Annex T Hazardous Substance Incident

In accordance with the National Response Plan and the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) the Coast Guard will serve as the Federal On-scene Coordinator (FOSC) for actual or potential releases of hazardous substances within the coastal zone that would impact public health and safety or enter the environment and originate from vessels or facilities.

Purpose

This Annex is written to provide initial response guidance upon notification of a hazardous substance release in the coastal zone which may have actual, potential, or perceived consequences to public health or the environment. If the hazardous substance release is suspected or confirmed to be the result of a terrorist act, response to the incident should be initiated using the Area Maritime Security Plan.

Jurisdiction

The Coast Guard is the Federal On-scene Coordinator for any hazardous substance releases in the coastal zone that require emergency removal actions with the exception of incidents that:

- Occur from vessels or facilities owned, operated, or controlled by the Department of Defense (DOD) or Department of Energy (DOE)
- Are *non-emergency* removal actions of hazardous substance releases from vessels or facilities owned, operated, or controlled by Federal agencies *other than* the DOD or DOE

Under the CERCLA the Coast Guard Incident Commander (acting under their FOSC authority) has the authority to:

- Initiate a time critical assessment of the threat
- Take the necessary steps to stabilize or control the immediately identified potential threat
- Begin activating Federal scientific support agencies necessary to conduct an assessment (air, water, soil, or specific substance sampling in accordance with the relevant published sampling protocols and guidelines)
- Initiate a response

Coast Guard Incident Commander Considerations

In most hazardous substance cases the On-scene Incident Commander will be from the local fire department or other local, county, or state agency. The Coast Guard Incident Commander's role is to:

- Determine if the incident requires the initiation of the Critical Incident Communications procedures
- Determine if the response is being managed by appropriate local authorities in a timely manner. (fire departments are normally lead agencies) and assess their need for Federal assistance.

If the response is being managed properly, provide Federal support as necessary to the on-scene Incident Commander through:

- Opening the CERCLA fund
- Activating Basic Ordering Agreements with contractors
- Providing technical support
- Deploying Coast Guard resources as needed (Atlantic Strike Team, vessels or aircraft)

If the response is not being managed properly by the Responsible Party or is not managed in a timely manner, one of the following orders may be issued:

- An Administrative Order - issued under CERCLA for "hazardous substance" releases when the FOSC has determined that there may be an imminent and substantial endangerment to the public health and welfare or the environment. The FOSC must be reasonably certain that the party to whom the order is issued is in fact the responsible party.
- Captain of the Port Order - issued to insure the safety of vessels and waterfront facilities, and the protection of the navigable waters and the resources therein.

In the event that the Responsible Party cannot be identified, located, or contacted in a timely manner, is either unwilling or unable to take responsibility and initiate removal actions, is conducting removal actions which are inadequate, unsafe, and/or pose a hazard to public health and/or the environment or other agencies have not responded or are not available; then: Commander Sector New York will determine whether to federalize the removal actions. If federalized, the following actions should be taken:

- Engage in a coordinated and prompt response (The general rule for CERCLA is "First make it safe, then determine the extent of the hazard and Federal removal authorities")
- Contact the appropriate state agency
- Contact local/state authorities to secure the scene and establish exclusion zones
- Access CERCLA funding

- Conduct a removal site assessment to include identification of the source, determination of the threat to public health (resources that can assist with this determination include Agency for Toxic Substance Disease Registry (ATSDR) and Local, County or State public health officials), evaluation of the magnitude of the threat, determination if actions have been taken to mitigate the release, determination if there is potential of further release, designate the Potentially Responsible Party(s), determine when removal actions are complete and if the site requires continued cleanup under the remediation phase, AND IS NOT A VESSEL, transfer the role of OSC to EPA Region II or III as appropriate.

Circumstances where the Coast Guard can Transfer OSC to the EPA

The most common circumstances under which the Coast Guard OSC would transfer OSC responsibilities to the EPA for action are when

- The release originates from a Hazardous Waste Management Facility.
- The release does not require an immediate removal action
- The site assessment determines that the release does not require immediate removal actions or remedial actions are necessary to complete the cleanup
- The threat of further release has been eliminated, prior to the completion of the cleanup.
- Coast Guard policy requires that removal be secured when prompt action is no longer necessary and substantial remediation methods must be used to completely remove the remaining contamination.

When requesting a transfer of the OSC authority a “Statement of Agreement Transferring Federal On-Scene Coordinator Responsibility” shall document the transfer of authority. Under normal circumstances, the CG will not transfer OSC authority to the EPA whenever the source of a release is a vessel.

Notification

If the Coast Guard is receiving the initial notification:

- The information will be recorded and passed to the Response Duty Officer or Incident Management Division, who will then notify all appropriate Federal, State and Local agencies and contact the NRC.

Dispatching Initial Coast Guard Response Personnel

Safety is *always* the *primary consideration* when the determination is made to dispatch response personnel. Prior to dispatching personnel ensure that the following are completed:

- Obtain information on the hazardous substance. The Responsible Party in addition to reference material sources such as CHRIS manual, Material Safety Data Sheet (MSDS), Department of Transportation' s Emergency Response Guidebook, NIOSH Pocket Guide are all good sources of information.

- Collect existing and forecast environmental conditions (wind direction, speed, precipitation, temperature, inversions, etc)
- Determine nature of safety risk to responders consistent with environmental conditions. For example: Inhalation hazards are directly related to wind conditions & inversions, some chemicals, such as concentrated acids, react violently with water and vapor pressure and off-gassing increase with temperature
- Determine, if established, the location of the Incident Command Post (ICP)
    - If there is no ICP established, contact appropriate local authorities to isolate the hazard and establish a properly located and safe ICP
    - If locals are unable to isolate and/or control the hazardous substance release contact the Atlantic Strike Team to make entry and determine the exclusion zone, contamination reduction zone, and safe zone
    - Get directions to the ICP that provide a safe approach to prevent inadvertent entry into a contaminated area – and check the approach against your own assessment of wind direction/speed.
    - Conduct an operational risk assessment to evaluate safety concerns using Green/Amber/Red (GAR) Model or another assessment method. More information on the GAR model is included at the end of this annex.
- Ensure appropriate protective equipment such as an Emergency Escape Breathing Apparatus (EEBA), appropriate respirator and cartridge, toxi-clip and oxygen meter are available.

Actions upon Arriving On-scene

- Meet with the On-scene Incident Commander at the Incident Command Post
- Determine the extent of the emergency (hazards) and actions taken to mitigate
- Determine with IC, any need for Federal assistance
- Meet with PRP representative on scene and determine willingness to conduct removal actions on behalf of FOSC
- Obtain and record information on site security and control including:
    - Availability of Emergency Response Plan
    - Availability of Site Safety Plan
    - Available and/or on scene Hazardous Materials response teams
    - Appropriate use of personal protective equipment
    - Air monitoring procedures
    - Clean up and disposal procedures

For all Federalized Removal Actions (at a facility or on a vessel)

The Unified Command should consider the following priorities, objectives and determinations when responding to a hazardous substance release.

Unified Command Priorities

- Responder safety
- Rescue of victims of the incident
- Source Control / Incident Stabilization
- Public safety/hazard mitigation
    - Protection from direct exposure, possible evacuations (evacuation determinations are generally a local government decision)
    - Protection of water intakes
    - Protection of underground drinking water aquifers
    - Consider neutralizing agents prior to cleanup
- Removal, decontamination and treatment of injured or potentially exposed personnel
- Environmental cleanup/restoration
- Proper transportation, storage and disposal of contaminated debris & waste

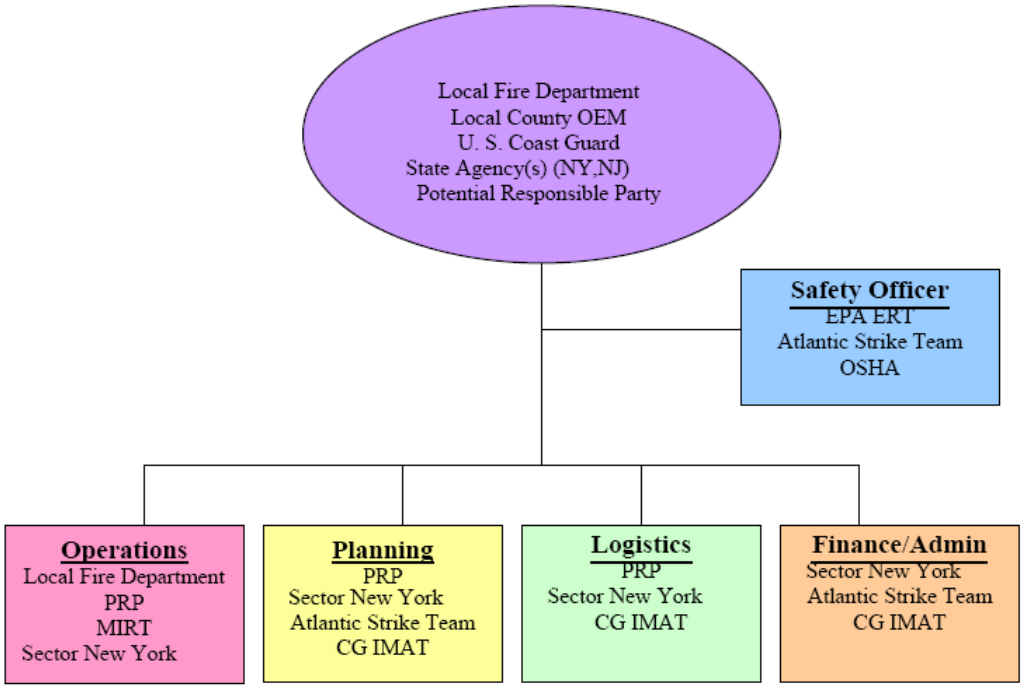
Unified Command Considerations for an Incident Involving a Vessel

- Determine need to triage, treat, transport, decontaminate, and/or evacuate passengers and non-essential crew
- Establish a safety zone
- Vessel stability
- If vessel is underway, consult with states to determine whether to bring the vessel into port
- Determine if Safe to Respond
- If vessel is on fire, consult the Marine Fire Fighting Plan

Unified Command Organization

The information in Figure 1 represents agencies that may support a hazardous substance release response operation and where they may potentially work in a Unified Command organization. If there is a suspected or actual terrorist threat associated with the incident, then this information should be used in conjunction with Area Maritime Security Plan.

Figure 1. Depicts the potential agencies that may respond to a major hazardous substance release incident in the coastal zone.



Special Teams

The following special teams are equipped to respond to hazardous substance incidents, and should be considered as potential response resources:

- EPA Environmental Response Team (ERT)
- USCG Atlantic Strike Team (AST)
- OSHA
- ATSDR
- NOAA

GAR MODEL

1. SUPERVISION – review all aspects of supervision – is it a new coxswain, is the CoC on board, is the crew from a different area, etc.
   Score 1-10 with 10 being the most severe

2. PLANNING/PREP – Is the GDO newly qualified; comfortable with mission; has there been enough time available to plan the mission, etc.
   Score 1-10 with 10 being the most severe

3. CREW SELECTION – Is it a new crew; is it the coxswain's normal crew. If you don't know ask.
   Score 1-10 with 10 being the most severe

4. FITNESS – Is the crew nearing fatigue standards – if so, add 5 points to whatever score you have; have they been underway a lot that day; is it nighttime – if after 2200 add 5pt to what ever score you have.
   Score 1-10 with 10 being the most severe

5. ENVIRONMENT – Is it night, is it bad weather, is visibility limited, is the boat near its sea state/wind limits?
   Score 1-10 with 10 being the most severe

6. MISSION COMPLEXITY – how complex is the mission – will additional risks be taken.
   Score 1-10 with 10 being the most severe

SCORING

SUPERVISION	
PLANNING/PREP	
CREW SELECTION	
FITNESS	
ENVIRONMENT	
MISSION COMPLEXITY	
TOTAL	

GAR EVALUATION SCALE[1]

1-23	24-44	45-60
Green	Amber	Red

[1] Green: low risk; Amber – moderate risk. Consider procedures/actions to minimize. Call OPS. Red – High risk, implement measures to reduce risk prior to starting mission. CALL OPS.