

**Hamilton County Emergency Operations Plan  
ANNEX J - Emergency Support Function #10  
Hazardous Materials**

**Coordinating Agencies:** Hamilton County Department of Environmental Services

**Support Agencies:** Greater Cincinnati Hazardous Material Unit  
Cincinnati Fire Hazmat Units  
Hamilton County Emergency Management & Homeland Security Agency  
Hamilton County Local Emergency Planning Committee  
Jurisdiction Fire Departments  
Facility Owner/Operators  
Hamilton County Health Department  
Metropolitan Sewer District  
Hamilton County Engineers Office  
Jurisdiction Health Departments  
Ohio Environmental Protection Agency  
US Environmental Protection Agency  
Ohio Department of Transportation

**I. Introduction**

A. Purpose

Provide hazardous materials coordination and support services in support of emergency events in Hamilton County. The goal is to assist local responders in saving lives and protecting property from a hazardous materials release by developing the following plan to help mitigate the effects of, prepare for, respond to and recover from, an emergency caused by a hazardous materials or extremely hazardous materials release within Hamilton County.

**II. Situation and Assumptions**

A. Situations

1. Fixed Site Risks

According to the most up-to-date data, there are 465 hazardous substance sites and 267 extremely hazardous substances sites within the county.

2. Transportation Risks

- a) There are multiple state routes, 7 U.S. routes, and 5 Interstates that run through the county.
- b) There are 4 railways that operate within the county
  - 1) CSX railway
  - 2) Norfolk Southern railway
  - 3) Indiana & Erie
  - 4) Amtrak

3. Pipeline Risks
  - a) There are 5 pipeline operators within the county.

#### B. Assumptions

1. The existence of hazardous materials provides the potential for a release of a substance into the air, land, or water at any given time in the County. The release hazard may impact the citizens located in the vulnerable zone of each fixed site facility.
2. This county has the capability to make protective responses in the event of an incident involving the transport, storage, usage, or manufacture of hazardous materials. In fact,, the majority of hazardous material releases within Hamilton County are handled at the local level.
3. Protective action recommendations during an incident may include:
  - Shelter in place, which consists of:
    - Go indoors (home, school, office)
    - Shut off all outside air sources (doors, windows, furnace, A/C)
    - Tune in to radio and/or local television stations and follow instructions.
  - Evacuation
    - Evacuation to another jurisdiction
    - Evacuation locally, outside of the hot zone
  - Notification of contaminated foodstuffs or water supplies.
4. The amount of lead-time available to determine the scope and magnitude of the incident will impact the protective action recommended.
5. In the event of a serious incident, many residents in the vulnerable zone may choose to evacuate spontaneously without official recommendation. Many may leave by way of routes not designated as main evacuation routes. Some may not evacuate at all from the hazard area.
6. A transportation incident may require the evacuation of residents at any location within the county.
7. Extremely Hazardous Substances (EHS) entering the sewage or drainage systems may necessitate the shutdown of sewage plants, which may result in the release of untreated sewage.
8. Wind shifts may occur that result in designating protective action measures.
9. The resources of the county may need to be augmented by the State and/or Federal government, either separately or in combination, to cope with the situation. They will act under the Incident Commander.

### III. Concept of Operations

#### A. Mitigation

1. Support and plan for mitigation measures pertaining to hazardous materials.

2. Identify deficiencies or areas to be improved and/or enhance protective measures to lessen the impact on vulnerable populations and/or minimize damage to critical facilities
3. Provide personnel with the appropriate expertise to participate in activities designed to reduce or minimize the impact of future disasters.

#### B. Preparedness

1. Actions and activities that develop hazardous materials response capabilities may include planning, training, orientation sessions, and exercises for ESF-10 personnel (i.e., Local, State, Regional, and Federal) and other emergency support functions that will respond with ESF-10. This involves the active participation of inter-agency preparedness organizations, which collaborate in such activities on a regular basis
2. The Hamilton County LEPC will prepare an inventory of existing threats using SARA Title III, Tier II information. This information will be available on Raven 911 to all emergency agencies in Hamilton County.
3. Coordinate planning with ESF-10 support agencies and other emergency support functions to develop hazardous materials response operations.
4. Prepare and maintain standard operating procedures, resource inventories, personnel rosters and resource mobilization information necessary for implementation of the responsibilities of the lead agency.
5. Train the public in protective measures such as evacuation and shelter in place.

#### C. Response

1. Coordinate operations at the ESF-10 desk in the Regional Operations Center and/or at other locations as required.
2. Establish and maintain a system to support on-scene direction, control and coordination with the local incident commander, the county EOC, State EOC, and / or other coordination entities as appropriate
3. Participate in EOC briefings, Incident Action Plans, Situation Reports and meetings
4. Coordinate with support agencies, as needed, to support emergency activities
5. Coordinate with other County ESFs to obtain resources and to facilitate an effective emergency response among all participating agencies
6. Once all local resources have been utilized and expended, coordinate with the logistics section to assist in locating additional support resource

#### C. Recovery

1. Continue to provide support as required to the recovery phase of the incident through the appropriate incident commander.
2. Cost Recovery: The Emergency Management Agency will follow ORC Chapter 3745.13 in recovering costs. If this is not applicable, the EMA may request reimbursement from the USEPA under the Superfund legislation for cost recovery, (40 CFR 310-Reimbursement to local Governments for Emergency Response to Hazardous Substances Releases).

#### **IV. Organization and Assignment of Responsibilities**

##### **A. General**

Proper response to an incident involving the release of hazardous materials requires the coordinated actions of numerous city, township, and village departments or agencies under a unified command system. Rapid communications must be utilized to inform responsible officials of the situation, in order to facilitate decision-making. The following tasks are not intended to be all-inclusive or exclusive nor are they presented in order of execution priority. They represent a guide for actions to be taken when a hazardous materials incident occurs.

##### **B. Responsibilities**

1. Hamilton County Department of Environmental Services
  - a. The Department of Environmental Services will staff the ESF 10 desk at the Emergency Operations Center during large scale emergency events, in order to coordinate the response to large scale or multiple hazardous material release events.
  - b. Coordinate with other County ESF's to obtain resources and to facilitate an effective emergency response among all participating agencies.
  - c. Once local resources have been utilized and expended, coordinate with the ESF7 Resource Support Desk to assist in locating additional resources.
2. Greater Cincinnati Hazardous Materials Team or Cincinnati Fire Hazmat Teams
  - a. Provide leadership in directing, coordinating and integrating overall efforts to provide hazardous materials assistance to affected areas and populations
  - b. Ensure that all first responders are trained in awareness and operations level of hazardous materials response as defined in the guidelines established by the State Emergency Response Commission
  - c. Assist in determining the identity of the hazardous material and establish the type and degree of the hazard involved.

- d. Determine the proper method for neutralizing, containing, or removing the hazardous material
- e. Hazardous Materials Team Leaders will:
  - 1) Upon notification of a release, coordinate the response and recovery efforts to hazardous materials incidents. Team Leaders will ensure that coordination and cooperation is maintained in identifying the material. Then they will secure, remove and properly dispose of the hazardous material and mitigate the release.
  - 2) Evaluate the emergency situation, make strategic decisions, and identify resource needs required. Team Leaders will then secure resources required for field operations.

3. Jurisdiction Fire Departments

- a. Jurisdiction Fire Departments are typically the first on the scene, and will provide initial on-scene command, control and coordination.
- b. The on scene incident commander will ensure that an exclusion zone is set up, and will secure the scene until qualified hazardous materials teams arrive.

4. Hamilton County Emergency Management Agency/LEPC

- a. The senior Emergency Management official notified will, based upon the response level and the Incident Commander's input, or based on advice from the LEPC administrator, initiate EOC activation (See Emergency Support Function-5).
- b. The LEPC will provide administrative support at the Emergency Operations Center by providing information that was submitted by facilities which report under SARA, Title III, and by obtaining safety data on hazardous materials which are released during transportation incidents, and by maintaining the Hamilton County Hazardous Materials Plan.

5. Jurisdiction Public Works/Metropolitan Sewer District

The senior department official at the scene will report to the on-scene command post and perform the following in addition to the responsibilities and procedures outlined in Emergency Support Function-3 (Public Works/Engineering):

- 1) Provide material for building dikes to contain liquids and absorbing hazardous materials, in order to prevent their movement into waterways.
- 2) Cooperate with police to establish an efficient detour with the appropriate signs, arrows, and police officers to expedite movement of traffic.

6. County/Jurisdiction Health Departments

A representative from the Health Department, when requested, will report to the on-scene command post and will perform the following in addition to the responsibilities and procedures outlined in Emergency Support Function-8 (Health and Medical Services):

- 1) Make a medical estimate of the situation, based on the materials involved, and recommend appropriate actions.
- 2) Provide assistance or advice on public protective actions required.

7. Facility Owners and Operators

- a. Designate Facility Emergency Coordinator (FEC) to participate in the LEPCs planning efforts.
- b. Develop on-site contingency plan in accordance with OSHA 1910.120, which specifies notification and emergency response procedures. Plans will be coordinated with the local Fire Department and the County's LEPC coordinator.
- c. Provide technical support when the LEPC conducts its hazard analysis of the Facility.
- d. Initiate emergency notification and written follow-up as outlined in ORC 3750.06.
- e. During a release, provide an emergency response liaison to the Command Post or the EOC, as requested.
- f. Provide a public information representative to work with the incident's PIO for the accurate release of public information.

C. State Government Role

These State agencies provide personnel, equipment and advice to the IC/County EOC/LEPC as needed. Below are those agencies most likely to be used by this County. State roles are further defined in the State of Ohio's Hazardous Materials Emergency Management Plan.

1. State Emergency Response Commission (SERC)

Oversees the implementation of ORC 3750 in the State of Ohio. The Commission has no responsibility. It is a planning body only. It coordinates the preparedness efforts of the State and LEPC.

2. Ohio Emergency Management Agency (OEMA)

- a. Develops and implements the State's Hazardous Materials Emergency Management Plan which includes State roles for mitigation preparedness, response, and recovery.
- b. Coordinates requests for the State/Federal assistance from local political subdivisions.
- c. Activates and maintains the State EOC, as needed.
- d. Co-Chairs and acts as the SERC's Plan/Exercise Review Team by providing planning and exercise guidance and training to LEPCs.

3. Ohio Environmental Protection Agency (OEPA)

- a. Provides an On-Scene Coordinator to assist the IC in response and recovery decision-making. Will act as coordinator between the Federal On-Scene Coordinator (OSC) and the IC. OEPA will be the lead State agency on- scene when the primary threat is to the environment.
- b. Monitors contamination and pollution, advises on acceptable cleanup operations, and provides guidance on disposal procedures. May investigate spills, if necessary.
- c. Co-Chairs the SERC, and acts as the State's Information Coordinator by maintaining facility and spill reports, distributing Grant monies, and providing advice to LEPCs

4. State Fire Marshal (SFM)

- a. Provide trained personnel and dedicated equipment from regional offices to assist the IC in response and recovery decision-making regarding materials with fire/explosive hazards.
- b. The Fire Marshal will be the lead State agency on- scene when the primary threat is fire or explosion.
- c. Provide hazardous materials training through the Ohio Fire Academy and the SFM's Outreach Program.

5. Ohio Department of Health (ODH)

Assist local departments in ensuring the restoration of public health and sanitation. Investigate potential health problems stemming from releases. Assist in ensuring the safety of private water supply sources. Coordinate the safety and health of shelters used during a response.

6. Ohio State Highway Patrol (OSHP)

Will close and divert traffic from State Highways when requested by the IC, will support local Law Enforcement operations, and can provide communication and weather data as needed.

7. Public Utilities Commission of Ohio (PUCO)

- a. The Transportation Department's Hazmat Section can provide on- scene accident assessment of transportation railroad hazardous material spills.
- b. They can cite the spiller for improper handling, storage, or transport of materials.
- c. The Consumer Service's Pipeline Safety Section can provide field and technical assistance should a release occur along a pipeline in the County.

8. Ohio Department of Transportation (ODOT)

Local offices may supply personnel and equipment to support Cold Zone operations. Primarily, ODOT will coordinate with local entities to designate alternate traffic routes. Will support traffic control and provide technical assistance regarding road conditions.

9. Ohio Department of Natural Resources (ODNR)

The Department is responsible for maintaining the State lands. They can provide damage assessment teams (field inspectors or geologists), provide watercraft for related operations, and assist in sheltering.

D. Federal Government Roles

Federal operations will be coordinated with the IC and fall under his/her ICS. Requests for Federal assistance shall be requested through the Ohio EMA. If the National Response Center (NRC) was notified by the spiller or IC, the National/Regional Contingency Plan may already be in effect. Federal roles are defined in the State of Ohio's Hazardous Materials Emergency Management Plan.

## V. Direction and Control

A. Direction and Control

1. The senior Fire Official(s) of the jurisdiction Fire Department shall have overall responsibility for the direction and control of the scene as per ORC 3737.80.
2. The incident or unified command post (CP) will be established at a safe distance from the scene consistent with the hazards, accessibility and response personnel safety. It will coordinate on- scene activities and support to deployed emergency service response elements.
  - a. The CP is supported by a representative of the local jurisdiction(s) who can monitor and transmit on all County emergency service channels. This group will coordinate action between on-scene and off-scene agencies.

- b. The jurisdictional Fire Department is in charge of the operation, maintenance and deployment of the CP.

#### B. Logistical Support

1. When the incident requires activation of the Emergency Operations Center (EOC), logistical support will be through the EOC. The exchange of critical information between stakeholders such as requests for support and key decisions will enable first response efforts and support operations to be synchronized.
2. The activated EOC is the Focal point for coordinating resource requirements in support of on-scene activities and off-site protective action decisions. EOC procedures are detailed in Emergency Support Function -5 (Emergency Management).

### **VI. Continuity of Government.**

- A. Lines of succession for each department are according to the standing operating procedures established in each department.
- B. On-Scene succession is the Incident Commander, followed by his/her designee.

### **VII. Administration and Logistics**

#### A. Administration

##### 1. Information Requests

- a. The LEPC Information Coordinator is responsible for maintaining the files containing MSDSs, reports generated under 3750.07 and .08, emergency reports and follow-up notices, and the Hazardous Materials Annex.
- b. As required by ORC 3750.10, the County makes available the information during normal working hours at the Regional Operations Center. Trade secret and chemical location materials are not available to the public in accordance with the law. Any request to review information must be made in writing to the Information Coordinator. If information is not on file with the County, the Information Coordinator will contact the Facility for the required information to fulfill the request. Copies of material will be in accordance with the Public Documents Act.

#### B. Logistics

##### 1. Resource Management

- a. When a situation exceeds the capability of local government, requests for County/State/Federal assistance will be initiated by the IC, and made by the Chief Elected Official or by another official duly authorized.

- b. Requests for assistance from local, private, and public sector groups will be made as appropriate by contacting agencies listed in the County Resource Manual (future document). . It identifies agencies or groups that can provide assistance along with the telephone number and contact person. Resources to be used in an EHS response are listed in ESF -7.

## 2. Relationships to Other Plans

### a. Hamilton County Emergency Operations Plan

The County's all-hazard Emergency Operations Plan (EOP) creates an umbrella for protecting the health, safety, and property of the public from transportation or fixed site hazardous material incidents. This Emergency Support Function is supported by standard operating procedures (SOPs) that address specific situations and operational concepts in each jurisdiction.

### b. Fixed Facility Plans

- 1) Fixed Facility Contingency Plans are required under OSHA 1910.120. Each Facility plan specifies notification, emergency response organization and responsibilities, emergency response organization procedures and coordination procedures for interfacing with off-site authorities and response organizations. If the Facility will not respond to a release at their site they will then have a plan which will define basic fire and evacuation procedures to be followed by the Facility's employees.
- 2) EHS Facilities within the County, are required to have a spill response plan, as well as a fire and evacuation plan.

### c. The State of Ohio's Hazardous Materials Emergency Management Plan.

The plan describes the procedures, methods, and roles by which the State of Ohio will respond to hazardous materials emergencies. This plan provides for the support of many State agencies in large scale hazardous materials emergencies by establishing clear methods for interfacing with local government. The plan is activated by the Ohio EMA in consultation with the primary agencies in the plan.

## **VIII. Plan Development and Maintenance**

### A. LEPC Hazardous Materials Annex Annual Plan Review

1. The LEPC will review their plan. The plan shall also be reviewed following each exercise or actual incident, Critique comments made from either event will be discussed by the LEPC regarding changes needed to the plan.
2. All agencies assigned responsibilities in this ESF are responsible for developing or updating internal procedures that will assure a continuing acceptable degree of operational readiness to carry out their responsibilities.

## **IX. Authorities and References**

## A. Authorities

### 1. State Laws

- a. Ohio Revised Code (ORC) Chapter 3750: Emergency Planning (as amended and the rules adopted under it). This is Ohio's version of the Federal EPCRA, and establishes the framework for EHS planning and response in Ohio.
- b. ORC Chapter 5502: Effects of SARA Title III on Emergency Management. This states that the EMA Director may serve on and even Chair an LEPC, and must incorporate the LEPCs plan into the County's planning and preparedness activities.
- c. ORC Chapter 3745.13: Recovery of Costs from Persons Causing Environmental Emergencies. This defines how costs incurred by a District's EMA office from the spiller in conjunction with the appropriate legal counsel support.
- d. ORC Chapter 3737.80: Hazardous Materials Emergencies. This defines that the Fire Chief will be responsible for primary coordination of on-scene activities of all agencies.
- e. ORC Chapter 2305.232: Civil Immunity for Persons Assisting in Cleanup of Hazardous Material. This is Ohio's "Good Samaritan" law and defines the steps necessary for receiving civil immunity when providing assistance at a hazardous material release or cleanup.
- f. Ohio Administrative Code (OAC) 3750 et al. This lists and defines the rules adopted by the SERC under ORC Chapter 3750.
- g. Ohio Fire Code 1301:7-1-03 Section F-102.8 Authority at Fires and Emergencies. This complements ORC 3737.90 by stating that the Fire Chief is in charge at the scene of a fire or other emergency involving the protection of life or property.
- h. Ohio Attorney General (OAG) Opinion, No. 91-014. This discusses the liability of SERC and LEPC members when acting under Chapter 3750.

### 2. Federal Laws

- a. Superfund Amendments and Reauthorization Act (SARA), Title III: Emergency Planning and Community Right-to-Know Act of 1986 EPCRA) (Public Law 99-499). This sets the framework for EHS planning in the U.S.
- b. Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA or Superfund) (Public Law 96- 510). This provides Federal funds for response to releases of Hazardous Substances and

requires notification to the National Response Center (NRC) of accidental releases.

- c. Occupational Safety and Health Administration (OSHA), Standard 29 CFR 1910.120(q): Emergency Response. This section of the HAZWOPER Standard describes the training and planning required of those who will take part in an emergency response to a release of hazardous materials. It also prescribes the use of an Incident Command System during a response.
- d. SARA, Title I; Section 126: Worker Protection Standards. This directed OSHA to develop training standards for persons responding to hazardous emergencies who may be exposed to toxic substances. OSHA established the HAZWOPER standards. These standards were adopted by the USEPA for non-OSHA states such as Ohio.
- e. Oil Spill Pollution Act of 1990 (OPA 90) (Public Law 101-380). This defines that Facilities with Hazardous Substances or Oil under the Clean Water Act must have a Facility plan for accidental releases.
- f. Clean Water Act of 1977 (CWA) (Public Law 95-217). This amends the Federal Water Pollution Act regulating discharges of toxic pollutants into waterways.
- g. Hazardous Materials Transportation Uniform Safety Act of 1977(HMTUSA) (Public Law 101-615). This amends the Hazardous Materials Transportation Act of 1977 and establishes uniform licensing of hazardous materials transporters. It also established a training grant fund to supplement State-training programs for LEPCs and Fire Departments.
- h. Resource Conservation and Recovery Act of 1976 (RCRA) (Public Law 94-580). This provides for the safe treatment and disposal of hazardous wastes from cradle to grave, and defines that underground storage tank owners are financially responsible for cleaning up leaks.
- i. Toxic Substance Control Act of 1976 (TSCA) (Public Law 94- 469). It defines the testing and screening of chemicals produced/imported into the US.
- j. Clean Air Act : The Clean Air Act (CAA) is the comprehensive federal law that regulates air emissions from stationary and mobile sources. Among other things, this law authorizes EPA to establish National Ambient Air Quality Standards (NAAQS) to protect public health and public welfare and to regulate emissions of hazardous air pollutants.