee the Fish and Wildlife Pollution Account [Fund 207, Fish and Wildlife Code (F&GC) § 13010]. In addition, the Administrator is responsible for the State Oil Spill Contingency Plan.

  - Statewide: F&GC § 5650 makes it a misdemeanor to deposit oil, other substances, or any material "deleterious" to fish or wildlife or their habitat in any place where it may threaten or enter waters of the state.

  - Marine: The Oil Spill Prevention and Response Act of 1990 (GC § 8670.1 et seq.) established an Administrator, appointed by the Governor who has primary State authority to direct all aspects of prevention, removal, abatement, response, containment, and clean-up efforts for any oil spill in marine waters of the state (including the ports of Stockton and Sacramento and their deep-water channels).

- **Notification Requirements:** OSPR must be notified by Cal OES of any and all spills of oil, hazardous materials, or other deleterious substances which occur off-highway or spills which threaten to enter or do enter waters of the state; this includes marine waters, streams, rivers, lakes, reservoirs, wetlands or other inland waters or seasonal waterways.

The Responsible Party for a spill must immediately notify the CSWC; if the responsible party is unknown or unwilling to make immediate notification, the responding agency should do so.

- **Follow-up Reports:** None required.

- **Capabilities and Limitations:** OSPR performs the following in order to fulfill its public trust responsibilities:
    - The Administrator is designated as the State Incident Commander for both inland and marine oil spills (GC § 8670.7; F&GC § 5655), OSPR also assumes this role during inland spill events because of its law-enforcement authority for spills of any deleterious substances into or near waters of California. During spills of hazardous materials when human health and safety is the primary concern, OSPR will function in a support capacity for wildlife issues in order to assist the lead agency. When a hazardous material spill is no longer a threat to public safety, but continues to pose a threat to fish or wildlife, OSPR may assume the lead State role for the remainder of the clean up.
    - Conducts criminal and/or civil investigations, collects witness statements, samples, and other evidence, prepares spill reports, criminal, and/or civil complaints, and files cases with the District Attorney or the State Attorney General in order to establish responsibility and liability.
    - Uses the Incident Command System (ICS) (or UC) to manage, coordinate, and oversee actions for response, containment, removal, clean-up, restoration and/or mitigation for spills that injure the state's fish and wildlife or their habitat. OSPR has the capability to fully staff the IC, Command Staff, and General Staff positions of the ICS for a large, long-term spill response.
    - As the State's trustee, OSPR determines when removal and clean-up actions are complete whenever natural resources are threatened or injured.
    - Performs injury determination and damage assessment for natural resources held in public trust; seeks rehabilitation, restoration, and/or mitigation for injury caused by a spill.
    - Provides approval for use of any and all chemical Oil Spill Cleanup Agents (i.e. dispersants, bioremediation agents, biodegradable agents, herders, sinking agents, etc.) proposed for use in any fresh or marine waters of the State. (GC § 8670.13.1).
    - When acting in a support role, provides recommendations, establishes guidelines, and approves methods for containment, removal, and cleanup of hazardous materials when fish and wildlife are threatened or injured.
    - During a declared State emergency, OSPR can provide communication and law enforcement support
    - The Administrator of OSPR maintains the State Oil Spill Contingency Plan (SOSCP); conducts drills and exercises to test oil spill response capability.

California Department of Forestry and Fire Protection (Cal Fire)

The California Department of Forestry and Fire Protection (Cal Fire) is one of the numerous CNRA; Boards, Departments, and Commissions. The California Department of Forestry and Fire Protection (CDF) and the State Fire Marshal (SFM) consolidated into the California Department of Forestry and Fire Protection (Cal Fire) which protects the people of California from fires, responds to emergencies, protects and enhances forest, range, and watershed values, providing social, economic, and environmental benefits to rural and urban citizens.

- **Responsibilities:** Cal Fire performs fire protection suppression and prevention duties for about 30 million acres of wildland in the State. Cal Fire is also responsible for protection of the resources as it relates to timberlands. In addition to their State responsibilities, Cal Fire may provide fire service to some local jurisdictions under contract. In such cases, Cal Fire carries out the responsibilities of local fire suppression agencies as they relate to hazardous materials incidents. The State Fire Marshal's Office was consolidated into Cal Fire that included all the Fire Marshal's resources including the Office of Pipeline Safety Division (OPS). OPS respond to and investigate spills, ruptures, fires, or similar incidents, involving intrastate and interstate oil and hazardous liquid pipelines. The SFM maintains maps of all regulated pipelines and is the State repository for pipeline data by the National Pipeline Mapping System (NPMS). In the event of a significant hazardous materials incident, Cal Fire may provide:

    - Incident Management Teams (IMT).
    - Support emergency feeding operations of other State agencies.
    - Mobile Communications Units and logistical support as requested by the Incident Commander.
    - Field observers to monitor conditions or monitor environmental contamination as requested.
    - Support to local fire fighting agencies in accordance with fire mutual aid agreements.
    - HazMat trained personnel (Tech/Specs) to assist with the incident. Emergency response hand crews for support of incident operations or logistics.
    - Law enforcement personnel (Cal Fire has statewide peace officer powers and authority to enforce all California criminal statutes).
    - Explosive ordnance disposal technicians.
    - Pipeline safety inspectors.
    - Fixed and rotary wing aircraft.

- **Notification Requirements**: Immediate notification is required from the CSWC for all hazardous liquid pipeline breaks, spills, leaks, ruptures, and/or collapses.

- **Follow-up Report:** Only operationally required reports are required.

- **Capabilities and Limitations:** Cal Fire can provide hazardous materials technical expertise and support resources to deal with HazMat incidents. All these resources are available 24-hours a day, seven days a week through Cal Fire's normal Command and Control system. Support capabilities

include communications, tech spec, feeding, situation status, and environmental contamination monitoring. Riverside, Merced, Napa, and Butte Counties provide hazardous materials response teams staffed by Cal Fire personnel. Cal Fire also staffs local government resources through its contracts with local governments. These resources are available through the mutual aid systems in California.

California State Parks and Recreation (CSPR)

- **Responsibilities:** *The California State Park and Recreation (CSPR) is one of the numerous CNRA; Boards, Departments, and Commissions.* CSPR is responsible for the safety and well being of the public and employees using the State parks system.
- **Notification Requirements:** State Park facilities must be notified if a hazardous materials incident will impact that facility.
- **Follow-up Reports:** None.
- **Capabilities and Limitations:** CSPR can respond to local law enforcement request for mutual aid with rangers who have peace officer powers. CSPR also has a seasonal labor force. CSPR supports the Office of Historic Preservation (OHP). The State Historic Preservation Officer should be contacted if there is a concern that the hazardous materials incident or response activities may affect historic or Native American locations, items, or artifacts.

Division of Boating and Waterways (DBW)

- **Responsibilities:** *The Division of Boating and Waterways (DBW) under the California State Park and Recreation is one of the numerous CNRA; Boards, Departments, and Commissions.* DBW was created to provide safe and convenient public access to California's waterways while providing leadership in promoting the public's right to safe, enjoyable, and environmentally sound recreational boating. DBW helps develops convenient public access to the waterways and promotes on-the-water safety.
- **Notification Requirements:** None
- **Follow-up Reports:** None
- **Capabilities and Limitations:** DBW is funded by vessel registration fees, boating fuel tax dollars, and boating facility construction loan payments. Programs include:
    - Officer training, financial aid and equipment grants for the more than 100 local and State agencies that provide boating law enforcement;
    - Voluntary education for boaters in Kindergarten through college and non-students;
    - Loans for the construction of marina and grants to build boat launching ramps;

- Aquatic pest control in the Sacramento-San Joaquin Delta; coastal beach erosion control;
- Vessel sewage pump-out stations grants; and
- Helping local agencies pay for abandoned vessel removal.

Part of DBW commitment to provide clean, safe and enjoyable recreational boating on State waterways, they administer the Abandoned Watercraft Abatement Fund (AWAF). This fund provides money to public agencies to remove, store, and dispose of abandoned, wrecked, or dismantled vessels or any other partially submerged objects which pose a substantial hazard to navigation, from navigable waterways or adjacent public property, or private property with the landowner's consent.

Eligibility for the AWAF is targeted to the local public agencies that have jurisdiction over navigable waterways in California and meet the application assessment criteria are eligible. The AWAF covers average costs to remove, store and/or dispose of abandoned vessels and other navigational hazards. Extra consideration will be given to applicant agencies that are proactive in keeping abandoned vessels off State waters and maintain a navigational hazard abatement plan.

An AWAF grant awarded by DBW shall be matched by a 10-percent contribution from the local agency receiving the grant and the recipients are required to expend their 10-percent contribution before receiving reimbursement from the AWAF program. Grants are funded up to 15 months.

Note: The removal of commercial vessels is not reimbursable.

California Department of Water Resources (DWR)

- **Responsibilities:** *The Department of Water Resources (DWR) is one of the numerous CNRA; Boards, Departments, and Commissions.* DWR has primary responsibility to protect the operation and water quality of the State Water Project. This includes providing water of a quality that can be used for agricultural, recreational, municipal, and industrial purposes. Activities supporting this responsibility include protection of State Water Project facilities and flood control facilities.

- **Notification Requirements:** Immediate verbal notification to DWR is required when an incident threatens to contaminate or otherwise disrupt the operation of the State Water Project and its man-made and natural conveyance facilities or if a significant release of a hazardous substance occurs into the San Joaquin Delta.

- **Follow-up Reports:** None.

- **Capabilities and Limitations:** DWR can suspend pumping and isolate and/or drain specific sections of the State Water Project to assist with contamination control.

State Lands Commission

- **Responsibilities:** *The California State Lands Commission (SLC) is one of the numerous CNRA; Boards, Departments, and Commissions.* The SLC acts as trustee for the people of the State, holds and manages all sovereign lands of the State. These lands include the beds of more than 30 navigable rivers, 40 navigable lakes, and submerged land adjacent to the coast and offshore islands of the state from the mean high tide line to three nautical miles offshore. Additionally, SLC manages more than 500,000 acres of "school lands" and exercises general oversight authority on granted lands. SLC has specific statutory jurisdiction over the operation of marine oil terminals located in the State, as well as trustee responsibility at other marine facilities on lands leased from the State.

- **Notification Requirements:** SLC should be notified of the following spills (of any size) involving, or potentially involving, navigable waters:
  - Spills in navigable waters, including harbors, rivers and lakes;
  - Spills occurring at marine terminals (whether onshore or offshore);
  - Spills occurring at coastal facilities;
  - Onshore spills that enter storm drains, or any spill that has the potential to impact navigable waters; and
  - Spills involving hydrocarbons, chemicals, and other materials, which could impact public safety or threaten the navigable waters.
  - Notifications of any spills should be made to SLC at the numbers below:
    - Telephone number **(562) 497-0859**. This number will contact the Long Beach Office during working hours. After hours, holidays, and weekends, this number is attended by an answering service agency, which will contact the duty officer for the week at home or via pager; and FAX number **(562) 590-5215**.

- **Follow-up Report:** A written report is required of all lessees shortly after the close of the spill incident. This report should include, at a minimum, the source, cause, size of spill, and actions taken.

- **Capabilities and Limitations:** SLC reviews oil spill contingency plans for facilities in the marine waters of the State. Lessees are required to maintain cleanup equipment on-site and to provide proper training of personnel. SLC staff provides assistance in determining the cause and amount of material spilled as well as assisting in damage assessments. SLC staff includes a variety of engineering, environmental, geological, biological, boundary determination, and legal professionals. The staff has specific expertise in offshore oil facilities and marine oil terminals. SLC may request legal action from or provide support to the Attorney General's Office in legal actions against responsible parties.

California State Transportation Agency (CalSTA)

The California State Transportation Agency (CalSTA) includes 6 boards, departments, and offices each with a focus on the safety and mobility of California's traveling public. CalSTA carries out the Governor's government reorganization plan, which included replacing the Business, Transportation and Housing Agency (BTH) with a new state agency focused solely on transportation.

The mission of the CalSTA is to develop and coordinate the policies and programs of the state's transportation entities to achieve the state's mobility, safety and air quality objectives from its transportation system.

California Highway Patrol (CHP)

- **Responsibilities:** *The California Highway Patrol (CHP) is one of 8 Boards, Departments and Offices under CalSTA.* CHP functions as the IC or part of the UC for hazardous materials incidents that occur on all State freeways and State buildings and grounds, even if located within political boundaries of a city. The CHP is also the IC at all hazardous materials incidents that occur on county roads. State buildings and grounds are defined as all property owned, leased, rented, controlled, used, or occupied by any department thereof of the Government of the State of California. This does not include State properties where any other agencies have specific jurisdiction such as the University of California or State hospitals under the Department of Mental Health. In situations where another agency first becomes aware of an incident within CHP jurisdiction, the CHP shall be notified and provided with emergency information to ensure a safe response.

- **Notification Requirements:** Immediate notification is required for any hazardous materials incident that occurs within the jurisdictional boundaries of the CHP. The CHP will subsequently notify Cal OES and Caltrans, or local street and road departments, as appropriate. CHP is contacted by calling the CSWC.

- **Follow-up Reports:** For hazardous materials incidents where the CHP is the IC, the CHP will prepare a hazardous materials incident report and maintain a file that will be available to Cal OES. Depending on the magnitude of the incident, follow-up reports may also be submitted in accordance with CHP policy and procedures.

- **Capabilities and Limitations:** CHP will not normally provide incident coordination support for hazardous materials incidents that occur outside its jurisdiction. Occasionally, however, should the magnitude of an incident be completely beyond the capabilities of the local jurisdiction, the CHP Commander may provide incident coordination services upon request by the affected jurisdiction. CHP assistance may be requested under authority of the California Law Enforcement Mutual Aid Plan, CHP law enforcement functions will be carried out in cooperation with the Operational Area Coordinator (County Sheriff) in the county where the incident has occurred. CHP personnel committed to the support of local authorities will remain under the command and control of the CHP. Additional CHP capabilities include the following:
    - Upon request of the affected jurisdiction, provide technical support and expertise concerning commercial vehicle equipment regulations and/or hazardous materials transportation provisions.
    - Upon request, assist the IC in obtaining State assistance for HazMat incidents occurring within cities via the SEMS hierarchy.
    - Evaluate and report road conditions to the IC and Cal OES.
    - Provide traffic control in support of evacuation and/or relocation.
    - Reroute traffic under CHP jurisdiction in coordination with the IC.

- Prevent unauthorized entry into contaminated areas as requested by the IC.
- Assist local authorities in maintaining law and order.

California Department of Transportation (Caltrans)

- **Responsibilities:** *The California Department of Transportation (Caltrans) is one of 8 Boards, Departments and Offices under CalSTA.* Caltrans is responsible for planning, designing, constructing, operating, and maintaining the State highway system. In coordination with other response agencies they ensure proper cleanup and restoration of the highway within its rights-of-way. Caltrans is responsible to determine the degree and type of maintenance required to restore the flow of traffic while protecting the health, safety, convenience, and welfare of the general public. It should also be noted that Caltrans determines when the roadway is re-opened.

  Emergency maintenance, cleanup or repair costs necessitated by hazardous material incidents are to be paid by the responsible party. Caltrans is responsible to collect, from all responsible parties, the cost of removal operations in addition to any other damages within the State rights-of-way.

  The cleanup of contamination or repair of damaged property outside the State rights-of-way, even if the incident commences from within the rights-of-way, is not legally or financially the responsibility of Caltrans. Within the State highway rights-of-way, however, Caltrans will perform the following:

  - Coordinate cleanup efforts between the responsible parties, public and private sectors.
  - Assist public and private agencies in the identification and containment of hazardous materials.
  - Assist CHP with traffic control and routing requirements.
  - Repair and restore contaminated and/or damaged highways for the restoration of the orderly flow of traffic.
  - Maintain a staff trained to the CSTI Hazardous Material Technician level of competency to assist in hazardous material incidents.
  - Maintain necessary hazardous material documentation as legally required.
  - Maintain a contract of authorized HazMat emergency response contractors who are under the control of Caltrans. In addition this contract provides revenues to expedite removal and restoration efforts.
  - Maintain a contingency plan for incident response.

- **Notification Requirements:** Immediate verbal notification to the local Caltrans District communication center and/or dispatch, regardless of quantity, is required of any hazardous materials incident within the State highway rights-of-way. This notification can be initiated by the local agencies directly to Caltrans field office or Caltrans dispatcher.

- **Follow-up Reports:** None.

- **Capabilities and Limitations**: Caltrans is capable in assisting emergency responders with employees who are trained at the Hazardous Material Technician level. Equipment and storage facilities may be provided within the limitations of the District where the incident occurs. Caltrans also maintains a contract of authorized hazardous material emergency response contractors to clean up spills within the State highway rights-of-way.

SECTION 4.0 - NATIVE AMERICAN INDIAN TRIBES

Native American Indian Tribes

Native American Indian Tribes have sovereign authority for the protection, preservation, and enhancement of their respective lands and the inhabitants, wildlife, and resources therein. In addition to land that is under tribal jurisdiction (e.g., reservations), many Native American Indian Tribes have “treaty rights” to use land and waters (both marine and inland waterways) outside their reservation lands.

As sovereign nations, Native American Indian Tribes have a legal "nation-to-nation" relationship with the U.S. Federal government; however, Native American Indian Tribes work on a limited governmental and political basis with States (restricted to specific areas where the U.S. Congress has delegated authority to States and to areas where Native American Indian Tribes voluntarily choose to work with States). No State statutory venue exists for Native American Indian Tribes to work with city, county, or local municipalities, in regard to hazardous materials.

PLANNING: In accordance with SARA, Title III, local communities, including Native American Indian Tribe reservations, are mandated to protect public health and safety and the environment from chemical hazards. In planning for and responding to hazardous materials releases, US EPA published a rulemaking in the Federal Register (7/26/90) designating Native American Indian Tribes and their chief executive officers as the implementing authority for Title III on all Native American Indian Tribal lands. US EPA policy is to work with tribes on a “government-to-government” basis. Unless Native American Indian Tribal leaders choose another of their various options to comply with Title III, US EPA will regard federally recognized Native American Indian Tribal governing bodies as a Tribal Emergency Response Commission (TERC), with the same responsibilities as the States for carrying out provisions of the law. Native American Indian Tribal leaders may select one of the following options in order to comply with this part of Title II:

- Form an independent TERC and either appoint a separate LEPC or act as a TERC/LEPC and perform the same functions as a SERC and LEPC respectively; or
- Native American Indian Tribes may enter into cooperative agreements with another Tribe or a consortium of Tribes or the state within which its lands are located to achieve a workable Title III program.

Joint participation is not only a good way to improve local-tribal interactions, but will also facilitate an integrated contingency planning process and provide for a coordinated and effective response to a release that crosses jurisdictional boundaries. Both the US EPA and the State of California highly encourage TERCs, SERC, and LEPCs to participate in joint planning and other cooperative efforts on a regular basis to prepare for potential hazardous materials emergencies.

RESPONSE: Hazardous materials spills may affect Native American Indian Tribes by either occurring on or near a reservation, or by threatening treaty-reserved resources (including habitat) or cultural areas outside the reservation, which may potentially impact the reservation. Some Native American Indian Tribes have police and fire departments, but few have the necessary resources (including

equipment and personnel) to maintain an active emergency response team for hazardous materials releases. Prior to an incident, Native American Indian Tribes may enter into written agreements or in the event of emergency, verbal agreements with local governments for emergency response assistance at hazardous materials incidents when it is beyond the Native American Indian Tribe's capabilities. Once again, it is important for Tribal, State, and local governments to coordinate planning and spill response efforts together and to remember that spills do not stop at political boundaries.

ICS principles provide for Native American Indian Tribal involvement during response activities, where representatives are a part of the UC and are directly involved with on-scene coordination. Treaty rights also allow Native American Indian Tribes to be a partner in the planning process and to potentially become a resource owner (or trustee) should those resources become impacted during an oil or hazardous materials incident.

A hazardous materials incident on Native American Indian Tribal lands should first be reported to the 24-Hour National Response Center at (800) 424-8802. Assistance in evaluating and responding to oil or chemical spills can be obtained from the US EPA - Region IX Emergency Response Office can be requested through US EPA's 24-hour number at (415) 444-2000. An US EPA Federal On-Scene Coordinator (FOSC) will always be available to help assess the situation and determine what type of response is appropriate. Since US EPA resources are dispatched from San Francisco, situations that need an immediate response should be handled by Native American Indian Tribal or local response resources. Therefore, it is encouraged that Native American Indian Tribes without the appropriate hazardous materials response resources develop contractual agreements with nearby organizations or agencies that have those capabilities. If outside Native American Indian Tribes incur expenses in responding to hazardous materials spills, reimbursement of these costs (up to $25,000) can be obtained from the **Local Reimbursement Program** (see "Funding Sources" under Finance/Administration in Section 3.0 of Part Two).

ASSISTANCE & RESOURCES: For more information on SARA Title III on Native American Indian Tribal Lands, obtain a copy of US EPA's Technical Assistance Bulletin Volume 10, Number 2 "Title III On Indian Lands: A Guide to the Emergency Planning and Community Right-to-Know Act". Additionally, the Tribal Environmental & Natural Resource Assistance Handbook (March 1999), developed by the Domestic Policy Council Working Group on American Indians and Alaska Natives, with significant contributions from the Native American Fish & Wildlife Society, provides a compilation of the federal sources for both technical and financial assistance programs available to Native American Indian Tribes for environmental management (available on US EPA Indian Environmental Office's home page at http://www.epa.gov/indian).

Native American Indian Tribes and TERCs can obtain technical assistance in emergency planning and response to hazardous substances from the US EPA - Region IX office at (415) 744-2342. FEMA has developed a policy outlining government-to-government principles on how FEMA and Native American Indian Tribes and Alaska Native tribal governments will work together on issues related to disaster preparedness, mitigation, emergency response, and recovery.

The following map provides information on the federally listed Native American Indian Tribes in the State of California.

Detail Map of Pomo Area

To obtain further information on California Native American Indian Tribes (including a list of federally recognized and non-recognized Tribes in California, tribal contacts, and maps) contact the BIA and US EPA. The Internet also provides a good amount of information. Check out the URL addresses below:

- http://www.epa.gov/indian/
- http://www.bia.gov/

SECTION 5.0 - FEDERAL GOVERNMENT

Overview

This section provides a synopsis of Federal agencies' roles and responsibilities when responding to a hazardous materials incident. Further information on federal agency roles and responsibilities can be found in the following:

- National Response Framework
- National Incident Management System
- National Contingency Plan
- Regional Contingency Plan
- Area Contingency Plans
- Nuclear/Radiological Incident Annex
- National Oil and Hazardous Substances Pollution Contingency Plan - OPA '90 Area Contingency Plans for California (coastal and inland)

Federal response to a hazardous materials incident will vary according to the nature of the incident. Many different agencies may be involved, and the agency responsible for coordinating federal activities depends on the circumstances and location of the incident. The two Federal agencies with primary hazardous materials emergency response responsibilities are the US EPA and the USCG. Federal agencies can be accessed during a hazardous materials emergency by calling the **National Response Center at (800) 424-8802**.

Pollution incidents involving oil and hazardous materials are covered by the National Contingency Plan (NCP). The NCP is found in 40 CFR Part 300. The NCP specifies the FOSC for incidents in coastal areas as the USCG, and for inland areas as the US EPA (except hazardous materials incidents at DOD or DOE facilities and vessels). For major pollution incidents, either agency may activate the National Response Framework described in the NCP. In such cases, Federal assistance in handling the emergency will be coordinated with the Liaison Officer and the IC.

United States Department of Agriculture (USDA)

The Department of Agriculture (USDA) through the Forest Service (USDA FS) will provide assistance in investigations to evaluate the magnitude and severity of discharges or releases occurring on, or affecting resources under, the jurisdiction of those agencies and in the documentation of damage to natural resources for which they have trustee responsibilities.

United States Department of Agriculture Forest Service (USDA FS)

The USDA through the Forest Service will provide advice to the FOSC when response operations are being performed that affect natural resources under their management authority. USDA, through the Forest Service, will provide wildland fire suppression support and technical expertise in the suppression of wildland fires resulting from hazardous spill incidents on National Forest System Lands. USDA may provide, through the Natural Resources Conservation Service, predictions of the effects of pollutants on soil and their movement over and through soil.

United States Department of Commerce

National Oceanic and Atmospheric Administration (NOAA)

The National Oceanic and Atmospheric Administration (NOAA) provide scientific support to the FOSC during incident responses and contingency planning in coastal and marine zones. This includes assessments of the hazards that may be involved, predictions of the movement and dispersion of oil and hazardous substances through trajectory modeling and on-scene observations, and information on the sensitivity of coastal environments to oil and hazardous substances. When requested by US EPA, NOAA may provide scientific support for responses in the inland zone.

HAZARDOUS MATERIALS RESPONSE BRANCH provides the following services:

- Scientific advice to the USCG and the US EPA to minimize the effects of spills and hazardous waste sites affecting the nation's coastal zone; and,
- Planning assistance to the USCG, US EPA, fire departments, and LEPCs in dealing with chemical emergencies.

Hazardous Materials regional Scientific Support Coordinators (SSCs) work with the scientific community to develop technical recommendations for the USCG in minimizing the environmental and economic impacts of oil and chemical spills. Hazardous Materials 24-hour spill response network researches the technical queries from the USCG during spills. Hazardous Materials microcomputer trajectory models are used to analyze the movement and spreading of pollutants in both the atmosphere and the marine environment, displaying the predicted path of the pollutant in a graphic format. These predictions help the FOSC make crucial informed decisions during spill responses. The SSC recommends methods to protect the environment from oil and hazardous materials through the use of tools such as trajectory predictions and Environmental Sensitivity Index atlases that identify wildlife and socioeconomic resources that may be threatened.

The SSC also acts to coordinate the scientific efforts present on a response; to facilitate synthesis of the available information; knowledge and experience of scientific personnel; and to present unified cleanup and mitigation recommendations to the UC. Other services the SSC provides are training in and conducting of Shoreline Cleanup Assessment Team (SCAT) surveys; and the issue of beach signoffs (i.e., “how clean is clean” process).

Hazardous Materials regional Coastal Resource Coordinators work with US EPA to lessen the environmental impact of chemical releases from hazardous waste sites, and to ensure the protection of NOAA trust resources. Hazardous Materials works with US EPA to identify the adverse effects of hazardous waste sites on coastal resources and their supporting ecosystems, and assist in developing means to minimize these impacts.

Two divisions of NOAA that serve as trustees of specific natural resources are the National Marine Fisheries Service and the National Marine Sanctuary Program. NOAA has developed the Computer-Aided Management of Emergency Operations (CAMEO) microcomputer program that assists emergency responders, planners, and LEPCs in the management of hazardous materials.

United States Department of Defense (DOD)

The Department of Defense (DOD) will provide assistance in investigations to evaluate the magnitude and severity of discharges or releases on or adjacent to resources under the jurisdiction of DOD. The DOD also documents damage to natural resources under their management authority. DOD will provide a FOSC for releases of hazardous substances, pollutants, or contaminants from DOD facilities and vessels. US EPA or USCG will act as FOSC for oil discharges from DOD facilities or vessels. The DOD is still responsible, as is any federal agency, for cleanup of oil discharges from its vessels and facilities. Response actions for incidents involving nuclear weapons will be conducted in accordance with the Nuclear Weapons Accident Response Procedures Manual. DOD also provides the following support through its different branches:

U.S. ARMY CORPS OF ENGINEERS (US ACE) will provide assistance in processing Section 404 (Clean Water Act) emergency permits, when required. The US ACE will, to the extent possible, alter the channel flow volumes of water sources from control structures under their management authority to reduce the negative environmental effects of a pollution incident or assist in spill response operations.
U.S. ARMY will provide assistance in activation of Explosive Ordinance Detachments when required by the FOSC.
U.S. NAVY will provide assistance in procuring pollution response equipment from Navy stockpiles when required by the FOSC.

All branches must provide transportation for personnel and equipment, when determined by the FOSC to be the most expedient method of transportation.

United States Department of Energy (DOE)

The Department of Energy (DOE) has the responsibility and capability of providing assistance in incidents involving radioactive materials (including special nuclear materials). They can provide this assistance to state and local agencies in accordance with the Inter-agency Radiological Assistance Plan. The California Department of Public Health, Radiological Health Branch, triggers the DOE response. DOE will provide assistance in identifying the source and extent of radioactive contamination and assist in the removal and disposal of radioactive discharges. DOE will also coordinate with the FOSC in implementing the Nuclear/Radiological Incident Annex. DOE will provide the FOSC for non-oil emergency incidents at DOE facilities.

United States Environmental Protection Agency (US EPA)

- **Responsibilities:** US EPA ensures that timely and effective response action is taken to control and remove discharges of oil and releases of hazardous substances, including substantial threats of discharges and releases into the inland zones (except hazardous materials incidents occurring at DOD or DOE vessels and/or facilities), unless such removal actions are being conducted properly by the responsible party.

- **Notification Requirements:** It is stated in 40 CFR § 300.125 that, Notice of an oil discharge or release of a hazardous substance in an amount equal to or greater than the reportable quantity must be made... to the NRC Duty Officer, Headquarters USCG, Washington D.C., telephone (800) 424-8802,

or (202) 267-2675. All notices of discharges or releases received at the NRC will be relayed immediately by telephone to the FOSC.

If direct reporting to the NRC is not practicable, reports may be made to the US EPA FOSC for the geographical area where the release occurs. The US EPA pre-designated FOSC may also be contacted through the regional 24-hour emergency response telephone number. All such reports shall be promptly relayed to the NRC. If it is not possible to notify the NRC or pre-designated FOSC immediately, reports may be made immediately to the nearest US EPA region. In any event, such person in charge of the vessel or facility shall notify the NRC as soon as possible. (40 CFR § 300.300 & § 300.405)

- **Follow-up Reports:** As requested by the NRT or RRT, the FOSC shall submit to the NRT or RRT a complete report on the removal operation and the actions taken. The RRT shall review the FOSC Report and send to the NRT a copy of the FOSC Report with its comments or recommendations within 30 days after the RRT has received the Report. The FOSC Report will record the situation as it developed, the actions taken, the resources committed, and the problems with comments and recommendations.

- **Capabilities and Limitations:** US EPA will provide a FOSC for incidents within their jurisdiction (inland zones) and can access Federal funding to abate and mitigate releases. US EPA regional headquarters (US EPA Region IX) is located in San Francisco, California. US EPA Headquarters in Washington, D.C., chairs the U.S. Oil and Hazardous Substances NRT. US EPA Region IX co-chairs, along with the USCG, Regional Response Team IX (RRT-IX). RRT-IX's area of responsibility includes the marine and inland areas of the states of California, Arizona, and Nevada. US EPA also operates the Environmental Response Team, a special team comprised of specialists, scientists, and engineers, based in Edison, NJ; Cincinnati, OH; and Las Vegas, NV and to support the FOSCs. FOSCs use appropriate legislative and regulatory authorities, the NCP, regional and local contingency plans, and other circumstances unique to each incident to ensure that pollution response is carried out expeditiously and aggressively.

  US EPA FOSC members are located in the Superfund Removal Program respond to manage a wide range of incidents including emergencies, time-critical removal actions, natural disasters and terrorist acts. US EPA's emergency response teams have acquired years of experience in the assessment and cleanup of hundreds of diverse and complex spills in California. Each FOSC in Region IX is authorized to initiate a CERCLA emergency removal action up to $250,000 total expenditures. The statutory limit for cost and duration of a CERCLA removal action is $2 million and 12 months.

  US EPA's emergency response program is supported by trained, experienced and dedicated federal contractors, including the Superfund Technical Assistance and Response Team (START) and the ERRS contractors. Additionally, the FOSC can activate Special Forces and Technical Support Centers to support major spill response and cleanup efforts.

START can provide a full range of technical expertise that can be applied to site assessment, monitoring and cleanup activities. START is staffed by personnel with a wide variety of scientific disciplines, including chemistry, biology, engineering, geology, hydrogeology and others. START is particularly adept at developing health & safety plans, site characterization work plans, quality assurance sampling plans, air monitoring, sample collection and analytical services.

ERRS can provide labor, equipment, materials and subcontractor services needed to perform stabilization, cleanup, and recovery activities at oil and hazardous material spills. ERRS also has trained transportation and disposal coordinators. ERRS response managers, technicians and equipment operators are trained in planning and conducting removal operations, neutralizing chemical spills, excavating, stabilizing or bioremediation contaminated soils, containerizing hazardous wastes, constructing and operating a variety of waste treatment and decontamination systems and other cleanup operations.

In addition to statutory limitations, US EPA does not initiate first response – type actions. Local or State governments under their normal law enforcement and public health emergency powers pursuant to local or State law and/or ordinance take these actions. US EPA does not initiate those actions that first responders are expected to take to protect human life, safety and property. Here are some examples of the types of actions that would be taken by the local jurisdiction and not US EPA:

- Traffic control;
- Street closures;
- Fire suppression;
- Rescue;
- Emergency medical care;
- Evacuation;
- Shelter-in-place orders;
- Disarming explosive devices;
- Immediate access to public works and utilities;
- Traffic barricades, detour and warning signs;
- Emergency water, power, sewer and telephone hook-ups;
- Police powers of arrest where persons display dangerous or violent behaviour [1];
- Issue regulatory one-time conditional variances and emergency permits in RCRA-authorized States [2];
- Shutdown <u>active</u> facilities that present an imminent danger to public health or safety

[1] US EPA's Criminal Investigation Division (CID) does have law enforcement authorities in case of environmental crimes.
[2] Pursuant to CERCLA [121(e)] and the NCP [300.400 (3)], US EPA is exempt from Federal, State and local permits and fees for "on-site "removal actions. The term "on-site" means the actual extent of contamination and all suitable areas in close proximity to the contamination necessary for implementation of the response action.

United States General Services Administration

The General Services Administration (GSA) provides workspace, furniture, equipment, supplies, services, and solutions, at the best value, to enable federal employees to accomplish their missions. GSA does this by negotiating contracts for goods and services bought annually from the private sector. GSA is also able to provide on-call emergency assistance to federal agencies when natural disasters or other emergencies occur by providing supplies, equipment, space, and contracting services for relief operations.

United States Department of Health and Human Services (DHHS)

The Department of Health and Human Services (DHHS) is the Federal lead agency for public health and medical support. DHHS provides advice and information when chemical releases violate or may violate Public Laws administered by the US EPA. DHHS makes determinations that illness, disease, or complaints thereof may be attributable to exposure to a hazardous substance, pollutant, or contaminant and will provide expert advice and assistance on actual or potential discharges or releases that pose a threat to public safety and health.

The agencies within DHHS that have responsibility for health and hazardous materials issues are:

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY (ATSDR)

ATSDR has assigned Public Health Advisors to cover each US EPA Region. In California, these individuals are co-located at the EPA Region IX office in San Francisco. The ATSDR Public Health Advisors have a wide range of expertise in health-related problems and are available to assist FOSCs during response actions. Upon the request of the FOSC or RRT, DHHS can arrange for ATSDR to assist in assessing public health threats posed by an incident, provide advice on the adequacy of personnel protection measures within the response area, investigate health complaints, provide advice on the need to relocate nearby residents, and coordinate the appropriate health response with public health agencies and the private medical community.

ATSDR staff is also available to assist in developing occupational safety and health considerations for local contingency plans and provide information on the location and availability of laboratory services, expert consultants, hospitals, and other treatment facilities.

The above assistance is available from the regional office staff or directly from the CDC/ATSDR Emergency Operations Center (EOC) in Atlanta, Georgia. The 24-Hour response number is (770) 488-7100. The caller should ask for the ATSDR Duty Officer for assistance with chemical emergencies. The regional office staff in San Francisco, California may be contacted at (415) 947-4319.

CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC)

CDC serves as the national focus for developing and applying disease prevention and control, environmental health, and health promotion and health education activities designed to improve the health of the people of the United States.

CDC identifies and defines preventable health problems and maintains active surveillance of diseases through epidemiologic and laboratory investigations and data collection, analysis, and distribution; serves as the DHHS lead agency in developing and implementing operational programs relating to environmental health problems, and conducts operational research aimed at developing and testing effective disease prevention, control, and health promotion programs; administers a national program to develop recommended occupational safety and health standards and to conduct research, training, and technical assistance to assure safe and healthful working conditions for every working person; develops and implements a program to sustain a strong national workforce in disease prevention and control; and conducts a national program for improving the performance of clinical laboratories.

CDC is responsible for controlling the introduction and spread of infectious diseases, and provides consultation and assistance to other nations and international agencies to assist in improving their disease prevention and control, environmental health, and health promotion activities. CDC administers the Preventive Health and Health Services Block Grant and specific preventive health categorical grant programs while providing program expertise and assistance in responding to Federal, State, local, and private organizations on matters related to disease prevention and control activities.

For emergency assistance, CDC maintains an Emergency Operations Center (EOC) in Atlanta, Georgia. The 24-Hour response number is (770) 488-7100. The caller should ask for the CDC Duty Officer for assistance with biological and chemical warfare agents, natural disasters and oil spills.

United States Department of Homeland Security (DHS)

The Department of the Homeland Security (DHS) mission is to protect the nation against terrorist attacks. The National Strategy for Homeland Security and the Homeland Security Act of 2002 served to mobilize and organize our nation to secure the homeland from terrorist attacks. This exceedingly complex mission requires a focused effort from our entire society if we are to be successful. To this end, one primary reason for the establishment of the DHS was to provide the unifying core for the vast national network of organizations and institutions involved in efforts to secure our nation. In order to better do this and to provide guidance to the 180,000 DHS men and women who work every day on this important task, DHS developed its own high-level strategic plan. The vision and mission statements, strategic goals and objectives provide the framework guiding the actions that make up the daily operations of the department.

- **Information Sharing & Analysis** - DHS is responsible for assessing the nation's vulnerabilities. It takes the lead in evaluating vulnerabilities and coordinating with other Federal, State, local, and private entities to ensure the most effective response. The collection, protection, evaluation and dissemination of information to the American public, State and local governments and the private sector are central to this task.
- **Prevention & Protection** - Ensures that our nation is prepared for, and able to recover from, terrorist attacks and natural disasters.
- **Preparedness & Response** - In the event of a terrorist attack, natural disaster or other large-scale emergency, DHS will provide a coordinated, comprehensive Federal response and mount a swift and effective recovery

effort. DHS assumes primary responsibility for ensuring that emergency response professionals are prepared for any situation.

- **Research** - Coordinate DHS efforts in research and development, including preparing for and responding to the full range of terrorist threats involving weapons of mass destruction.
- **Commerce & Trade** - DHS is responsible for protecting the movement of international trade across US borders, maximizing the security of the international supply chain, and for engaging foreign governments and trading partners in programs designed to identify and eliminate security threats before these arrive at US ports and borders.
- **Travel Security and Procedures**
- **Immigration**

Some agencies that are supervised by the DHS are:

- **United States Coast Guard (USCG)** See Below for Details but the Commandant of the USCG will report directly to the Secretary of DHS. However, the USCG will also work closely with the Under Secretary of Border and Transportation Security as well as maintain its existing independent identity as a military service. Upon declaration of war or when the President so directs, the USCG would operate as an element of the DOD, consistent with existing law.

- **United States Secret Service (USSS)** The primary mission of the USSS is the protection of the President and other government leaders, as well as security for designated national events. The USSS is also the primary agency responsible for protecting United States currency from counterfeiters and safeguarding Americans from credit card fraud.

- **Bureau of Citizenship and Immigration Services (BTS)** is responsible for enforcement of our nation's immigration laws.

- **Office of State and Local Government Coordination** provides close coordination between local, State and Federal governments. This office ensures that close coordination takes place with State and local first responders, emergency services and governments.

- **Office of Private Sector Liaison** provides America's business community a direct line of communication to the DHS.

- **Office of Inspector General** serves as an independent and objective inspection, audit, and investigative body to promote effectiveness, efficiency, and economy in the DHS programs and operations, and to prevent and detect fraud, abuse, mismanagement, and waste in such programs and operations.

United States Coast Guard (USCG)

The United States Coast Guard (USCG) under the Department of Homeland Security (DHS)

- **Responsibilities:** The United States Coast Guard (USCG) ensures that timely and effective response action is taken to control and remove discharges of oil and releases of hazardous substances, including threats of substantial discharges and releases into the coastal zones (except hazardous materials incidents at DOD or DOE vessels or facilities), including monitoring removal actions which are being conducted by the responsible party.

- **Notification Requirements:** In accordance with 40 CFR § 300.125, Any oil spill must be reported to the National Response Center (NRC) Duty Officer, Headquarters USCG, Washington DC, telephone (800) 424-8802, or (202) 267-2675. All notices of discharges or releases received at the NRC will be relayed immediately by telephone to the pre-designated FOSC.

  If direct reporting to the NRC is not practicable, reports may be made to the USCG FOSC for the geographical area where the release occurs. US EPA pre-designated FOSC may also be contacted through the regional 24-hour emergency response telephone number: (415) 227-9500. All such reports shall be promptly relayed to the NRC.

  If it is not possible to notify the NRC or pre-designated FOSC immediately, reports may be made immediately to the nearest USCG unit. In any event, such person in charge of the vessel or facility shall notify the NRC as soon as possible", per 40 CFR § 300.300 and § 300.405. The USCG units, or Sectors are as follows:
  - Sector San Francisco Bay: (415) 399-3547
  - Sector Los Angeles/Long Beach: (310) 521-3805
    - Santa Barbara Office: (805) 962-7430
  - Sector San Diego: (619) 278-7033

- **Follow-up Reports:** As requested by the Federal National Response Team (NRT) or Federal Regional Response Team (RRT), the FOSC/RPM shall submit to the NRT or RRT a complete report on the removal operation and the actions taken. The RRT comments on the report and forwards it to the NRT within 30 days.

- **Capabilities and Limitations:** The USCG operates the NRC and maintains some capability to contain and clean up polluting substances in waters and on shores within their jurisdiction through the National Strike Force (NSF). The USCG will provide the FOSC for incidents within their jurisdiction and can access funding for abating and mitigating releases. The response is paid for by the RP or, if the RP is unknown or unable to pay, funds are withdrawn from the Oil Spill Liability Trust Fund. The OSLTF's largest source of revenue is a per-barrel excise tax, collected from the oil industry on petroleum produced in or imported to the United States. The Energy Improvement and Extension Act of 2008 extended the per-barrel excise tax through December 2017 and increased the per-barrel excise tax from 5 cents to 8 cents from 2009-2016 and to 9 cents in 2017. Other sources of funding are interest, cost recoveries and penalties.

Responsibility for long-term removal actions may be transferred to US EPA. In California, the FOSC for the USCG is provided by the Captain of the Port of the Sector for the jurisdiction in which the incident occurs. The Sectors in California are located in the San Francisco Area (Monterey County to the Oregon Border), Los Angeles/ Long Beach, and San Diego. The USCG also operates the Pacific Strike Team (Novato, CA) to support the FOSCs. The FOSC will use appropriate legislative and regulatory authorities, the NCP, area plans, regional and local contingency plans, and other circumstances unique to each incident to ensure that pollution response is carried out expeditiously and aggressively.

United States Coast Guard - Pacific Strike Team

The USCG Pacific Strike Team (PST), based at Hamilton Field, Novato in Marin County, is one of three NSF pollution control teams, equipped and trained to assist in the response to oil or chemical incidents occurring in the western area of the United States. FOSCs frequently activate special teams under the Special Forces Section of the NCP to support response operations. The PST is a special unit of the USCG that specializes in response to oil and hazardous material spills. The PST maintains a large warehouse of response equipment in Novato, California. Their inventory includes mobile command posts, communication equipment, all levels (A-C) of personnel protective equipment, portable decontamination facilities and an assortment of boats, pumps, skimmers, water booming systems, skimmers, generators, air monitoring equipment, EMT kits, FOSC Field Documentation Kits and other response equipment to supplement Emergency Response and Remedial Services (ERRS) resources. It is common practice for FOSC's to assign a qualified PST member as Site Safety Officer. Services available from the PST include the following:

- Technical expertise;
- Supervisory assistance;
- Cost documentation;
- Response to, and assistance with, spill response;
- Deployment of salvage and pollution control equipment;
- Training in pollution response techniques.

Federal Emergency Management Agency (FEMA)

The Federal Emergency Management Agency (FEMA) under the Department of Homeland Security (DHS) is the Federal lead for the management of Presidentially declared disasters and coordinates with other Federal agencies for disaster response and recovery activities. FEMA administers disaster assistance programs provided under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public law 93-288, as amended. This Act allows FEMA to provide assistance to individuals and to State and local governments to help them respond to, recover from, and mitigate against the effects of disasters. FEMA serves as the lead agency in the management of response and recovery in affected areas after a major disaster, if requested by the Governor and declared by the President.

Currently, the National Response Framework (Framework) provides the mechanism for coordinating delivery of Federal assistance and resources to augment efforts of State and local governments overwhelmed by a major disaster or emergency. The Framework may be implemented in anticipation of a significant event likely to result in a need for Federal assistance and/or in response to an actual event requiring Federal assistance under a Presidential

declaration of a major disaster or emergency. A hazardous materials incident could cause sufficient injury and damage to merit a Presidential declaration or a hazardous materials incident may be the consequence of a larger encompassing disaster or emergency declaration.

The Framework includes Emergency Support Function (ESF) #10, Hazardous Materials (Primary Agency US EPA), which provides Federal support to State and local governments in response to an actual or potential discharge and/or release of hazardous materials following a major disaster or emergency. As an element of the Framework, ESF #10 may be activated under one of the following conditions:

- In response to a disaster for which the President (through FEMA) determines that federal assistance is required to supplement the response efforts of the affected State and local government, under the Robert T. Stafford Disaster Relief and Emergency Assistance Act; or
- In anticipation of a major disaster or emergency that is expected to result in a declaration under the Stafford Act.

After the declaration of an emergency or disaster the President (through FEMA) may direct Federal agencies to utilize their authorities and resources in support of local and State emergency assistance efforts to save lives, protect the public health and safety, and to protect property.

FEMA encourages the development and maintenance of Federal, State, and local hazard disaster planning and mitigation measures. FEMA also provides hazardous materials and related training through the National Emergency Training Center's (Emergency Management Institute and/or United States Fire Academy), resident and non-resident programs, and regionally through its administration of SARA Title III training grants with the states. Regional hazardous materials programs include planning, training, and exercising.

United States Department of the Interior (DOI)

The Department of the Interior (DOI) provides assistance in investigations to evaluate the magnitude and severity of discharges on or affecting facilities or resources under its bureaus' jurisdiction and in documentation of damages to natural resources for which it has trustee responsibilities. Within the Office of Environmental Policy and Compliance, the Regional Environmental Officer is the Secretary of the Interior's overall field coordination point. DOI bureaus include the following:

FISH AND WILDLIFE SERVICE (USFWS) will provide advice on migratory birds, anadromous fish, and endangered and threatened species. USFWS coordinates with DFW in establishing bird and marine mammal collection, cleaning, and recovery centers.

U.S. GEOLOGICAL SURVEY (USGS) may provide expertise in geology and hydrology, sample collection, and measurements. The Biological Resources Division (BRD) as part of USGS will provide biological survey assistance for natural resources and contaminants.

<u>BUREAU OF RECLAMATION</u> (BOR) will provide information on current and predicted channel flow volumes where watercourses are controlled by dams, locks, etc., under the management of the Bureau.

<u>BUREAU OF INDIAN AFFAIRS</u> (BIA) will assist in obtaining access to Indian land areas as needed for response actions and will coordinate with the incident Information Office to ensure pertinent information is made available to tribal authorities on a timely basis.

<u>BUREAU OF LAND MANAGEMENT</u> (BLM) may provide expertise in the field of oil and gas drilling, production, handling, and transportation by pipeline. BLM also provides access to BLM lands as needed for response actions.

<u>BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT</u> (BSEE) will provide expert advice and assistance on actual or potential discharges or releases that pose a threat to public health and safety from offshore oil and gas exploration, production, and transportation facilities and platforms.

<u>NATIONAL PARK SERVICE</u> (NPS) will provide access to National Park Service lands as needed for response actions and expert advice and assistance on historic sites and archeological issues.

<u>OFFICE OF ENVIRONMENTAL POLICY AND COMPLIANCE</u> (OEPC) will coordinate the Secretary of the Interior's natural resources trust responsibilities and bureau involvement in hazardous materials planning and response.

United States Department of Justice (DOJ)

The Department of Justice (DOJ) can provide expert advice on complicated legal questions arising from discharges or releases and Federal agency response, and represents the Federal government, including its agencies, in litigation.

<u>THE DRUG ENFORCEMENT ADMINISTRATION</u> (DEA) is involved in the enforcement of activities associated with clandestine drug laboratories.

<u>THE FEDERAL BUREAU OF INVESTIGATION</u> (FBI) is the lead Federal agency for all terrorist incidents within the United States. It leads the crisis management evaluation of an incident. The local FBI field office will coordinate the Federal threat assessment activities, will activate the Joint Operations Center in the affected area, and will coordinate activities with Federal, State, and local agencies.

United States Department of Labor

Occupational Safety and Health Administration (OSHA)

The Department of Labor (DOL) will provide, through the Occupational Safety and Health Administration (OSHA) advice, guidance, and assistance regarding hazards to persons involved in removal or control of oil discharges or hazardous substance releases.

Under the Occupational Safety and Health Act of 1970, OSHA's role is to assure safe and healthful working conditions for working men and women; by authorizing enforcement of the standards developed under the Act; by assisting and encouraging the States in their efforts to assure safe and healthful working conditions; by providing for research, information, education, and training in the field of occupational safety and health.

United States Nuclear Regulatory Commission (NRC)

The U.S. Nuclear Regulatory Commission (NRC) is an independent agency that is responsible for ensuring adequate protection of public health and safety, the environment, and the common defense and security in the use of nuclear materials in the United States. The NRC's scope of responsibility includes the regulation and licensing of:

- Commercial nuclear power reactors;
- Non-power research, test, and training reactors;
- Fuel cycle facilities;
- Medical, academic, and industrial uses of nuclear materials; and
- The transportation, storage, and disposal of nuclear materials and waste.

United States Department of Transportation (DOT)

The U.S. Department of Transportation (DOT) has a responsibility to regulate the transportation of hazardous substances as authorized by the Hazardous Materials Transportation Act. The USCG (addressed separately) is the agency most involved in response to emergencies. DOT has a number of agencies under its purview. These are: The Office of the Secretary of Transportation (OST); Federal Aviation Administration (FAA); Federal Highway Administration (FHWA); Federal Motor Carrier Safety Administration (FMCSA); Federal Railroad Administration (FRA); Federal Transit Administration (FTA); Maritime Administration (MARAD); National Highway Traffic Safety Administration (NHTSA); Office of Inspector General (OIG); Pipeline and Hazardous Materials Safety Administration (PHMSA); Research and Innovation Technology Administration (RITA); Saint Lawrence Seaway Development Corporation (SLSDC); and the Surface Transportation Board (STB). Agencies that focus on hazardous materials responsibilities are detailed below:

- **PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION (PHMSA)** is the lead agency for developing hazardous materials regulations for all forms of transportation. PHMSA publishes the Emergency Response Guidebook (ERG) to assist first responders at a hazardous materials incident. PHMSA also operates, in a joint project with FEMA, the Hazardous Materials Information Exchange (HMIX), which is a free computer bulletin board providing valuable hazardous materials information.

  PHMSA is also responsible for coordinating a national safety program for the safe transportation of hazardous materials by air, rail, highway and

water. PHMSA issues regulations (49 CFR, Parts 100 -179) on: notification (49 CFR 171.15 and 171.16); the designation and classification of hazardous materials; container specifications; and requirements for testing, packaging, labeling, marking, plackarding, handling, and shipping papers.

PHMSA ensures the safe, reliable, and environmentally sound operation of the nation's pipeline transportation system for natural gas, petroleum, and other hazardous materials. PHMSA develops regulations to assure safety in design, construction, testing, operation, maintenance, and emergency response of pipeline facilities. PHMSA is working with other agencies and industry to create a National Pipeline Mapping System (NPMS). This system, when complete, will show the location and other important information about major pipelines, which will help government agencies and industry plan for emergencies and respond more effectively during an incident.

FEDERAL AVIATION ADMINISTRATION (FAA) carries out enforcement of hazardous materials regulation for air transportation.

FEDERAL HIGHWAY ADMINISTRATION (FHWA) has the responsibility for inspecting highway shipments by interstate motor carriers and enforcing the federal hazardous materials regulations in cooperation with the states under its Motor Carrier Safety Assistance Program.

FEDERAL RAILROAD ADMINISTRATION (FRA) is responsible for enforcing the Federal hazardous materials provisions of Title 49 for rail and inter-modal (truck trailers and containers on railcars) forms of transportation. California investigators are located in the Sacramento, San Francisco, and Los Angeles areas.

National Transportation Safety Board (NTSB)

The National Transportation Safety Board (NTSB), an independent agency that reports to the U.S. Congress, investigates all major transportation accidents with loss of life, property damage, or special circumstances and determines probable cause.

Federal Strike Forces or Teams

(Available to Federal On-Scene Coordinators)

The following agencies may provide services and support to the FOSC:
The FOSC may obtain support from numerous private, commercial, and governmental organizations. However, five groups were created solely to support the national response mechanism by augmenting the FOSC's staff and providing specialized pollution response expertise. They are the NSF, which includes the Pacific Strike Team (PST), the Environmental Response Team (ERT), the Scientific Support Coordinator (SSC's), Specialized Response Teams (SRT), and the Public Information Assistance Team (PIAT). In addition, as documented above, the Agency for Toxic Substances and Disease Registry (ATSDR) has assigned Public Health Advisors to most US EPA regional offices.

National Strike Force
FOSC's are encouraged to use the NSF whenever necessary or to augment the FOSC's staff when it is overburdened by a response to a given incident. The strike teams that comprise the NSF can provide communications support; oil and hazardous substance removal expertise; ship's damage control; and support to

monitor removal operations, document costs, and coordinate logistics. The NSF should be used by the FOSC when:

- A medium or major discharge has occurred.
- Control of the discharge requires the special knowledge or special equipment of the NSF.
- Response will require in excess of 2 days completing removal operations, and augmentation by NSF personnel will release local forces to return to normal operations.
- In the judgment of the FOSC, NSF capabilities are necessary.
- The NSF is also available to assist State and local governments, provided that such assistance does not interfere with supporting FOSCs or other Federal agencies.

US EPA – Environmental Response Team

The US EPA Environmental Response Team (ERT) is a senior group of US EPA technical experts who can provide 24-hour assistance to the FOSC. ERT has gained invaluable experience through hundreds of responses to environmental emergencies and cleanup actions in every US EPA region as well as the international arena. ERT usually becomes involved in unusual and complex environmental response actions and can bring years of experience to aid the FOSC. ERT can provide specialized equipment such as mobile laboratories and highly sophisticated monitoring equipment. ERT will work closely with the FOSC in evaluating the use and effectiveness of cleanup technologies including bioremediation, low-temperature thermal desorption, water treatment systems, stabilization and solidification, surface washing agents, dispersant use and others.

Among the disciplines of the team are sanitary engineering, environmental engineering, chemical engineering, veterinary medicine, chemistry, biology, environmental health, risk assessment, and analytical support. Areas of expertise include:

- Determining safety precautions for hazardous chemical removal.
- Evaluating the nature and extent of contamination.
- Identifying hazards of pollutants not found in standard information sources.
- Assessing degree of mitigation/removal required.
- Identifying critical and sensitive areas that require extraordinary protective efforts.
- Selecting disposal method and appropriate disposal facilities.
- Access to special decontamination equipment.
- Basic and intermediate level hazardous material training.
- In addition, the ERT is responsible for activating the Environmental Emergency Response Unit (EERU), a unit which can provide on-scene equipment capable of removing pollutants from contaminated water, conducting treatment studies, and performing a wide range of analytical capabilities. ERT assistance can be requested from the US EPA representative on the RRT.

NOAA – Scientific Support Coordinators

The Scientific Support Coordinators (SSCs) can augment the FOSC's staff by providing scientific advice and arranging for scientific support on-scene. Generally, SSCs are provided by the National Oceanic and Atmospheric Administration (NOAA) in coastal areas, and by the US EPA in the inland regions.

During a response, the SSC serves under the direction of the FOSC with the responsibility to provide scientific support for operational decisions and to coordinate on-scene scientific activity. Depending upon the nature of the incident, SSC can be expected to work with government agencies, universities, and industry to compile information that would assist the FOSC in assessing the hazards and effects of spills and developing response strategies. The SSC concept is to augment, rather than replace, the local scientific knowledge. Local teams generally have the advantage of minimal response times, familiarity with the area, and a working rapport.

USCG, FOSCs are encouraged to use the SSC as they would use other special forces available to them. SSC assistance can be requested by contacting the regional SSC, identified in the RCP.

FOSCs will likely activate the NOAA SSC for field response support at large and complex incidents. Typically, the SSC would be member of the ISC planning section. During a major incident, the SSC will be supported by the NOAA regional operation center located in Seattle, Washington. The SSC can assist in assessing the hazards that may be involved, predictions of movement and dispersion of oil and hazardous substances through trajectory modelling. The SSC can also provide information on actual or predicted meteorological and hydrological conditions for inland waterways and situational mapping and resource tracking displays for response planning purposes. Areas in which the SSC can provide assistance include the following:

- Assessment of adverse effects/mitigation strategies: This assistance is frequently required during the initial phases of an incident when response operations and clean-up strategies are being developed. Activities to protect and mitigate adverse effects include:
    - Liaison with natural resource and chemical experts;
    - Spill trajectory modeling;
    - Assessment and advice on the nature, behavior, and fate of oil and hazardous materials under various environmental conditions, and recommendations on how best to deal with them;
    - Identifying areas of special biological importance;
    - Advice on safety precautions for response personnel;
    - Assistance in public relations efforts on scientific issues.

- Contingency Planning Assistance: Prior to a spill, considerable information can be provided by the SSC in developing regional and local contingency plans. This can include the probability that spills originating from a given location will affect specific areas; the location of environmentally sensitive areas; background data on the behavior of various pollutants known to be transported in a given area; and the possible environmental impact of an oil or hazardous materials release.

- Other Special Teams that have response capability include US EPA's Radiological Emergency Response Teams (RERT), USCG District Response Group (DRG) and District Response Advisory Team (DRAT) and the U.S. Navy Supervisor of Salvage (SUPSALV).

- The US EPA Office of Research and Development (ORD) has established seven specialized Technical Support Centers located in ORD Research Laboratories. One of these, the Environmental Monitoring Systems Laboratory in Las Vegas, Nevada (EMSL-LV), has special technical expertise in monitoring and site characterization. The FOSC can request immediate assistance from EMSL which include remote sensing capabilities, rapid aerial photo reconnaissance flyovers, photo analysis and interpretation at spill sites, geophysical field investigations, soil gas surveys and mobile laboratory services. US EPA's environmental and engineering research laboratories can provide expertise in ground water fate and transport, free product control, tank and pipeline inspection and leak detection methods.

OSHA – Specialized Response Teams

OSHA's Specialized Response Teams (OSHA-SRT) are comprised of certified Industrial Hygienists, Professional Engineers, Occupational Physicians and Specialized Safety Experts and support the FOSC in the area of responder health and safety. In addition, the OSHA-SRT brings essential "All Hazards" expertise by providing support through the Worker Safety and Health Support Annex. The OSHA-SRT members provide technical subject matter expertise for toxic industrial chemicals, WMD chemicals, biological, and radiological. The OSHA-SRT would typically be activated when requested by the FOSC during Incidents of National Significance in support of the NRP and the Worker Safety and Health Annex. In addition to their technical subject matter expertise, they provide risk assessment/risk management support in the area of worker and responder safety and health. They also have ICS 300 training for team coordinators and ICS 200 training for team members. OSHA-SRT are available for on-site and reach back assistance to the FOSC.

US EPA – Public Information Assist Team

The Public Information Assist Team (PIAT) is a team of public affairs specialists knowledgeable in many facets of pollution response (e.g., equipment, clean-up methods, the role of various agencies, and the laws). They can augment the FOSC's staff when public interest is high.

SECTION 6.0 – NON-GOVERNMENTAL ORGANIZATIONS

Overview

Support from Non-Governmental Organizations (NGOs) may be required to properly assess and handle the situation. Those willing and able to assist in such an emergency include the Amateur Radio Emergency Services (ARES), American Lifelines Alliance, (ALA), American Red Cross (ARC), Civil Air Patrol (CAP), Salvation Army, and the Radio Amateur Civil Emergency Service (RACES).

Amateur Radio Emergency Services

The Amateur Radio Emergency Services (ARES) is a public service organization and is coordinated by the Amateur Radio Relay League (ARRL). ARES consists of licensed amateur radio operators who have voluntarily registered their qualifications and equipment to provide emergency communications during emergencies and for public service events, as needed. Members of ARES provide secondary and primary communications for any served agency that requests their services. ARES groups are dedicated to serving the communities where they live, working alongside with RACES, American Red Cross, local and State governments, and other nonprofit community-service organizations.

American Lifelines Alliance

The American Lifelines Alliance (ALA) is a public-private partnership project funded by the FEMA and managed by the Multi-hazard Mitigation Council (MMC) of the National Institute of Building Sciences (NIBS). The ALA's goal is to reduce risks to lifelines – the essential utility and transportation systems that serve communities across all jurisdictions and locales – from all hazards. To do so, it facilitates the development, dissemination, and implementation of planning, design, construction, rehabilitation, and risk-management guidance and encourages use of this information to improve the performance and reliability of new and existing critical infrastructure.

The ALA's key stakeholders are lifeline operators and the communities they serve, standards development organizations, and engineering and risk-management professionals. The ALA provides a forum to address current industry and community needs and crafts unique partnerships to work across lifelines systems. ALA products either are incorporated in national consensus standards documents or are disseminated to key industry stakeholders through relevant associations and industry publications.

The ALA seeks partners in the public and private sectors to collaborate with the ALA in identifying and supporting mutually beneficial projects. In addition to FEMA and NIBS, current partners are Pacific Gas and Electric Company, Radian/ROHN, US Geological Survey, and Bureau of Reclamation.

American Red Cross

The American Red Cross (ARC) provides relief for persons affected by disasters including providing food, clothing, and lodging; supplemental medical and nursing assistance; various family services; and rehabilitation. During disasters, the Red Cross operates independently of, but coordinates with, local government. In many cases, the Red Cross and local government have developed emergency plans or entered into agreements outlining their roles in disasters. Recognizing that warning, rescue, and protective actions (evacuation or shelter in place) are governmental responsibilities, the Red Cross may, within its capabilities, assist in these functions.

Civil Air Patrol

The Civil Air Patrol (CAP) will provide air transportation for emergency personnel, and air reconnaissance for monitoring purposes.

Community Awareness and Emergency Response

The Community Awareness and Emergency Response (CAER) program is a non-profit entity of the Chemical Manufactures' Association (CMA). The CAER organization is composed of members of local businesses, industries, utilities, emergency service agencies, related government agencies, and community representatives.

The CAER program encourages chemical plant managers to take the initiative in cooperating with local communities to develop integrated emergency plans for responding to hazardous materials incidents. Because chemical industry representatives can be especially knowledgeable during the planning process and because many chemical plant officials are willing and able to share equipment and personnel during response operation, community planners should seek out local CMA/CAER participants. Even if no such local initiative is in place, community planners can approach chemical plant managers or contact CMA and ask for assistance.

Oiled Wildlife Care Network

The Oiled Wildlife Care Network (OWCN) is the world's only oiled wildlife response organization boasting more than 25 different members comprised of world-class aquaria, universities, scientific organizations and rehabilitation groups. Established in 1994 by the Administrator of the Office of Spill Prevention and Response (OSPR) as a result of the Exxon Valdez oil spill in Alaska and the American Trader incident off Huntington Beach, it is currently administered by the UC Davis Wildlife Health Center in the School of Veterinary Medicine.

Recognized as a international leader in oil spill response, the OWCN focuses on four core areas to expediently and effectively offer the best possible care for oil-affected wildlife:

- Readiness: Continual training and drilling of facilities, personnel, and wildlife contingency plans is critical to rapid deployment during oil spills;

- Response: Providing immediate access to permanent wildlife rehabilitation facilities, trained personnel, and key supplies is necessary for giving care to oil-affected wildlife;
- Research: Exploring improvements to methods for collecting and caring for wildlife through active research helps to ensure the use of the best medical therapies during oiled wildlife rehabilitation efforts; and
- Reaching Out: Sharing knowledge and resources with the public and other wildlife professionals allows global dissemination of the best information possible on the effects of oil on wildlife and their environment.

Radio Amateur Civil Emergency Service

The Radio Amateur Civil Emergency Services (RACES) is a public service that provides communications personnel (licensed volunteers) to government agencies in times of an emergency. RACES operates on radio amateur frequencies, by authority of the FCC, and can augment existing systems, substitute for damaged or inoperable systems, and establish communications links with areas that are inaccessible through other forms of communication.

Salvation Army

The Salvation Army is one of the principal agencies involved in disaster relief. To better augment this service, it has entered into agreements with governmental and private agencies so that, through cooperation, each may better serve in time of disaster. The Salvation Army can, within the limits of its personnel and fiscal capabilities, provide mobile feeding for disaster victims and emergency workers, emergency housing, medical assistance, referrals to appropriate government and private agencies for special services required by victims, and other services as required.

SECTION 7.0 - PRIVATE INDUSTRY

Business

It is the responsibility of a business which uses, generates, processes, produces, packages, treats, stores, emits, discharges, or disposes of hazardous materials to develop contingency plans (H&SC 25503, et seq., and 19 CCR). This includes emergency response planning for contingencies within their facilities, and providing employees with proper training and skills to handle in-plant hazardous materials emergencies. Businesses must abide by local, State, and Federal reporting requirements for hazardous materials releases. They must comply with the specific mandates of the minimum planning regulations adopted by the Cal OES and their implementation by local CUPA/AA/PAs and other regulatory agencies. Throughout the duration of the incident, businesses must keep the Incident Commander informed as information becomes available concerning:

- Any conditions within the facility which may affect emergency response;
- On-site monitoring for extent of damage;
- Causation; and
- Technical advice.

Businesses should be invited to participate in the local planning activities related to hazardous materials so that preparedness is reasonable and appropriate for local needs and to make the best use of local resources.

Marine oil spill prevention and response planning requires specific contingency plans to be written as well. Both Federal and State regulations require vessels and marine facilities located or doing business in California to submit plans.

Response & Cleanup Companies

The private sector often has a significant role in a hazardous materials incident. If no public hazardous materials emergency response team is available, initial containment within the exclusionary zone may require a private contractor who will provide the personnel and material/equipment required to enter a hazardous area. Private sector responders are often used to clean up (mitigate) a release after initial containment (abatement) has been accomplished. Private responders will usually require a prior financial commitment from an identified responsible party. If the spiller, handler, or owner of the hazardous materials is unwilling, unable to respond, or unidentified, a public agency may have to ensure the emergency abatement and mitigation of the release. The agency is normally a county or city, but may be a state or federal agency in some circumstances (i.e., Caltrans for a freeway spill). Marine oil spill cleanup utilizes state approved primary response contractors for assistance. Private industry, as well as State and Federal agencies, utilizes response contractors to provide assistance during a marine oil spill response and cleanup.

US EPA hazardous waste identification numbers are required for proper disposal of hazardous waste. All counties in California have been issued emergency numbers to utilize. For establishing financial responsibility of a firm, many contractors use the Dun and Bradstreet number that is required of businesses that file a business response plan as part of the hazardous materials emergency

planning and community right-to-know program. Cost control procedures should be addressed in any use of public funds.

Private hazardous materials cleanup contractors must comply with all applicable laws and regulations. These include adequate insurance, OSHA training requirements, and transporter regulations enforced by the CHP. If public funds are being used to pay for the cleanup, the contracting agency should ensure that the contractor is in compliance with the appropriate requirements. Cost control procedures should be addressed in any use of public funds. All agencies that may interact with cleanup contractors are encouraged to establish relationships with available firms so that access, funding, and disposal issues are resolved prior to an incident. Examples of such firms include:

- **Industrial Chemical Waste Removers**
  These organizations provide services under contract. They have the capability to clean up, haul, and decontaminate a hazardous materials incident scene, as well as conduct restoration and repair of highways or other damaged property. They are a resource that should be identified during pre-incident planning. Contracts defining their role and scope of activities should be drawn up beforehand so the IC may have ready access to their capabilities when the emergency occurs.

- **Oil Spill Cooperatives/ State Approved Oil Spill Response Contractors**
  These groups are organized by oil companies to provide equipment and trained personnel for response to oil spills. These cooperatives and contractors are pre-positioned at various locations along the California coast and can provide response equipment for responding to oil spills on the water.

Additional Support Resources

Specialized information and response resources provided by private industry include:

American Chemical Society

If known, the manufacturer of a spilled chemical can provide detailed technical information (including special precautions, disposal procedures, etc.) on their products and may provide an emergency response team, if needed. Calling CHEMTREC activates chemical manufacturers.

Chemical Transportation Emergency Center

The Chemical Transportation Emergency Center (CHEMTREC) is a 24-hour public service of the Chemical Manufacturers Association **(800) 262-8200**. It can provide the following:

- Immediate emergency action information for spill, leaks, exposure, or fire control measures.
- Precautionary information.
- Assistance in identification of hazardous substances, if the

manufacturer is known, or shipping papers are present.
- Immediate notification of manufacturers or shippers through their emergency contacts or notification of industry mutual aid networks.

Chlorine Emergency Plan

Organized by the Chlorine Institute for emergency response to chlorine emergencies, teams are activated by CHEMTREC. The Chlorine Emergency Plan (CHLOREP) was organized by the Chlorine Institute in 1972 primarily to advise and assist in resolving chlorine transportation emergencies. Under this plan, Chlorine Emergency Teams and numerous chlorine backup teams are on constant alert to handle threatened or actual chlorine leaks on a 24-hour basis in the United States and Canada. CHLOREP teams may be called directly but are usually dispatched through CHEMTREC.

National Poison Antidote Center

The National Poison Antidote (NPAC) Center is now a working part of the CHEMTREC system. It provides immediate information for treatment of most known poisons. It has communications to all major hospitals and can be contacted through CHEMTREC.

Transportation Company Dispatch Centers

Carriers, including railroads, can be contacted for additional technical information and waybill or cargo manifest readouts (when requested, CHEMTREC can accomplish this service). Carriers may also provide assistance with chemical and wreckage removal.

SECTION 8.0 - VOLUNTEERS

Volunteers

It has been well established that volunteer efforts can both help and hinder emergency response agencies. The help comes in the form of immediate energies, resources, and work accomplishment. The hindrance comes from unmanageable or unknown numbers of volunteers, poorly directed work, lack of expertise, and a general lack of control. The volunteer programs that are being managed in California are:

- The California Volunteer Program, managed by the Office of the Governor Volunteer Program;
- The Disaster Services Worker Program, managed by Cal OES;
- The Volunteer Program for Oil Spills, managed by OSPR; and
- The California Disaster Healthcare Volunteers, managed by EMSA.

California Volunteer Program – Is a new program and this section will be enhanced in the next version of the Tool Kit.

Disaster Services Worker Program – Has been established since the early 1950s (Emergency Services Act § 3211.9, *et seq*.) to protect volunteers from financial loss as a result of injuries sustained while engaged in disaster service activities (workers' compensation insurance coverage), and to provide immunity from liability to protect both the disaster service worker and the political entity in any civil litigation resulting in acts of good faith while providing disaster service.

The California Emergency Council (CEC) is mandated to establish Disaster Services Worker (DSW) Volunteer program rules and regulations including classifications, registration requirements, and a means to facilitate workers' compensation coverage. Cal OES provides policy administration and claims review, while the State Compensation Insurance Fund provides for budget administration and claims processing. The DSW program regulations have recently been revised to update certain elements of the program such as: training; DSW classifications; and definitions (refer to 19 CCR 2570, *et seq*. and the DSW Volunteer Program Guidelines from Cal OES).

- **Disaster Service** includes those activities authorized by the Emergency Services Act, including the training necessary to engage in such activities.

- **Disaster Councils** (a public agency established by ordinance) provide management of disaster plans and disaster operations of that jurisdiction, and are empowered to register and direct the activities of disaster service workers within their jurisdiction and acts as an instrument of the state in carrying out disaster services.

- **Disaster Service Worker** (DSW) is any person who is registered with a disaster council, Cal OES, or a State agency granted authority to register DSWs, for the purpose of enlisting in disaster service without any pay or other consideration. A DSW also includes public employees, and any unregistered person who may be ordered to perform disaster service by an emergency official if immediate assistance is needed to protect life

and property ("impressed into service"). A DSW does not include volunteer fire fighters or any paid sheriff's reserve officers. DSW classifications approved by the CEC include the following:

- Animal Rescue, Care & Shelter
- Communications
- Community Emergency Response Team
- Finance & Administrative Staff
- Fire
- Human Services
- Laborer
- Law Enforcement
- Logistics
- Medical & Environmental Health
- Safety Assessment Inspector
- Search & Rescue
- Utilities

Volunteer Program for Oil Spills – Under OSPR's Volunteer Program the pre-designated Volunteer Coordinator is responsible for managing and overseeing all aspects of volunteer assignments and activities at a marine oil spill, including: recruitment; induction/activation; training; operating the Volunteer Operations Center (VOC); and deployment.

The **Volunteer Coordinator** is a part of the Planning Section and reports to the Resources Unit Leader within the ICS structure. The Unified Command (FOSC, State IC, Responsible Party), however, is ultimately responsible for determining whether volunteers should be used and for what purpose. The decision to use volunteers will be based on the size of the spill, impact of the spill, and advice from the Unified Command staff. The Volunteer Coordinator will be notified by the UC directly or through the Planning Section/Resources Unit Leader that volunteers may be needed or to assist with telephone (toll-free number) coverage to provide information on the status of volunteer utilization. All requests for the use of any volunteers must go through the Planning Section/Resources Unit to the Volunteer Coordinator who oversees volunteer assignments and activities.

The Responsible Party may utilize volunteers according to their contingency plan procedures and is responsible for all costs and benefits, or volunteers may be registered ("employed") as unpaid State workers in order to be entitled to Workers' Compensation benefits. In California, a volunteer is covered by workers' compensation (per Emergency Services Act, GC § 8574.3) as long as the use of volunteers has been sanctioned by the UC or an authorized state agency (e.g., OSPR or Cal OES), and each volunteer has been officially sworn in and deemed a "State Employee", using form Std. 689.

There are two types of volunteers that may be utilized during an oil spill emergency:

- **Organized** - volunteers who have been registered and trained prior to a spill. Volunteer names, addresses, and phone numbers are entered into a database for future reference and call-out in the event of a spill.
- **Convergent** - volunteers who arrive at a spill site and are not previously registered or sworn in. These volunteers, who may or may not be experienced or trained, are not recognized as sanctioned volunteers and are not eligible for workers' compensation benefits until they register, are sworn in as a "State Employee", are properly trained, and assigned to perform appropriate tasks according to their level of expertise.

Health and safety is the first priority in decisions regarding the use of volunteers at an oil spill or any other hazardous materials incident. Volunteers, therefore, should not work directly with recovered oil and hazardous substances, and volunteers should not be assigned to work in areas where there is a known or potential health hazard due to chemical exposure. Additionally, if the Unified Command and/or Safety Officer determines that dangerous conditions exist; volunteers will be restricted from those operations. All persons working with oil and hazardous materials must receive specific health and safety training, depending on their task, as required in 8 CCR § 5192.

In the event of an oil spill, the **Oiled Wildlife Care Network** (OWCN) is activated by the IC/UC. These facilities normally utilize both paid and unpaid volunteers; however, if more volunteers are needed, the Volunteer Coordinator may refer volunteers to them to screen for wildlife capture or for backup tasks such as building, electrical, wildlife washing, etc.

Agency and jurisdiction specific response plans should establish procedures to allow for a well organized, efficient, and safe use of volunteers, including compliance with appropriate health and safety regulations.

Disaster Healthcare Volunteer (DHV) – Is a program that pre-registers, manages, and mobilizes healthcare professional volunteers to help in responding to all types of disasters.

The DHV program registers volunteer health professionals including: doctors, nurses, paramedics, pharmacists, dentists, mental health practitioners, and clinical technicians. DHV volunteers are available to meet increased patient/victim care needs during a proclaimed emergency. During a disaster deployment EMSA assigns missions, tracks the volunteers, and coordinates logistical field support needs.