

NORTH CAROLINA EMERGENCY OPERATIONS PLAN (NCEOP)  
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**HAZARDOUS MATERIALS (NCESF-10)**  
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**I. INTRODUCTION**

**A. PURPOSE**

The purpose of this appendix is to provide state support to local governments in response to an actual or potential discharge and/or release of hazardous materials following a disaster. A hazardous material includes any hazardous biological or disease-causing agents and toxins; any radioactive or radiological material or solid, liquid, or gaseous material that is toxic, explosive, flammable, corrosive; or a material that otherwise could adversely affect the health and safety of the public or the workers or harm the environment.

This ESF will be activated either in response to a disaster for which the Governor (through the Department of Public Safety) determines that state assistance is required to supplement the response efforts of the affected local governments; or in anticipation of a disaster which may result in a declaration from the Governor and subsequent federal declaration under the Robert T. Stafford Disaster Relief and Assistance Act.

**B. SCOPE**

This appendix provides for a coordinated response to actual or potential discharges and/or releases of hazardous materials by employing all local, state and federal resources available for minimizing the threat during a disaster. This appendix establishes the lead coordination roles and the specification of responsibilities among state agencies that may be brought to bear in response actions. This appendix is applicable to all state departments and agencies with responsibilities and assets to support the local response to actual and potential discharges and releases of hazardous materials. Federal and state laws and regulations require oil spills, hazardous substance releases or responses to weapons of mass destruction be managed with a trained and competent response management organization.

Response to oil discharges and hazardous substance releases will be in accordance with the State Oil Spill Plan and the North Carolina Area Contingency Plan (NCACP). The two plans effectuate the response powers and responsibilities created by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, the authorities established by Section 311 of the Clean Water Act (CWA), as amended, and the Oil Pollution Act (OPA). This appendix does not impede or negate the use of or request for the activation of the National Response Team (NRT) or Federal Regional Response Team (F-RRT).

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Response to radiological incidents not related to a nuclear power plants or fixed facilities will be in accordance with:

- State Homeland Security Plan
- State Electromagnetic Pulse (EMP) Plan
- North Carolina Chemical, Biological, Radiological, Nuclear and Explosive (CBRNE) Task Force, State Radiological and Nuclear Detection Concept of Operations
- North Carolina Response Plan for the Transportation of Radioactive Materials
- North Carolina Department of Health and Human Services (NCDHHS) Radiological Protection Section (RPS) and Public Health Preparedness and Response (PHP&R) plans

Incidents related to nuclear power fixed facilities will be covered by the State Radiological Emergency Response Plan (REP).

## **II. SITUATION AND ASSUMPTIONS**

### **A. SITUATION**

A natural or other catastrophic disaster could result in numerous situations in which hazardous materials are released in the environment. Fixed facilities (e.g., chemical plants, tank farms, hospitals, laboratories, storage facilities, operating hazardous waste sites which produce, generate, use, store, or dispose of hazardous materials) could be damaged so severely that existing spill control apparatus and containment measures are not effective.

Hazardous materials that are transported through or temporarily stored may be involved in rail accidents, highway collisions, pipeline, air, or waterway mishaps. Abandoned hazardous waste sites could be damaged, causing further degradation of holding ponds, tanks, and drums. The damage to or rupturing of pipelines transporting materials that are hazardous if improperly released will present serious problems.

### **B. ASSUMPTIONS**

1. Situations involving hazardous materials emergency response are generally handled at the local level.
2. Counties may be overwhelmed by the extent of the response effort required to assess, mitigate, monitor, clean up, and dispose of hazardous materials released into the environment, and provide medical resources to exposed, injured or ill persons.

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3. There may be numerous incidents occurring simultaneously in separate locations, both inland and along the Atlantic coastal waters.
4. Standard communications equipment and practices (phone lines, radio, etc.) may be disrupted or destroyed.
5. Response personnel, cleanup crews, and response equipment may not be able to access a significant area surrounding the release due to hazardous concentration levels.
6. Response personnel, cleanup crews, and response equipment may have difficulty reaching the site of a hazardous material release because of the damage sustained by the transportation infrastructure (roads, rails, bridges, airports, etc.) or the remoteness of the incident.
7. Additional response/cleanup personnel and equipment will be needed to supplement existing capabilities and to provide backup or relief resources.
8. Laboratories responsible for analyzing hazardous materials samples may be damaged or destroyed, depending on the severity of the disaster.
9. Air transportation may be needed for damage reconnaissance and to transport personnel and equipment to the release site support zone.
10. Emergency exemptions may be needed for disposal of contaminated material.

### III. ORGANIZATION AND ASSIGNMENT OF RESPONSIBILITIES

#### A. LEAD STATE AGENCY

##### 1. NC DEPARTMENT OF PUBLIC SAFETY (NCDPS)

###### NORTH CAROLINA EMERGENCY MANAGEMENT (NCEM)

- a. Activate the State EOC as necessary.
- b. Coordinate all communications with contiguous states, the federal government, and local government.
- c. Establish and maintain liaisons with federal, state and local officials in the affected area.
- d. Facilitate damage assessment and assist in the coordination of response, if required.

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- e. Contact Tier II facilities 72 hours prior to expected impacts if information is available.
- f. Provide Tier II chemical facility information to NCDEQ for post storm assessments.
- g. Contact via email and phone with the assistance of US EPA and local emergency managers all facilities affected post disaster that will not be contacted by NCDEQ.
- h. Maintain a data management system compatible with the DAQ and DWR for the documentation of oil and hazardous materials spills.
- i. Direct the activities of the seven State Hazardous Materials Regional Response Teams (NCRRT).
- j. Support NCDHHS with additional personnel for the mobile laboratory and field teams upon request.
- k. Appoint a state On-Scene Coordinator.

**B. LEAD TECHNICAL AGENCY**

**1. NC DEPARTMENT OF ENVIRONMENTAL QUALITY (NCDEQ)**

- a. Provide technical assistance related to environmental concerns and enforcement authority to the state on-scene coordinator for spill containment and clean-up of oil and other hazardous substances.
- b. Activate coastal or inland Federal Regional Response Teams (RRTs) or request federal assistance for spill containment and clean-up.
- c. Provide communication with contiguous states and the federal government through the coastal and inland response agencies (U.S. Environmental Protection Agency or U.S. Coast Guard).
- d. Provide laboratory analyses in instances of suspected oil or hazardous substance spills for samples collected and sent by the Division of Air Quality (DAQ) or Division of Water Resources (DWR) field representatives.
- e. Maintain a data management system compatible with Emergency Management for the documentation of any hazardous materials spills and releases.

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- f. Take appropriate enforcement actions for unlawful hazardous materials releases where such action is legally enforceable, coordinating with the State Bureau of Investigation (SBI) when appropriate.
- g. Sample potentially contaminated bodies of water for analysis.
- h. Provide technical assistance in the decision to prohibit use of water sources.
- i. Advise as to restrictions on the use of non-drinking water or seafood as deemed necessary.
- j. Consult the Public Water Supply (PWS) Section on drinking water restrictions.
- k. Coordinate facility contact with NCEM hazardous materials so that Tier II chemical facilities are contacted post storm during damage assessments.
- l. Conduct post disaster damage assessment for all facilities as required by NCDEQ response policy.

### C. SUPPORTING AGENCIES

#### 1. NC DEPARTMENT OF ENVIRONMENTAL QUALITY (NCDEQ)

##### DIVISION OF WASTE MANAGEMENT (DWM)

- a. Coordinate with the Department of Health and Human Services (DHHS) Division of Health Service Regulation, Radiation Protection Section in identifying hazardous waste, transporters, treaters, and storage and disposal facilities for the proper identification, handling, procedures, and other management alternatives for emergency spills.
- b. Provide liaison with local health departments (with solid waste responsibilities) for regulating storage sites for hazardous compliance materials.
- c. Provide regulating evaluation of temporary storage sites for hazardous waste prior to the emergency.
- d. Dispatch state or regional personnel to the State EOC and to the incident site when applicable when directed.

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- e. Provide for technical assistance in determining if certain spills are hazardous waste.
- f. Assist responsible party by providing technical assistance on packing containers, labels, and other required standards for transporting hazardous waste.
- g. Assist responsible party in identifying hazardous waste, transporters, treaters, and storage and disposal facilities for proper identification, handling procedures and other management alternatives for emergency spills.
- h. Make any submitted contingency plan from any hazardous waste storage treatment or disposal facility available for emergency response.
- i. Issue emergency permits for required hazardous waste management activities associated with the clean-up, treatment or disposal of hazardous waste spills.
- j. Coordinate with the DHHS Division of Public Health (DPH) and U.S. Center for Disease Control (CDC) to evaluate the public health impact of spills or other emergency management activity where there is a probability of significant public health impact.

### **DIVISION OF WATER RESOURCES (DWR)**

#### **DIVISION OF AIR QUALITY (DAQ)**

- a. Respond as appropriate to the spill scene, assess the extent of environmental damage and provide on-scene liaison with NCEM and the United States Coast Guard (USCG) or the U.S. Environmental Protection Agency (EPA).
- b. Analyze air, water and soil samples for possible contamination.
- c. Assert state jurisdiction and order clean-up actions if no federal official has arrived on scene and assumed control or if the spill is outside federal jurisdiction.
- d. Review containment and cleanup methods proposed by the responsible party if the spill is within state jurisdiction. Monitor these methods if cleanup is within federal jurisdiction.
- e. Advise the SERT Leader on the feasibility and effectiveness of the containment and cleanup methods being used.

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- f. Provide on-scene liaison with federal On-Scene Coordinator (OSC) concerning state environmental policies and regulations.
- g. Request activation of the Region IV F-RRT or request federal assistance for containment and cleanup.
- h. Assist in the technical decision to restrict use of water resources.
- i. Halt or restrict the use of non-drinking water as necessary.
- j. Consult with PWS on restrictions to be placed on use of drinking water supply.
- k. Serve on the F-RRT and situate the state representative to the F-RRT at the State EOC to facilitate liaison between SERT and the F-RRT during such times as the SERT is activated for an oil spill response.
- l. Enforce state environmental regulations and initiate prosecution under state law or regulations if circumstances warrant. Assist the Attorney General as necessary.
- m. Participate in damage assessment.
- n. Communicate with adjacent state DWR and DAQ officials concerning the impact of the spill.
- o. Obtain and evaluate technical data and information for SERT.

**DIVISION OF MARINE FISHERIES (DMF)**

- a. Monitor areas accessible by fresh and salt water marine life.
- b. Close containment or suspected areas to the taking of all marine life.
- c. Confiscate or prevent the sale of marine life from contaminated or suspected areas.
- d. Take samples of marine life that may have been exposed or contaminated to be analyzed by DEQ.
- e. Act as guides in coastal areas.

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- f. Perform law enforcement function in event of violation of fishing regulations, felony, breach of peace, or on-site deputation by county sheriff, or as may be directed.
- g. Provide transportation and assist in rescue.
- h. Provide expert consultation in marine biology.

**2. NC DEPARTMENT OF NATURAL AND CULTURAL RESOURCES (NCDNCR)**

**DIVISION OF PARKS AND RECREATION (DPR)**

- a. Monitor state park system facilities and resources.
- b. Provide equipment and personnel to assist in control activities in or near state parks.
- c. Regulate or prohibit entry into and use of contaminated state parks.
- d. Provide shelter for evacuees and emergency workers within available resources.
- e. Act as guides in state park areas.
- f. Provide assembly areas for equipment and personnel as facilities allow.
- g. Provide law enforcement assistance as requested.

**3. NC WILDLIFE RESOURCES COMMISSION (NCWRC)**

- a. Monitor game, fish, and wildlife (game and non-game) periodically in impacted area during and after emergency.
- b. Collect specimens of game fish and wildlife for transfer to indicated laboratories to determine contamination and use of salvaged meats.
- c. Close contaminated areas to the taking of game fish and wildlife.
- d. Act as guides in woodland areas.
- e. Perform law enforcement assistance as directed.
- f. Provide air, water and land transportation and assist in rescue.



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- g. Respond to and investigate reports of fish kill in inland waters.
- h. Provide consultation in wildlife management and biology.
- i. Collect or otherwise control the migration of migratory forms of game fish and wildlife if found to be necessary.

**4. NC DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES (NCDA&CS)**

- a. Restrict the sale, production, distribution and warehousing of contaminated livestock, produce and processed food products.
- b. Provide sampling and monitoring assistance.
- c. Provide food commodities for evacuees when directed.
- d. Locate and report sources of uncontaminated feed for livestock.
- e. Conduct the initial investigation of incidents involving pesticides, and if it is determined that people, fish and wildlife, water or other components of the environment could be adversely affected, advise the respective state agency.
- f. Provide assistance for pesticide emergencies.

**NC FOREST SERVICE (NCFS)**

- a. Provide equipment and personnel for decontamination operations, including earth moving and wash down.
- b. Provide air and land transportation.
- c. Provide emergency feeding.
- d. Act as guides in forest areas.

**5. NC DEPARTMENT OF PUBLIC SAFETY (NCDPS)**

**STATE HIGHWAY PATROL (SHP)**

- a. Coordinate aerial transportation of personnel or equipment upon request for hazardous materials or elements thereof.

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- b. Coordinate aerial reconnaissance upon request for hazardous materials when practical.
- c. Provide officers trained in hazardous materials identification and certified hazardous materials technicians in the Hazardous Materials Unit as requested by the SERT for CBRNE incidents.
- d. Coordinate all law enforcement and traffic control measures.
- e. Establish and maintain communication links between and among local authorities, the SERT, the Secretary of Public Safety or his/her designee, and the site of the emergency.
- f. Provide traffic control in support of evacuation, reroute traffic around contaminated area and report problems to the SERT.
- g. Provide traffic control and security in the vicinity of shelters when opened.
- h. Maintain a log of all persons and vehicles entering and leaving the evacuated area.
- i. Provide assistance to county and municipal law enforcement agencies in warning and evacuating.
- j. Provide security for state property, facilities and personnel as requested.
- k. Provide assistance in the transport of samples.

**NORTH CAROLINA NATIONAL GUARD (NCNG)**

- a. Provide technical expertise on the hazardous material, CBRNE or Civil Support Team as requested by the SERT or Governor. Assist with hazardous material identification, assessment of hazards, and advise civil authorities during an incident.
- b. Provide aviation support through short notice helicopter transportation as directed, aerial evacuation of personnel from threatened area, and transportation of needed supplies and equipment.

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- c. Furnish ground transportation by providing trucks and buses with drivers to transport individuals and groups being evacuated from contaminated or threatened areas; trucks and drivers for transporting supplies and equipment; operators to drive school buses and other equipment required during an evacuation, and trucks, water tanks, and drivers for hauling drinking water.
- d. Provide equipment and personnel for search and rescue missions.
- e. Provide equipment and personnel to establish and operate field kitchens as directed by the SERT Leader.
- f. Assist in decontamination operations by providing a limited number of trained personnel and equipment to operate decontamination showers, providing trained personnel and equipment to support decontamination of equipment, and assisting in operating decontamination points as required.
- g. Protect public and private property.
- h. Provide traffic control assistance in support of law enforcement agencies during evacuation and reentry phases of an emergency operation.
- i. Provide limited emergency medical assistance.
- j. Make armories and other NCNG facilities available for support functions when not required for NCNG use.
- k. Provide generators and floodlight sets as requested.
- l. Provide wreckers to support evacuation.
- m. Manage hazardous materials exposure of NCNG personnel and maintain exposure records.

### STATE BUREAU OF INVESTIGATION (SBI)

- a. Serve as lead agency in criminal investigations of hazardous material events. This may be done at the request of the SERT Leader or at the request of a third party through the Attorney General
- b. Coordinate local law enforcement criminal investigative activities where necessary, or desirable.

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**CIVIL AIR PATROL (CAP)**

- a. Provide aerial courier and messenger service.
- b. Provide light transport flights for movement of personnel and supplies.
- c. Provide fixed, mobile and airborne communications.
- d. Assist with search and rescue missions.

**6. NC DEPARTMENT OF HEALTH AND HUMAN SERVICES (NCDHHS)**

**DIVISION OF HEALTH SERVICES REGULATION (DHSR)  
OFFICE OF EMERGENCY MEDICAL SERVICES (OEMS)**

- a. Coordinate and mobilize State Medical Response System (SMRS) teams, emergency medical personnel, equipment, and supplies, as appropriate, for deployment in support of local and regional requests for resources at accident sites and shelters.
- b. Provide subject matter experts, guidance and information on availability of emergency medical resources appropriate for hazardous materials incident response and recovery operations.

**RADIATION PROTECTION SECTION (RPS)**

- a. Dispatch a Radiation Protection Emergency Team (RPET) to the incident site, if required.
- b. Provide methodology for determining Radioactive Material Licensure status and validation of common practices for legitimate radioactive material use.
- c. Establish and supervise a system for radiological monitoring, excluding the monitoring of vehicles and people at traffic control points during evacuation.
- d. Designate a representative to coordinate technical activities.
- e. Recommend measures to lessen the adverse effects on the health of the public and emergency workers.
- f. Recommend measures to control the spread of radioactivity.

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- g. Determine the types of radiological technical expertise required, if any, from other federal, state and local governmental agencies and private industries and requests through the SERT that those agencies provide such expertise and assistance.
- h. Advise Division of Public Health on radiological issues during development and maintenance of a list of qualified radiological medical consultants who, if required, can assist state and local medical authorities.
- i. Activate the Southern Mutual Radiological Assistance Plan (SMRAP) and coordinate the response, if required.
- j. Identify fixed and supporting medical care facilities willing to accept and able to properly treat suspected or actual radiation contaminated victims.
- k. Coordinate with DEQ Division of Waste Management on waste disposal.
- l. Serve as lead agency for radiological damage assessment for land, crops, livestock, and other personal property.
- m. Assume control of all radiation related technical activities in the recovery operation.
- n. Hazmat agencies will assist in radiation protection through interaction between other federal, state, and local agencies.

### DIVISION OF PUBLIC HEALTH (DPH)

- a. The State Laboratory of Public Health will provide services as necessary.
- b. Coordinate local public health activities such as drug administration to the general public or emergency responders as necessary.
- c. Coordinate with Radiological Protection Section to develop and maintain a list of qualified medical consultants who can assist state and local medical authorities.
- d. Provide assistance from the Epidemiology Section and the CDC to evaluate the public health exposure impact of spills and other hazardous materials as necessary.

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- e. Support search and rescue missions as required.
- f. Environmental Health Section will collect shellfish samples for analysis; embargo and dispose of unprocessed shellfish; request the DMF enforce the embargo; embargo processed shellfish under authority delegated by the DA&CS; collect milk samples for analysis; request that the U.S. Department of Agriculture embargo contaminated milk; order local water supply plants to cease operations and close intake systems where deemed necessary and ensure all responders are appropriately trained in accordance with 29CFR §1910.120, and provide liaison with local health departments and provide technical assistance and consultation as needed.

**7. NC DEPARTMENT OF TRANSPORTATION (NCDOT)**

**DIVISION OF HIGHWAYS (DOH)**

- a. Erect and maintain such signs, lights, barricades or other traffic control devices as deemed appropriate to maintain or control traffic along the affected routes or detour routes on NC DOT maintained highways.
- b. Monitor and report road conditions.

**8. NC DEPARTMENT OF LABOR (NCDOL)**

**OCCUPATIONAL SAFETY AND HEALTH DIVISION (OSH)**

- a. Assist in efforts to ensure safety at hazardous materials work sites

**9. NC DEPARTMENT OF ADULT CORRECTION (NCDAC)**

- a. Evacuate on a priority basis any offenders housed in prison facilities that might be affected by the discharge of hazardous materials.
- b. Provide transportation equipment, uniformed personnel, and related services to include the support of law enforcement personnel as may be directed.
- c. Provide food service support as directed.
- d. Develop plans for the evacuation of offenders and other affected DAC personnel within the evacuation zone.
- e. Provide supervision and offender labor for cleanup.

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#### **IV. CONCEPT OF OPERATIONS**

##### **A. GENERAL**

SERT agencies will coordinate efforts that supplement local response activities involving hazardous materials. Local, state, and federal officials will maintain close coordination. SERT hazardous materials activities are generally confined to the response phase of a disaster. Additional hazardous materials events during the recovery phase of a disaster are handled as separate events.

##### **B. NOTIFICATION**

Upon occurrence of a disaster or when the potential exists, the SERT Operations Section will notify primary and support hazardous materials agencies and advise what actions are required.

##### **C. RESPONSE ACTIONS**

###### **1. INITIAL**

- a. Identify initial resource requirements.
- b. Assess the situation including:
  - Nature, amount, source, and locations of real or potential releases of hazardous material(s);
  - Identification of potentially responsible parties;
  - Pathways to human and environmental exposure;
  - Probable direction and time of travel of the materials;
  - Potential impacts on human health, welfare, safety, and the environment;
  - The potential impact on natural resources and properties;
  - Types, availability, and location of response resources, technical support, and cleanup services; and
  - Priorities for protecting human health, welfare, and the environment.
- c. Utilizing Tier II chemical facility database and NCEM meteorologist input, notify all facilities within the expected impact area 72 hours prior to projected impacts.

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**2. CONTINUING**

- a. Receive damage information from field teams.
- b. Provide technical experts to minimize impacts by stopping the source, containment, cleanup, recovery, and protection of sensitive areas.
- c. Continue to assess support, clean-up and decontamination requirements and establish response priorities.
- d. Validate priorities and identify the resources required.
- e. Work with local governments, and other agencies to maximize use of available assets and identify resources that are required from outside the local area. Initiate actions to locate and move resources into the disaster area.

**D. RECOVERY ACTIONS**

**1. INITIAL**

- a. Develop a disaster recovery plan (DRP) based on the known and continuing impacts to the affected community to include impacts to infrastructure, local government, industry and economy, and community residents.
- b. Identify, notify, and assign involved agencies and assets that will be required to assist in recovery efforts based on the DRP.
- c. Coordinate between NCEM, NCDEQ, and EPA follow up facility status checks for all Tier II chemical facilities.

**2. CONTINUING**

- a. Continue to assess recovery needs and the results of recovery actions.
- b. Maintain recovery records to include financial records for submission to the SERT Recovery Section unless otherwise directed.
- c. Continue environmental monitoring of affected area.



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**V. DIRECTION, CONTROL AND COORDINATION**

**1. LOCAL**

The initial response to a hazardous materials emergency will be at the local level. Operations will abate threats to public safety, mitigate and contain the incident. Local emergency management coordinates with local hospitals, law enforcement, emergency services and restricts access to the hazardous area.

Should the incident be beyond the capabilities of that jurisdiction, requests for assistance will be made in accordance with local mutual aid agreements or requests to the state through the State EOC.

**2. STATE**

SERT hazardous materials agencies will direct efforts to supplement the local response actions, immediately following a disaster involving hazardous materials. Hazardous material operations will secure, remove and dispose of hazardous materials from the disaster area, and will initiate other tasks as necessary. Activation of an NCRRT may be indicated based on existing guidelines.

**3. FEDERAL**

Federal authorities for response to hazardous substance, pollutant, or contaminant; including biological, chemical, and radiological warfare agent releases are outlined in CERCLA (42 U.S.C. 9604) and the National Contingency Plan, 40 CFR Part 300.

**DEPARTMENT OF ENERGY**

The National Nuclear Security Administration, within the Department of Energy, employs Radiological Assistance Program (RAP) teams, which engage in preventative radiation detection missions as well as respond to threats. RAP teams provide the following services on a 24/7 basis to support both consequence management and crisis response operations:

- Radiological monitoring and environmental sampling.
- Radiological/nuclear search, detection, and identification.
- Data evaluation and interpretation.
- Advice to incident command to support protective action decision making.
- On-scene training to First Responders.

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North Carolina is located within DOE Region 3, which is based at the Savannah River Site near Aiken, SC. RAP support may be requested via the Region 3 24-hour Emergency Number, 803-725-3333, or the DOE/NNSA Headquarters Watch Office at 202-586-8100.

**ENVIRONMENTAL PROTECTION AGENCY**

The Environmental Protection Agency (EPA) prepares for and responds to emergencies involving hazardous materials through Environmental Response Team (ERT), Chemical, Biological, Radiological, and Nuclear (CBRN) Consequence Management Advisory Division (CMAD). To request EPA resources or to make notification, contact the National Response Center (NRC) at 1-800-424-8802.

**UNITED STATES COAST GUARD**

The North Carolina Area Contingency Plan (NCACP) serves as the basis for planning and deployment of federal resources when responding to releases or threats of releases of oil or hazardous substances. Response actions under the Federal ESF-10 will follow policies, procedures, directives, and guidance developed to carry out the provisions in the NCACP.