

## **STATE EMERGENCY INFORMATION – REGION 5**

### **Appendix to Region 5 Integrated Contingency Plan**

#### **OVERVIEW**

The Governor of each State in Region 5 is requested to designate a lead agency that will direct State-led response operations. This agency is responsible for designating the lead State response actions and coordinating/communicating with any other State agencies as appropriate (NCP 300.180). Each Governor will also designate a representative for the State on the RRT. Each State representative may participate fully in all activities of the RRT. The State RRT representatives are expected to coordinate with the State Emergency Response Commission (SERC) or State Emergency Response Board (SERB - Wisconsin) in their State in order to communicate and coordinate preparedness and pre-response planning activities between the State and the RRT. State and local government agencies are encouraged to coordinate with:

- State contingency planning efforts for response to oil and hazardous material events,
- this plan, and
- requirements of SARA Title III.

Section 311(j)(4) of the Clean Water Act (CWA) calls for inclusion of local, Tribal, and State representatives on Area Committees. In U.S. EPA Region 5, this has been only partially accomplished through the designation of the RRT as the Area Committee.

Each State in Region 5 has a State disaster plan and laws that specify that State's authority and organization for a technical response to environmental emergencies. All States can provide technical expertise to assess environmental and public health threats and damage, as well as to advise local responders. In specific circumstances, States may provide additional response capabilities in the form of contractors and funding.

The following are summaries of emergency preparedness measures for lead agencies for each State in Region 5.

#### **1. ILLINOIS**

The Emergency Response Unit (ERU) works within the State response system, in which the Illinois Emergency Management Agency (IEMA) serves as the central receiving and dispatching point for response to any emergency or disaster requiring State notification or involvement. IEPA responsibility involves response to:

- (a) Oil and chemical spills on water or land;
- (b) Releases of harmful quantities of toxic substances into the atmosphere;
- (c) Emergencies involving public water supplies;
- (d) Emergencies involving wastewater treatment systems;
- (e) Emergencies involving solid waste disposal sites;
- (f) Fish kills caused by pollutants;
- (g) Emergency disposal or treatment of hazardous materials;

- (h) Abandoned hazardous waste incidents posing immediate hazards;
- (i) Transportation incidents involving hazardous materials which pose an immediate threat of a release.

ERU operates from IEPA's headquarters in Springfield, Illinois, during normal working hours, supplemented by an oncall duty officer to cover periods after normal working hours and during weekends and holidays. Incident coordination, management, and response personnel operate from the Springfield office, which is centrally located. In addition, ERU has full-time response personnel in IEPA's Maywood (Chicago-area) office and in its Collinsville (St. Louis East-area) office. After hours and during weekends and holidays, ERU maintains emergency response specialists on call from its Maywood, Springfield, and Collinsville offices to assist the Duty Officer and to provide onscene response. In addition, personnel from IEPA's regional or district field offices representing one of IEPA's pollution control divisions (Air, Land, Water, or Public Water Supplies) are often called upon to conduct the necessary field response consistent with their capabilities.

ERU assistance consists of:

- a) Providing technical information regarding identification, chemical and physical properties, toxicity data, and potential dangers associated with a hazardous material.
- b) Monitoring or sampling air, water, soil, waste and containers.
- c) Serving in an advisory capacity concerning:
  - containment of the material;
  - restoration of the environment, including setting emergency cleanup objectives;
  - evacuation recommendations; and • disposal or treatment of hazardous material or debris resulting from the emergency.
- d) Providing oversight and ensuring completeness of cleanup actions taken by responsible parties.
- e) Acting as OSC during State-financed emergency cleanups.
- f) Providing notice to users of affected water and land. Such notices may be communicated through other State and local agencies involved.
- g) Providing professional and technical assistance, personnel, and equipment to directly assist public safety officials within the scope of IEPA's responsibilities and resources.
- h) Documenting violations of the Illinois Environmental Protection Act for potential legal action.
- i) Expediting the issuance of waste treatment, storage or disposal permits by and through IEPA's Land Pollution Control Division, usually in less than 24 hours; as well as authorizing emergency exemptions for the transportation, storage, and disposal of special wastes.

IEPA utilizes commercial response contractors when it uses State funds to mitigate and remediate incidents. The ability to use State funds is limited to situations involving CERCLA Hazardous Substances and does not include petroleum products (oil) unless the release is from a UST. IEPA currently has contracts annually with commercial response contractors for emergency response and mitigation (two

contractors), emergency incident waste disposal (one contractor), emergency lab pack response (one contractor), and leaking UST response (four remediation and two oversight contractors). (Note: Contract data is for 1990\_1991 and may vary.)

### **1.1. Notification Procedures**

A release is usually defined as "any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment" in the various laws and regulations which require immediate or expeditious reporting of releases. In general, it includes on-site loss of containment, as well as releases that go beyond facility boundaries. Following is a list of the sources of those reporting requirements and a brief description of what is to be reported, how soon, and to whom.

- a) CERCLA (42 U.S.C 9601, et seq.), Section 103(a) - any release equal to or greater than a reportable quantity of a "hazardous substance" (the CERCLA list, and also published in Table 302.4 of 40 CFR 302, dated July 1, 1987) from a vessel or an onshore or offshore facility, immediately to the National Response Center (NRC) at 1-800-424-8802).
- b) 40 CFR 110.9 (Oil Pollution) - any "discharge" (essentially defined as the "release") of oil from a vessel or an onshore or offshore facility into navigable waters of the United States, immediately to the NRC.
- c) SARA, Title III, Section 304 - any release equal to or greater than a reportable quantity of a "hazardous substance" or an "extremely hazardous substance" (Appendix A of CFR 355 dated April 22, 1987) from a facility, or related to transportation, immediately to
  - 1) the State Emergency Response Commission, the Illinois Emergency Management Agency (IEMA) in Illinois, at 800-782-7860 or 217-782-7860; and
  - 2) the community emergency coordinator of the Local Emergency Planning Committee (the designated person in each county and the City of Chicago who coordinates emergency response operations). Phone numbers may be obtained by calling IEMA at 217-524-6887 or 217-782-4694.
- d) 35 Ill. Adm. Code 723.130(c) (Illinois Hazardous Waste Regulations) - any "discharge" of a "hazardous waste" (the CERCLA list) by an air, rail, highway, or water transporter (no time frame given), to the NRC and IEMA.
- e) 29 Ill. Adm. Code part 430 (Emergency and Written Notification of an Incident or Accident Involving a Reportable Hazardous Substance) - Any release equal to or greater than a reportable quantity of a "hazardous substance," or an "extremely hazardous substance," immediately to IEMA and the community emergency coordinator of the local emergency planning committee and any incident or accident involving a "hazardous material" (any substance or material so designated pursuant to the Hazardous Materials Transportation Act, 49 U.S.C.A. 1801 et seq.) which results in: 1) death, hospitalization, or evacuation of a member or members of the general public, 2) overturn of a motor vehicle on a public highway, 3) fire, breakage, release, or suspected contamination involving an etiologic (disease-causing) agent, or 4) any release of oil which meets the reporting requirements in 40 CFR 110, immediately to IEMA.

The preceding list of reporting requirements is necessarily simplified. You are encouraged to refer to the documents cited for more detail. These documents are available upon request by writing or calling:

Illinois EPA, Office of Chemical Safety, #29, 2200 Churchill Road, P.O. Box 19276, Springfield, Illinois 62794-9276; telephone (217) 785-0830.

### **1.2. Immediate Notification**

The information to be reported is as follows:

- a) The chemical name or identity of any substance involved in the release;
- b) An indication of whether or not the substance is on the list of extremely hazardous substances;
- c) An estimate of the quantity in pounds of any substance that was released into the environment;
- d) The time and duration of the release;
- e) The specific location of the release;
- f) The medium or media (air, water, land) into which the release occurred;
- g) Proper precautions to take as a result of the release, including evacuation (unless such information is readily available to the community emergency coordinator pursuant to the emergency plan);
- h) Any known or anticipated acute or chronic health risks or public safety risks associated with the emergency and, where appropriate, advice regarding medical attention necessary for exposed individuals; and
- i) Name of the reporter and phone number where the reporter may be contacted, as well as the name and telephone numbers of a person or persons to be contacted for further information.

### **1.3. Written Followup Notification**

As soon as practicable after the occurrence of the release, incident, or accident, the following shall be provided:

- a) An update of the information provided in the immediate notification; and
- b) Actions to be taken to respond to and contain any release.

## **2. INDIANA**

The Indiana Department of Environmental Management (IDEM) is the lead agency for receiving and responding to spills and environmentally related emergencies. ERS responders are prepared to respond to reports 24 hours per day. Spill reports are made through the 24-hour spill line: (317) 233-7745 or (888) 233-7745 (toll-free in-state). Between 7:00 a.m. and 5:00 p.m., Monday through Friday, spill reports are received by ERS staff directly on the 24-hour number. During other times and days, including after hours, weekends and holidays, the 24-hour number is staffed by employees of the Indiana State Department of Health (ISDH). During those times, the initial spill report information is taken by the ISDH staff. The staff immediately notifies the ERS responder on-call with the information. The responder then returns the call to the person who made the spill report and obtains relevant information and, if necessary, initiates a response. Notification of a Title III releases through the 24-hour number fulfills the requirement for notifying the Indiana State Emergency Response Commission (SERC).

When making a spill report pursuant to the Indiana Spills Reporting, Containment, and Response Rule (327 IAC 2-6.1), Emergency Planning and Notification (IC 13-7-37), CERCLA as amended by SARA Title III (42 USC 9601 et seq. and 40 CFR 302.4), the responsible party shall immediately notify IDEM at the 24-hour number and provide the following information:

- Name, address, and telephone number of the person making the spill report.
- Name, address, and telephone number of a contact person, if different than above.
- Location of the spill.
- Time of the spill.
- Identification of the substance spilled.
- Approximate quantity of the substance that has been or may further be spilled.
- Duration of the spill.
- Source of the spill.
- Name and location of the waters damaged, if any.
- Identity of any spill response organization responding to the spill.
- Measures that have been or will be undertaken to perform a spill response.
- Any other information that may be significant to the response action.

Under the Spill Rule, the responsible party is also required to:

- a) Contain the spill to prevent it from entering waters of the State;
- b) Perform a spill response to recover and contain or neutralize the spilled material
- c) Notify downstream water users and affected property owners, and
- d) Submit written reports as required.

In addition to providing a Responder/OSC, ERS staff, with the occasional assistance of the four IDEM program offices (Air, Water, Solid and Hazardous Waste, and Environmental Response), can be expected to provide the following:

- a) 24hour onsite investigation by staff who are trained in hazardous material spill containment and cleanup, stream monitoring, and hazardous waste disposal.
- b) Ensuring containment and cleanup by the spiller.
- c) Monitoring and determining the movements of pollutants in waters of the State.
- d) Information and advice on the chemical characteristics and known effects of spilled material.
- e) Notifying and advising downstream water users, particularly public surface water suppliers, including time of travel and duration.
- f) Field analytical capability for a limited range of chemicals and full laboratory capability for analysis of contaminants.
- g) Advising the spiller of availability of suitable disposal sites within the State for disposal of contaminated material, if available.

- h) Providing communications capabilities for agencies at the scene to meet and coordinate actions.
- i) Establishing, where possible, the cause and party responsible for a fish kill for purposes of recovering replacement costs for fish for the Department of Natural Resources.
- j) If the responsible party cannot be identified or is unwilling to conduct a cleanup and substantial danger to the public health and/or environment exists, IDEM can obtain funds to hire contractors to conduct a cleanup.

## **2.1. Emergency Burning Of Oil Spills**

The following IDEM staff, in the order of contact, have permission to process emergency burning of oil spills:

- David Rice
- Herman Carney
- Woodard Smith

If these individuals are not present, the request should be forwarded to T. Method, Assistant Commissioner.

As in the past, input from the IDEM office that might be involved should be received and the appropriate form should be completed by the source, and returned to Mr. Rice. He should also receive a report from the individual who processes the request. Mr. Rice will supply the necessary form upon request.

## **3. MICHIGAN**

In the event of an oil or other hazardous material incident, local government designates an incident commander, usually the highest ranking fire official at the scene. This person directs activities relating to the immediate incident response through a command post. If the incident escalates to a point where coordination of several local agencies is required, the local emergency management coordinator may recommend that the chief executive of the local jurisdiction declare a local state of emergency, thereby activating appropriate response capacities local government. The local emergency management coordinator then coordinates the overall local response.

In accordance with Act 207, P.A. 1941, as amended, the State Police representative, in conjunction with the local fire department, assesses the situation and jointly determines the emergency measures to be taken. The Department of State Police representative is the focal point for recordkeeping, communications, and coordination of all other State agencies. This person may work out of the local command post if minimal response is necessary.

DNR has established the Pollution Emergency Alerting System (PEAS) as a 24-hour answering service to facilitate reporting of releases to the department.

Response at the scene consists of division personnel providing technical advice as listed below. Department personnel are not expected to perform hands-on first responder activities to control the incident. DNR has an environmental response team, which can be activated by Regional or Deputy Directors or a team member. The team's primary purpose is to bring together all necessary expertise in appropriate divisions with technical expertise and it is headed by the departmental emergency management coordinator. DNR has a representative on the Federal RRT. This person represents State interests on the team and functions as a liaison between the Federal and State governments.

### **3.1. Michigan Department Of Natural Resources**

DNR has authority to employ spill containment contractors under the Water Cleaning Emergency Fund. Local government may work directly with DNR in responding to the incident. DNR determines the emergency measures to be taken.

The following tasks are applicable to all types of oil or other hazardous material releases:

#### **3.1.1. ENVIRONMENTAL RESPONSE DIVISION**

The Environmental Response Division is designated as the lead division for discharges/releases which occur on land. The division will be responsible for the following tasks:

- a) Report to the scene to provide technical support and advice on the appropriate action to minimize the impact on the environment.
- b) Attempt to identify the party responsible for the release. Once identified, the actions of this party will be monitored to ensure that the party contains and cleans up the spill adequately and in a timely manner.
- c) If a responsible party is not identified or if the identified responsible party fails to take the appropriate actions in a timely manner, DNR may initiate actions to contain and clean up the spill. This is done under the authority of the Water Cleaning Emergency Fund or the Hazardous Waste Service Fund. Private contractors are generally hired to perform this service under the supervision of the Division. When these limited funding sources have been expended, the division shall notify the appropriate Federal Agency of the restricted response capability and defer containment and cleanup to the Federal Government.
- d) Collect samples of soil, water and other appropriate media for analysis to determine extent and concentration of contamination. The division shall be responsible for preservation, delivery, and chain of custody for the samples, according to divisional standard operating procedures. A copy of the results shall be provided to the departmental emergency management coordinator in a timely manner.
- e) Coordinate with the Federal OSC (U.S. EPA for Federally designated inland zone; USCG for Federally designated coastal zone), if involved, and with the Federal RRT, if activated. The chief of the Site Management Unit is the Michigan representative on the RRT, and may request the assistance of the RRT if it is deemed necessary. This person functions as a liaison between the Federal team and the Emergency Management Division of the Department of State Police.
- f) Provide for the reporting of releases through the Pollution Emergency Alerting System (PEAS) 24-hour hotline. Spill reports will be forwarded to the appropriate DNR district and division. Any notification of a hazardous materials-related emergency received by the PEAS hotline will be relayed immediately to the Department of State Police, Special Operations Section.

#### **3.1.2. SURFACE WATER QUALITY DIVISION**

The Surface Water Quality Division is the lead division for discharges/releases that occur on inland waters or enter the Great Lakes or connecting waterways. The Division will be responsible for the following tasks:

- a) Report to the scene to provide technical advice on the type of chemical involved (through sampling).
- b) Provide advice on appropriate measures to protect rivers, streams, and other bodies of water.
- c) Attempt to identify the party responsible for the release. Once identified, the actions of this party will be monitored to ensure that the party contains and cleans up the spill adequately and in a timely manner.
- d) Collect samples of surface water and other appropriate media for analysis to determine the extent and concentration of contamination. The divisions shall be responsible for the preservation, delivery, and chain of custody for the samples according to divisional standard operating procedures. A copy of the results shall be provided to the departmental emergency management coordinator in a timely manner.
- e) If a responsible party is not identified or the identified responsible party fails to take the appropriate actions in a timely manner, DNR may initiate actions to contain and clean up the spill. This is done under the authority of the Water Cleaning Emergency Fund or the Hazardous Waste Service Fund. Private contractors are generally hired to perform this service under the supervision of the Division. When these limited funding sources have been expended, the division shall notify the appropriate Federal Agency of the restricted response capability and defer containment and cleanup to the Federal Government.

### **3.1.3. AIR QUALITY DIVISION**

The Division will be responsible for the following tasks:

- a) Provide advice on appropriate protective actions through the departmental emergency management coordinator.
- b) Oversee the emergency releasing and/or burning of material. Grant temporary permits or waivers as appropriate.

### **3.1.4. WILDLIFE DIVISION**

The Division will be responsible for the following tasks:

- a) Provide advice on wildlife which may require protection from the effects of the incident through the departmental emergency management coordinator.
- b) Take action to protect wildlife, such as hazing, relocating, etc.
- c) Coordinate wildlife rehabilitation. Agreements are signed with various private wildlife rehabilitators within the State.

### **3.1.5. FISHERIES DIVISION**

The Division will be responsible for the following tasks:

- a) The departmental emergency management coordinator provides advice on unique aquatic life that may require protection from effects of the incident.
- b) Obtain fish samples for laboratory analysis.

### **3.1.6. PARKS DIVISION**

The Division will be responsible for the following tasks:

- a) When a State park is involved, take action to clear persons from the affected area and control access to the area.
- b) Direct parks personnel to assist in spill containment as coordinated by the departmental emergency management coordinator.

### **3.1.7. LAW ENFORCEMENT DIVISION**

The Division will be responsible for the following tasks:

- a) The departmental emergency management coordinator is assigned to this division. This person coordinates all departmental activity when the situation is of a life-threatening nature and response is coordinated through the emergency management system, or when DNR Emergency Response Team is activated.
- b) Assist in clearing persons and boats from the affected area and control access to the area.
- c) Use watercraft to assist in boom deployment and material recovery.
- d) Maintain radio communications.

### **3.1.8. WASTE MANAGEMENT DIVISION**

The Division will be responsible for the following tasks:

- a) Advise on suitable disposal sites for collected material.
- b) Take action to ensure timely and proper disposal of material.

## **3.2. Bureau of Public Health**

### **3.2.1. BUREAU OF ENVIRONMENTAL AND OCCUPATIONAL HEALTH**

- a) Monitor public and private water supplies.
- b) Monitor public exposure to air contaminants. The Division of Occupational Health is responsible for monitoring public exposure to air contaminants and for recommending countermeasures and protective actions. The division is responsible for ensuring that all employees whose duties expose them to an actual or potential health hazard during the emergency response are afforded adequate protection as required by applicable occupational health standards, including 29 CFR 1910.120, the "Hazardous Waste Operations and Emergency Response" standard.

Teams of district industrial hygienists are dispatched, as appropriate and feasible, to monitor actual and potential exposure of citizens to airborne contaminants resulting from an emergency hazardous materials release. This may include real-time spot monitoring with direct reading devices, collection of spot samples for laboratory analysis, and assisting the Interagency Center on Health and Environmental

Quality with dispersion estimates of ground-level airborne contaminant concentrations. Appropriate countermeasures and protective action guidelines are recommended to help citizens guard against the health hazards of airborne contaminants resulting from the release. (c) Coordinate food service inspection in shelters.

### **3.2.2. BUREAU OF HEALTH FACILITIES**

- a) Ensure that health care facility emergency procedures are adequate. The Division of Health Facilities Licensing and Certification has the responsibility for ensuring that health care facility emergency procedures are adequate.
- b) Ensure that adequate patient treatment is available and being provided during an incident.
- c) Coordinate the use of the MEDCOM system.

### **3.2.3. DEPARTMENTAL EMERGENCY MANAGEMENT COORDINATOR**

- a) Coordinate victim identification services.
- b) Provide liaison to Federal emergency public health/medical programs and services. During this type of incident, the departmental emergency management coordinator coordinates with the Council on Environmental Quality in seeking the advice and assistance of Federal agencies such as ATSDR. The departmental coordinator also may need to coordinate with the HHS representative to the RRT.

### **3.2.4. COUNCIL ON ENVIRONMENTAL QUALITY (TOXICOLOGICAL RESOURCE CENTER)**

- a) Report to the scene for initial public health evaluation.
- b) Identify chemicals.
- c) Perform air, water, or ground dispersion modeling and provide information through the departmental emergency management coordinator.
- d) Provide information concerning the characteristics of chemicals and recommended population protective actions through the departmental emergency management coordinator.
- e) Provide information concerning the toxic health effects of the spill.
- f) Provide information to the public concerning health effects.

### **3.2.5. BUREAU OF LABORATORY AND EPIDEMIOLOGICAL SERVICES**

- a) Perform laboratory analyses on the material to identify the type of chemical.

## **3.3. Department Of State Police**

The local fire department that responds to an oil or other hazardous material incident is required to notify the Department of State Police, Fire Marshal Division. This reporting requirement is satisfied by notification of the nearest Department of State Police post, which relays the information to the Special Operations Section at State Police headquarters. The Department of State Police is responsible for notifying other State agencies.

The Department of State Police has primary responsibility for responding to an incident through the Michigan Fire Prevention Act (Act 207, P.A. 1947, as amended). Official Order 50 clarifies the department's procedures in implementing this act. It states the following:

- a) If the incident occurs at a fixed site or involves rail transportation, the Fire Marshal Division has site coordination responsibilities.
- b) If the incident involves road transportation, the Motor Carrier division has site coordination responsibilities.
- c) If the incident is confined to a site area emergency, personnel from one of the two divisions are the focal point for recordkeeping, communications, and coordination with other State agencies. The Fire Marshal or Motor Carrier Division coordinates incident command in conjunction with local government. In the absence of either of these two divisions, the Emergency Management Division assumes first responder duties. In accordance with Act 207, Department of State Police personnel, in conjunction with the local fire department, determine the emergency measures to be taken.

In addition, Act 390, P.A. 1976, as amended, authorizes the department to coordinate all mitigation, preparedness, response, and recovery activities. This system is explained in the Michigan Emergency Management Plan. The emergency management system is used if the incident is of an immediate life-threatening nature requiring population protective actions or if the incident requires the coordination of State agencies.

In the event of a substantial release causing a community emergency that requires the assistance of several State agencies or population protective action, the Emergency Management Division coordinates the overall response. The division acts as liaison between State and local government. The Motor Carrier or Fire Marshal Division continues to coordinate the immediate site response. Department of State Police personnel are not expected to perform hands-on first responder activities to control the incident.

#### **4. MINNESOTA**

Minnesota law requires discharges to be reported to the State Duty Officer, who is on duty in the Capitol building 24 hours per day. The various laws requiring reports include discharges to the air, land, and water; cover oil, hazardous substances, pesticides, and fertilizers, and other materials that could cause pollution; and have no "reportable quantities" except for petroleum at 5 gallons. The Duty Officer numbers are (612) 649-5451 and (800) 422-0798.

Minnesota Statute Chapter 115E requires companies handling oil and hazardous substances to act to prevent releases and to be prepared for releases they may have. Chapter 115E requirements are similar to those of OPA, but cover protection of the public's safety and the environment, and cover pollution of the land, air, and waters of the State. A facility operator is to notify the Emergency Response Commission when their plan is completed, and must supply a copy upon request. Minnesota Pollution Control Agency (MPCA) staff actively inspect the prevention and preparedness capabilities of major facilities, and will assist facility owners if requested. They conduct enforcement if the preparedness of a facility is found to be inadequate, especially if it contributed to a release or poor response.

State agencies, including MPCA and the Departments of Natural Resources, Transportation, Public Safety, and Health, operate under ICS principles. In incidents threatening the public's safety, local commanders receive State support. In a major incident requiring Federal assistance, MPCA will generally be the liaison between State and Federal responders. DEM conducts incident command training for State,

local, and private responders. DEM and the State Fire Marshal contract with a number of local jurisdictions to provide hazardous materials assessment and response teams to the various regions of the State. These teams are dispatched by DEM after the Duty Officer has received a request from a local incident commander stating that local capabilities are inadequate for the needed response.

MPCA provides the designated member of RRT5 for Minnesota. MPCA is the primary State responder to spills and other emergencies involving hazardous materials (with the exception of incidents involving pesticides and fertilizers, which are under the jurisdiction of the Minnesota Department of Agriculture). All of the following information describing State emergency response therefore assumes MPCA actions for general hazardous materials incidents, but applies to the Department of Agriculture for all pesticide and fertilizer incidents. The State Department of Public Safety Division of Homeland Security and Emergency Management has 11 local hazardous materials teams under state contract to provide for chemical assessment and mitigation when requested by a local incident commander.

MPCA's Emergency Response Team (ERT) includes 12 full-time ERT members whose primary duty is to monitor the cleanup of spills and other emergency situations that pollute or threaten to pollute surface or ground water. By default, they also respond to reports of other environmental emergencies (e.g., air releases, illegal hazardous waste disposal, tire dump fires). In addition to receiving release reports, the ERT may perform field inspections at spill sites, provide technical assistance to responsible parties, or carry out enforcement actions for violation of State laws and rules.

If necessary, ERT staff will proceed to the site to provide coordination and assistance in handling the emergency. This may include taking charge of the response if the responsible party is unknown or unavailable. In situations where public safety is the primary consideration, the ERT member does not take charge of the incident, but assists the fire chief or other public safety officials at the scene. This assistance may include emergency waiver or suspension of State laws and rules (e.g., allowing emergency wastewater discharges or burning of a spilled product in order to minimize overall environmental damage). The assistance may also include activation of contractors using State funds.

Both Minnesota Statute Chapter 115E and State Superfund Chapter 115B contain language providing immunity to those responding to oil or hazardous substance discharges.

## **OTHER AGENCIES' RESPONSIBILITIES AND REQUIREMENTS**

The Department of Public Safety Bureau of Criminal Apprehension operates the 24-hour-per-day Duty Officer System to take incident reports for all State agencies. Homeland Security and Emergency Management (HSEM) also coordinates the actions of State agencies, including MPCA, Natural Resources, Transportation, Public Safety, and Health. HSEM conducts training for State and local responders, and reviews County emergency plans. HSEM conducts the Right-to-Know programs in the State.

## **5. OHIO**

The Emergency Response Section of OEPA acts as the staff to the State Emergency Response Commission. This Community Right-to-Know Unit collects chemical inventories from facilities regulated by Title III. Grants are currently being provided to County LEPCs to develop and exercise emergency response plans. The facility identification forms collected by Ohio under Chapter 3750 of the Ohio Revised Code include the name and phone number of the facility emergency contact, and OEPA program permit numbers.

A toll-free number to receive spill reports and citizen complaints is answered 24 hours a day, seven days a week. Spill information is entered into a database for management.

Spills are responded to on a priority basis. Priority I spills are those requiring immediate response because of their volume (over 5,000 gallons of oil) or their toxicity. Priority II spills are responded to within 24 hours, and are smaller in volume (500 to 5,000 gallons) or of a toxicity that does not present an immediate threat to the public. Priority III spills make up the majority of spills.

When needed, OEPA may contract with Ohio Department of Transportation, Ohio Department of Natural Resources, Highway Safety, or the National Guard for air support in flying personnel to the scene of an emergency and samples to the laboratories.

When the spiller cannot be located or is uncooperative, OEPA is called in for containment and cleanup. The Immediate Removal Special Account is used for spills where a response is needed to provide containment of an actively spilling substance. OEPA also has two contractors under a \$500,000 level-of-effort contract. This contract is used primarily for addressing small collections of abandoned drums of hazardous materials.

## **6. WISCONSIN**

[To be written.]