

## **Annex 13 – Oil and Hazardous Materials Response**

Primary Agency: Illinois Environmental Protection Agency (IEPA)

Support Agencies: Illinois Emergency Management Agency (IEMA)  
Illinois Department of Agriculture (IDA)  
Illinois Commerce Commission (ICC)  
Illinois Department of Military Affairs (IDMA)  
Illinois Department of Natural Resources (IDNR)  
Illinois Department of Public Health (IDPH)  
Office of the State Fire Marshal (OSFM)  
Illinois State Police (ISP)  
Illinois Department of Transportation (IDOT)  
Illinois Secretary of State (SOS)

### I. Introduction

#### A. Purpose

1. To provide strategic and operational guidance and coordinate state technical assistance and support to Authorities Having Jurisdiction (AHJ) during releases or imminent releases of oil and hazardous materials (Oil/HazMat).

#### B. Scope

1. This annex addresses response, recovery and mitigation, to intentional or accidental oil and hazardous materials incidents.
2. State oil and hazardous materials operations are scalable and modular based on the scope and magnitude of event.
3. For the purposes of this annex, "oils" will include petroleum in all forms as well as vegetable and other oils.
4. For the purposes of this annex, "hazardous materials (HazMat)" is defined as substances including those identified in:
  - a) Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) Hazardous Substances;
  - b) Superfund Amendments and Reauthorization Act of 1986 (SARA) Extremely Hazardous Substances;
  - c) United States Department of Transportation (USDOT) Hazardous Materials;
  - d) Resource Conservation and Recovery Act (RCRA) Hazardous Waste;

- e) Federal Insecticide Fungicide and Rodenticide Act (FIFRA) regulated or prohibited pesticides; and
- f) other substances, toxic agents or pollutants identified by or through state of Illinois laws, rules, regulation and policy.

5. This annex does not consider incidents pertaining to:

- a) Radiological hazardous materials, found in IEOP, Annex 24, Radiological Hazardous Materials Response
- b) Oil/HazMat incidents from sites regulated by IDNR's Division of Oil and Gas, unless such incidents enter:
  - 1) Designated waters of the state or otherwise cause a sheen; or
  - 2) 200 feet of private drinking water wells, residences, playgrounds, or parks;
  - 3) 400 feet of community drinking water wells;
  - 4) 100 feet inland of where a spill enters an intermittent designated water; or
  - 5) 200 feet inland of where a spill enters a perennial designated water.
- c) Investigations and legal proceedings conducted for/on the behalf of the Office of the Attorney General.

C. Policy

- 1. IEPA will maintain an oversight and technical assistance role in all known oil and hazardous materials incidents.
- 2. Field personnel dealing with the technical response and all persons in the exclusion zone will be in current compliance with the training and medical monitoring requirements of the OSHA regulations on Hazardous Waste Operations and Emergency Response.
- 3. Personnel will not undertake or be assigned activities beyond the scope of their HAZWOPER training level.
- 4. Any responders investigating potential medical waste incidents will be in compliance with the OSHA regulations on Occupational Exposure to Bloodborne Pathogens.
- 5. The party or parties in control of the material at the time of the release are legally obligated to assure that an appropriate and timely response is initiated.

- a. These Responsible Parties (RPs) are required to immediately notify designated local, state and federal emergency contact points.
    - b. Federal law requires that response activity by all parties must be coordinated. State notification requirements are identified by or through state of Illinois laws, rules, regulation and policy.
  6. For the purposes of emergency distribution of drinking water, the following will apply:
    - a. Parties responsible for oil/HazMat incidents involving drinking water sources or distribution systems are responsible for providing replacement for affected residential water supplies, to include provision of bottled water and/or bulk drinking water.
    - b. When the cause is a natural, technological or human-caused event resulting in an Oil/HazMat release, or the responsible party is unknown, unable or unwilling to do so, the public water supply system affected and local AHJ are responsible for coordinating replacement for affected residential water supplies, to include provision of bottled water and/or bulk drinking water.
    - c. In the event that parties responsible for Oil/HazMat incidents and/or affected local AHJs are unable or incapable of providing bottled water and/or bulk drinking water, request for support will be made to the SEOC.
  7. Owners and operators of natural gas and propane transportation and storage facilities are the primary response entities, supported by local fire protection agencies.
  8. In the absence of a gubernatorial disaster proclamation, disposition of abandoned biomedical waste is the responsibility of the AHJ.
  9. In the absence of a gubernatorial disaster proclamation, the state may provide technical assistance through one or more agencies as appropriate.
- D. Situation Overview
1. An oil and/or HazMat incident has occurred, or has the potential to occur, resulting in impact on critical infrastructure, the public, environment and economic condition of the state.
  2. Local Authorities Having Jurisdiction (AHJ) or private sector entities are contacting IEMA or IEPA regarding a potential oil and/or HazMat incident.
- E. Assumptions

1. Hazardous material impacts on public welfare, infrastructure and the environment occur through contamination of the air, surface water bodies, soil and groundwater.
2. An oil and/or HazMat incident will require evaluation and monitoring to determine:
  - a) effects on public and private water supplies;
  - b) effects to the environment;
  - c) the necessity of mass care and evacuation;
3. Human oil/HazMat exposure occurs through a variety of routes, including:
  - a) skin contact;
  - b) vapor inhalation or contact; and
  - c) ingestion.

## II. Concept of Operations

### A. General

1. IEPA, as the primary response agency for oil/HazMat assumes control of the state's technical environmental response in the field and in the SEOC.
2. When private sector resources are able to respond to an oil/HazMat incident, IEPA will oversee and advise the responder.
3. When local AHJ resources are able to respond, or continue a response to an oil/HazMat incident, IEPA will participate in any established on-scene incident command structure.
4. State agencies will assess the hazards or potential hazards according to their capabilities, expertise and authorities, and share the results of such assessments with on-scene responders and the SEOC.
5. State responders will collect samples, photographs and other documentary evidence, as directed by IEPA, or appropriate within their areas of authority, for potential use in instances where it becomes necessary to use the legal process to assure protection of human health, welfare and the environment.
6. Requests from local agencies for assistance in response to natural gas and propane leaks will result in operators being contacted to provide such assistance.

### B. Notification, Alert and Warning (NAW)

1. Notification of state agencies and organizations will be carried out in accordance with Illinois Emergency Operations Plan (IEOP) Appendix A-1, Notification, Alert and Warning.
  2. Primary and support agencies are responsible for internal and support partner notification.
  3. For facilities regulated by the state, release notifications will be carried out in accordance with through local, state and federal laws, rules, regulations, policy and procedure.
  4. Primary and support agency SEOC liaisons will identify situations effecting environmental safety.
- C. Activation
1. SEOC Activation Level SOP will be used to determine staffing levels necessary for oil/HazMat incident response.
- D. Communications
1. Communications throughout response and recovery will be conducted in accordance with standard operating procedures and managed using established procedures, processes and policy outlined in IEOP, Annex 3, Communications.
  2. Communications will be conducted in a NIMS compliant manner utilizing clear-text and frequencies coordinated with the SEOC.
- E. Resource Management and Logistics
1. Resource management and logistics will be carried out in accordance with IEOP, Annex 9 Resource Management and Logistics.
  2. Resource management includes mutual aid agreements and assistance agreements; the use of special federal and state teams; and resource mobilization protocols.
- F. Reporting Requirements
1. Information, intelligence and situation reporting and will be conducted in accordance with the SEOC Situation and Rapid Needs Assessment Standard Operating Guideline.
  2. Reporting requirements will be coordinated and managed through each agency having enabling authority in accordance with state and federal laws, rules, regulations, policy and procedure.
  3. Reporting requirements will be compliant with the Illinois Admin. Code.

G. Implementation Requirements

1. Implementation of oil/HazMat incident operations is predicated on approval of site safety plan, exposure guidelines, standards, rules, regulations and guidance.
2. Coordination and sustainment requirements for oil/HazMat incidents must be fully addressed prior to implementation.

H. Organization

1. Direction and Control

- a) State agencies and external organizations retain operational control of oil/HazMat operation resources.
- b) The Governor or designee has the authority to exercise overall coordination of resources belonging to the state.
- c) The SEOC is the single point of coordination for state support of oil/HazMat operations.
- d) The SEOC Manager or designee may establish an Element Specific Support Function (ESSF) for oil/HazMat operations.
- e) The SEOC Manager or designee may coordinate the use of county or local jurisdiction resources assigned missions and tasking for oil/HazMat operations when so authorized or requested.
- f) The SEOC or designees will coordinate with local, state, federal and private organizations in developing oil/HazMat operations plans and processes.
- g) For the purpose of unity of command, coordination and management of the SEOC, the SEOC Manager will transfer command to the State Disaster Recovery Coordinator, at the cessation of short-term recovery and continuation of intermediate and long-term recovery efforts.

2. Coordinating Elements

- a) State Unified Area Command (SUAC) or State Area Command (SAC) elements may be deployed by the SEOC to coordinate information and resource requirements for operations.
- b) Coordination among private sector organizations and the state will be maintained through the SEOC and BEOC.

3. Federal Coordination

- a) Under a Presidential Declaration of a major disaster IEMA will coordinate the inclusion of federal assets into the state's damage assessment operations.
- b) Federal agencies may investigate or initiate a response to a HazMat incident without a state request or state concurrence. Federal actions initiated under the authority of the National Contingency Plan or the Oil Pollution Act supersede state authorities to command and control.
  - 1) The Federal On-Scene Coordinator (OSC) becomes the principal point of contact for the Federal response and is invested with specific authorities and responsibilities defined in law.
  - 2) The Federal OSC does not have to be actually on-scene in order to exercise those authorities or act on those responsibilities.
- c) State agencies may maintain an on-scene presence during a Federalized response to assist the federal responder(s), to provide a liaison function for state-managed activities or to represent the state's interests.
- d) Requests for federal assistance will be initiated under the authority of the National Contingency Plan and in accordance with:
  - 1) The Integrated Regional Contingency Plan for certain oils spills and for hazardous substances; and
  - 2) The Area Contingency Plan for spills of oil to surface waters.

### III. Roles and Responsibilities

#### A. Illinois Environmental Protection Agency

- 1. Provide technical assistance in assessing and evaluating threats to public health, public welfare and the environment resulting from releases or threatened releases of oil/HazMat pertaining to:
  - a) public water supply systems;
  - b) publicly owned sewage treatment systems;
  - c) threats of effects on the ambient air outside structures, surface waters, and ground waters; and
  - d) regulation of solid waste disposal and hazardous waste generation, transportation, storage and disposal.

2. Manage state technical efforts to detect, identify, contain, clean up, dispose of or minimize releases of oil/HazMat or to prevent, mitigate, or minimize the threat of potential releases.
  3. Assess public health and environmental threats posed by oil/HazMat incidents.
  4. Coordinate laboratory testing to determine conventional pollutants, drinking water contaminants and hazardous substances.
  5. Provide technical assistance on operating as well as assessing damage to public water supply and wastewater treatment infrastructure.
  6. Coordinate state access to federal oil/HazMat response programs and/or the Hazardous Waste Fund.
  7. Provide situational awareness on the condition of affected public water supply systems, publicly owned sewage systems, landfills, uncontained hazardous waste sites, RCRA Hazardous Waste facilities and other threatened situations that become evident during incident or disaster investigation and assessment.
  8. Regulate the disposal of certain types of potentially infectious medical waste identified in Illinois Administrative Code, Title 35, Parts 1420-1422.
  9. Provide technical assistance to IDPH or other health agencies for public health screening and monitoring operations of the public and private sector.
- B. Illinois Emergency Management Agency (IEMA)
1. Collect, analyze, de-conflict and disseminate oil/HazMat incident information.
  2. Coordinate with county emergency management agency officials, affected local governments and private sector organizations for the collection, receipt, analysis and dissemination of situational awareness and disaster intelligence information.
  3. Assist agencies in prioritization of oil/HazMat operations.
  4. Assist in determining impact areas.
  5. Develop and maintain maps, visual aids and displays.
  6. Coordinate with federal agencies and representatives.
  7. Request federal assistance program authorizations.
  8. Identify and determine state assistance program authorities.

9. Coordinate and provide public information, crisis communications and rumor control for the state.
- C. Illinois Department of Agriculture (IDOA)
1. Provides technical assistance regarding agricultural pesticide and fertilizer application and agrichemical facilities.
  2. Inspect meat, poultry (at the wholesale level), and grain products for contamination.
  3. Coordinate of provision of livestock feed.
  4. Coordinate laboratory analysis of pesticide, fertilizer and livestock feed.
- D. Illinois Commerce Commission (ICC)
1. Provide situational awareness on pipelines and rail traffic in affected area.
  2. Coordinate with utility companies to facilitate communications concerning repairs and restoration of services to critical facilities and other customers (electric, water, telephone).
  3. Provide federally trained hazardous materials inspectors to respond to railroad accidents involving hazardous materials.
  4. Provide Federal Railroad Administration certified track inspectors to assess damage to rail cars and oversee the safety of salvage operations.
  5. Provide information on rail traffic, contact with Railroad Hotlines and make notifications to railroads when incidents threaten rail transport safety near the incident scene,
  6. Provide Transportation Police officers as available for traffic control or other duties as assigned by the Illinois State Police,
  7. Identify available private sector machinery and owners in a given area of state that can be utilized in affected area.
- E. Illinois National Guard (ING)
1. Provide aerial reconnaissance.
  2. Provide trucks, vehicles and drivers for debris removal.
  3. Provide technical assistance with chemical warfare agents, demolition agents and munitions.

4. Provide air monitoring for contaminants.
  5. Provide decontamination of vehicles or equipment.
- F. Illinois Department of Natural Resources (IDNR)
1. Provide technical expertise and information of wildlife, vegetation, water and other natural resources in affected areas.
  2. Provide special equipment (snow mobiles and boats) when needed.
- G. Illinois Department of Public Health (IDPH)
1. Provide technical assistance to local hospitals and health departments.
  2. Provide epidemiological assistance for public health screening and monitoring operations of the public and private sector.
  3. Provide technical assistance and guidance on the treatment and processes for emergency hauling, handling or disinfection of drinking water.
  4. Provide environmental health technical assistance and support including, but not limited to:
    - a) limited environmental monitoring and sampling;
    - b) health-based interpretation of environmental data; and
    - c) guidance on preventing or reducing exposures.
  5. Provide technical assistance in addressing exposure to hazardous substances in indoor environments, including recommendations for cleanup and re-occupancy.
  6. Provide environmental laboratory analysis of soil and paint chips for the presence of lead.
  7. Assist with sample collection and shipping of food, dairy products and water to a reference lab for other hazardous materials analysis.
  8. Provide technical assistance and guidance on sampling dairy farms, food processing plants, non-community public water supplies and other IDPH regulated facilities.
- H. Office of the State Fire Marshal
1. Provides inspectors to leaking underground storage tanks, aboveground fuel and LP tanks.
  2. Provide arson investigation expertise and pressure vessel inspectors.

3. Certify fire service hazardous materials responders, and utilize the Fire Service for expertise in hazardous material mitigation and confined space rescue.
- I. Illinois State Police (ISP)
    1. Provides site security and traffic control in coordination with local law enforcement.
    2. Provide early assessment, hazard recognition and communicate accurate information on incident conditions to IEMA,
    3. Provide assessment, reports and documents for USDOT/IDOT civil penalties for hazardous materials highway transportation violations.
    4. Provide crime scene technicians through the division of Forensic Services
    5. Assist with crime scene protection, crime scene processing, body identification through the use of fingerprints and deoxyribonucleic acid (DNA) testing.
  - J. Illinois Department of Transportation (IDOT)
    1. Provide personnel and material (i.e., barricades and signs) to divert traffic or create safety zones around transportation incidents.
    2. Provide equipment (backhoes, end loaders), operators and material (sand) to create emergency containment dikes outside appropriately established exclusion zones.
    3. Maintain a continuously staffed radio communications capability (Station One) with radios in each district and in maintenance vehicles.
    4. Provide aerial reconnaissance and transport of personnel and light equipment.
    5. Provide technical expertise on regulatory compliance for the safe packaging and shipment of hazardous materials by highway.
  - K. Illinois Secretary of State (SOS)
    1. Utilizes the Hazardous Device Unit (HDU) which provides trained technicians equipped with modified Level "B" suits, SCBA systems with voice-activated communications, and protective firefighting gear to be used in the rendering safe and investigation of incendiary and explosive devices,
    2. Provide the HDU gas-tight total containment vessel that has the capability of transporting and sampling an unknown biological/chemical agent.

3. Provide the HDU certified explosive detection K9 units that can be utilized for both building and vehicle searches.

#### IV. Authorities and References

##### A. Authorities

1. Oil Pollution Act of 1990 (P.L. 101-380)
2. Superfund Amendments and Reauthorization Act of 1986
3. Hazardous Waste Operations and Emergency Response, U.S. Department of Labor, Occupational Safety and Health Administration, 40 CFR 1910.120 (40 CFR 311 applies these to government employees)
4. Occupational Exposure to Bloodborne Pathogens, U.S. Department of Labor, Occupational Safety and Health Administration, 29 CFR 1910.1030
5. Environmental Toxicology Act (P.A. 84-987) 415 ILCS 75/1 et seq.
6. Illinois Hazardous Substances Pollution Contingency Plan, 35 Ill. Adm. Code 750
7. National Contingency Plan (40 CFR 300)
8. Integrated Regional Contingency Plan
9. Hazardous Substances and the Area Contingency Plan (Oil Pollution Act [OPA])
10. 29 IAC 430, 35 IAC 750, 35 IAC 731, 35 IAC 723, 41 IAC 170 and 8 IAC 255, 29 IAC 620.

##### B. References

1. National Response Framework
2. National Oil and Hazardous Substances Pollution Contingency Plan, 40 CFR 300
3. Regional V Oil and Hazardous Substances Pollution Contingency Plan and Area Contingency Plan (ACP-RCP)
4. Upper Mississippi River Spill Response Protocol
5. Port of Chicago Oil Pollution Act Area Plan
6. ORSANCO Ohio River Interstate Spill Notification Plan and Spill Response Procedures

7. Illinois Plan for Radiological Accidents (IPRA), Volume I-VIII, inclusive
8. Statewide Communications Interoperability Plan (SCIP)