

Hazard Specific Annex: HAZMAT (EPCRA Version)

INTRODUCTION

The DuPage County Office of Homeland Security and Emergency Management (OHSEM) Hazard Specific Annex: Hazardous Materials (HAZMAT) focuses on the specific responsibilities DuPage County may have throughout the emergency operations (i.e. prepare, respond, recover, and mitigate) in relation to a hazardous materials event. This Hazard Annex will provide guidance to County departments involved in coordinating activities to assist other County Departments and DuPage County Municipalities. The following sections will identify specific concerns, capabilities, training, resources, and agencies that will be used to mitigate against, prepare for, respond to, and recover from a hazardous materials incident.

Purpose & Scope

PURPOSE

The DuPage County Hazardous Materials (HAZMAT) Annex and associated appendices are in accordance with the Federal Emergency Management Agency's (FEMA) [Comprehensive Planning Guidance \(CPG\) 101](#), offering hazard specific procedures and guidelines to an actual incident involving a hazardous material. This Annex and its associated appendices are written from a county perspective and disseminated to local jurisdictions as a framework for continuity of planning efforts. In addition, this Annex and associated appendices will assist the DuPage County Local Emergency Planning Committee (LEPC) in complying with existing State and Federal legislation. This document covers the nine required elements of a local emergency plan as outlined in the [Superfund Amendments and Reauthorization Act \(SARA\) Title III Legislation](#), also known as the Emergency Planning and Community Right-to-Know Act (EPCRA).

SCOPE

This Hazardous Materials Annex is applicable to the jurisdictional boundaries of DuPage County. The DuPage County Office of Homeland Security and Emergency Management (OHSEM) is responsible for developing this annex and disseminating it to both County and municipal stakeholders. The following internal DuPage County departments may offer critical resources and assets to ensure an efficient and effective operational readiness state: Stormwater Management, Community Services, Coroner's Office, Sheriff's Office, Department of Transportation, Public Works, and the DuPage County Health Department. In addition, these County departments are able to assist municipal stakeholders.

Situations

SITUATION

DuPage County recognizes there are two separate situational issues for hazardous materials emergency planning. The first aspect described in this HAZMAT Annex addresses unincorporated DuPage County. Whereas, the second aspect describes the County's support for municipal jurisdictions within DuPage County. Due to the high population density and large industrial composition of DuPage County, the probability of hazardous materials emergencies is high. However, due to the protective measures around hazardous materials the risk is low. Therefore, impacts of such emergencies vary widely and occur several thousand times annually according to local Public Safety Answering Points (PSAP) run reports.

Concept of Operations

OVERVIEW

Hazardous materials emergencies within DuPage County shall utilize the Incident Command System (ICS) to effectively manage the incident. Local Fire Departments or Fire Protection Districts may serve as the lead agency for large-scale Hazardous Materials Incidents. Unified Command Posts (UCP) may be determined and shared with stakeholders as soon as possible. Leadership personnel will identify the incident objectives and planning efforts, and will draft an Incident Action Plan (IAP) for ongoing support and coordination. Once life safety issues have ceased and incident stabilization has occurred, Fire shall transfer command to the corresponding agency responsible for area restoration. All documentation associated with the incident should be collated and disseminated to the appropriate Section Chief.

Mitigation

Due to the explosion in Bhopal, India at Union Carbide Pesticide Plant, the federal government passed the [Emergency Planning and Right to Know Act](#) in 1986. As a result, Illinois passed the [Illinois Emergency Planning and Community Right To Know Act](#). DuPage County supports this Act by having the County Board Chairman appoint the DuPage County Local Emergency Planning Committee (LEPC) members. The general public can access and provide comment on Tier II reports through the [Illinois Emergency Management Agency](#).

Prevention

The OHSEM is an active member of the DuPage County LEPC and maintains positive relationships with local, state, and federal law enforcement authorities. The LEPC is charged with preparing a regional hazardous materials emergency response plan, serving as a repository for regional hazardous materials information, and performs outreach functions to increase hazardous materials awareness. LEPC membership consists of local professionals representing occupational categories such as firefighting, law enforcement, emergency management, health, and/or transportation. In addition, the OHSEM team members shall routinely attend DuPage Police Chiefs Associations activities to foster on-going collaboration and should continue as members of the Illinois Terrorism Task Force Emergency Management Sub-Committee and Public Health and Medical Sub-Committee. Lastly, the OHSEM staff receive daily communication from the Statewide Terrorism Intelligence Center (STIC) and discuss applicable information at morning Coordinator briefings.

Preparedness

The OHSEM personnel practice good situational awareness, enabling team members to remain in a constant state of readiness. The OHSEM maintains a current stakeholder database in order to effectively contact key personnel before, during, and after operating hours. The OHSEM has constructed a Multi-Year Training and Exercise Program (MYTEP) which outlines a curriculum providing direction of All-Hazards preparation for emergencies. The OHSEM seeks legal guidance every other year from the DuPage County State's Attorney's Office to review applicable planning guidance.

The following DuPage County departments receive training annually: Law Enforcement, Fire, Risk Management, Stormwater Management, Environmental Health Services (EHS), Environmental Protection, Public Works, and Transportation. This training includes, but is not limited to: [AskRail](#) Application Training, EOC Operations, Integrative Emergency Management Concepts and Procedures, Unified Command and Area Command Triggers, Emergency Support Functions, Tactical Interoperable Communication Planning, and Continuity of Operations. It is expected that the OHSEM shall share this HAZMAT Annex with stakeholders annually. The OHSEM shall meet and discuss roles and responsibilities with applicable Fire Protection Districts of unincorporated areas in DuPage County. If discrepancies are identified during this review, the OHSEM Deputy Director shall host a planning workshop to update the plan. It is highly recommended that a Tabletop Exercise (TTX) is conducted after any changes are made to this annex.

Response

DuPage County recognizes there are two separate models to train and exercise for hazardous materials emergencies. The first model described in Direction, Control, and Coordination is based on DuPage County's response for unincorporated areas within DuPage County. These response efforts will require DuPage County departments to have a more active role. For example, DuPage County will be represented in the Unified Command in order to manage tactical operations from internal departments (i.e. Stormwater Management, Coroner's Office, Sheriff's Office, Health, Public Works, Transportation, Finance, Risk Management, etc.). The second model of Direction, Control, and Coordination, is DuPage County's response in assisting local municipalities with coordination of County resources and assets for hazardous material emergencies. For example, DuPage County may assist with liaison support in the Unified Command, as well as staging area management. The Communications Unit (COMU) may be activated to support communications in the EOC, at the incident, or anywhere such support may be needed.

Recovery

Immediately following the diminishing threat to life safety and incident stabilization, the lead agency may begin recovery operations. Hazardous materials restoration crews shall be activated from the jurisdictional authority and all procurement project "Scope of Work" should be finalized to prevent price gouging if a responsible party cannot be determined. DuPage County shall continue to provide support for local municipalities in accordance with state and federal regulations. For example, DuPage County may offer services, such as subject matter expertise (e.g. environmental and behavioral health services).

Administration, Finance, and Logistics

OVERVIEW

The general support requirements are handled at the local level. DuPage County shall assist in coordinating all available service and support needs for hazardous material emergencies, as well as provide general policies for managing these resources. Local Fire Departments report hazardous materials incidents to the Illinois Emergency Management Agency (IEMA); DuPage County may be a recipient of this information. DuPage County Finance and Administration should utilize a pre-identified accounting unit for an authorized response activation. This can only be authorized by the DuPage County Crisis Management Team (CMT). All personnel and asset costs shall be tracked and documented in accordance with DuPage County Policy (Ord. OJP-002-10, 4-27-2010) (10-10). "The County Board Chairman may, on recommendation of the County Director of OHSEM, authorize any purchase or contracts necessary to place the County in a position to combat effectively any emergency, public health emergency or disaster and to protect the public health, and safety, protect property, and provide emergency assistance to victims in the case of such emergency, public health emergency or disaster. Unless such purchases or contracts are made in the event of an emergency as provided below, they shall be subject to all state and County procedures and formalities governing procurement." "In the event of an emergency, public health emergency or disaster, the County director of OHSEM is authorized, on behalf of the County, to procure such services, supplies, equipment or material as may be necessary for such purposes, in view of the exigency without regard to the statutory procedures or formalities normally prescribed by law pertaining to County contracts of obligations, as authorized by the "state emergency management agency act", provided that if the County Board meets at such time he shall act subject to the directions and restrictions imposed by that body. This authorization shall only be effective for seven (7) days, but is renewed without further action if a declaration of emergency, public health emergency or disaster is extended pursuant to statute." "OHSEM, with the approval of the County Board, shall be responsible for applying for and accepting for County departments, all appropriate federal and state funding that relates to combating terrorism." "Further, with regards to response and operation at and around emergency, public health emergency and disaster areas, County owned vehicles assigned to OHSEM are considered 'authorized emergency vehicles'. "Each public entity is responsible for keeping track of its own incident related resources and expenses, and each has the right and responsibility to claim reimbursement from parties responsible for the hazardous materials incident. In order to cut down on financial cost, Memorandums of Understanding (MOU) can be set up between agencies in order to lessen the financial burden associated with emergencies. For recovery reimbursement, these MOU's are not usually financially compensated by state and/or federal funding. For example, fire departments use auto aid and mutual aid services between themselves and do not bill for services rendered. It is important to understand the differences between DuPage County emergency procurement and normal procurement procedures. For example, utilizing HAZMAT Clean Up crews that are already on the normal procurement list for DuPage County Stormwater and the DuPage County Environmental Division may prove to be easier in the time of an emergency. Not all services rendered need to be procured. There are several nongovernmental organizations (NGO), such as the American [Red Cross](#) that can assist with various emergency needs during natural disasters and do not request financial reimbursement. In addition, all DuPage County employees may be called upon to assist during a disaster according to County policy (Ord. OJP-002-10, 4-27-2010) (10-4)(R): "As deemed necessary by the director of OHSEM or his/her designee, utilizing appropriate County personnel, resources, and facilities to mitigate emergencies, support essential County functions, and safeguard lives and property within DuPage County."

Plan Development and Maintenance

OVERVIEW

In accordance with 42 USC 11003 the Local Emergency Planning Committee (LEPC) shall review the plan annually, or more frequently, if circumstances change within the County, or at any facility. The annual update is required to be submitted to the LEPC by October 17th of each year.

Changes to the Plan

1. The plan should be reviewed and changed, as needed, following an actual incident and/or following an exercise. Any recommended changes to the plan shall be reviewed by the LEPC and subsequently made a part of the plan in accordance with the [Open Meetings Act in Closed Session](#).
2. Annual Updates: All information will be checked on an annual basis for proper identification and telephone numbers, all names, quantities, locations of hazardous materials in the area, facility maps, and transportation route changes. Emergency services and resources available will be included and subsequent distribution will be made thereof. All changes will be numbered consecutively.
3. Submission of the Plan/Changes for Annual Review:
 - I. When submitting the plans for an Annual Review the LEPC must submit the following:
 - (a) A letter explaining that the information enclosed (i.e. the plan, changes and/or other material) is being submitted for the purpose of the annual review.
 - (b) Copies of the Resolution or other documentation indicating that a majority of the LEPC members have read and concur with the plan/changes in accordance with the guidance may be found in the DuPage County Office of Homeland Security and Emergency Management (OHSEM) Planning Memorandum. The DuPage County OHSEM will not review a plan without evidence that a majority of the LEPC has knowledge of the plan and has adopted it.
 - II. Material will be reviewed:
 - (a) The entire Plan must be submitted for a first time review or when the plan has been completely rewritten. If the Plan is an annex or an appendix to the DuPage County EOP, the EOP must also be submitted unless it is on file at DuPage County OHSEM.
 - (b) If the Plan has been previously reviewed, only the changed pages must be submitted for the annual review.
 - III. LEPC Plans must be submitted to the DuPage County OHSEM for Annual Review by October 17th of each year. However, if an LEPC has corrected, updated or revised a plan prior to the deadline, it may submit its plan - with all required materials and a letter of explanation - to the DuPage County OHSEM, prior to the October 17th deadline. For example, if an LEPC chooses to submit its plan prior October 17th, i.e., February 20th, it could use the February 20th date as its Annual Review submission date. This early submission for the Annual Review is at the discretion of the LEPC.

Authorities and References

AUTHORIZED LEGISLATION AND REGULATIONS

A. Federal.

- 1) [Superfund Amendments & Re-Authorization Act of 1986](#)
- 2) [National Oil & Hazardous Materials Contingency Plan, 40 CFR Part 300](#)
- 3) [Title 49, Code of Federal Regulations, Parts 100 to 199](#)
- 4) [Disaster Relief Act of 1974. Public Law 93 to 288](#)
- 5) [Robert P. Stafford Disaster Relief & Emergency Assistance Act of 1988](#)
- 6) [Civil Defense Act of 1950](#)
- 7) [Comprehensive Environmental Response Compensation Liability Act of 1980](#)
- 8) [Federal Emergency Management Agency Rules, 44 CFR Part 302](#)
- 9) [Clean Water Act/Federal Water Pollution Control Act, PL95-2FI](#)
- 10) [Occupational Safety & Health Administration Standards](#)
- 11) [Hazardous Material Transportation Regulatory and Enforcement Programs](#)
- 12) [Temporary Flight Restrictions in the Vicinity of Disaster/Hazard Areas, 14 CFR 91.137](#)
- 13) [Comprehensive Emergency Response Plans, 42 USC 11003](#)
- 14) [National Emergency Communications Plan, 2014](#)
- 15) [Emergency Planning and Community Right-To-Know Act, 42 USC Chap. 116](#)

B. State:

- 1) [Illinois Hazardous Materials Emergency Act, 430 ILCS 50](#)
- 2) [Illinois Hazardous Materials Transportation Act, 430 ILCS 30](#)
- 3) [Illinois Hazardous Materials Regulations, Title 92 Illinois Administrative Code \(IAC\) 171 to 180](#)
- 4) [Illinois Proper Management of Hazardous Waste, Title 35 IAC 700 to 739](#)
- 5) [Illinois Emergency Planning and Community Right to Know Act, Title 29 IAC 301](#)
- 6) [Illinois Emergency Management Agency Act, 20 ILCS 3305](#)
- 7) [Illinois Tactical Interoperable Communications Plan, September 2014](#)
- 8) [Illinois Interoperable Field Operations Guide, May 2016](#)

C. DuPage County:

- 1) [DuPage County Policy \(Ord. OJP-002-10, 4-27-2010\)](#)
- 2) [DuPage County Tactical Interoperable Communications Plan, 2017](#)
- 3) [DuPage County Policy \(Ord. OJP-002-10, 4-27-2010\)\(10-10\)](#)
- 4) [DuPage County Policy \(Ord. OJP-002-10, 4-27-2010\) \(10-4\)\(R\):](#)