

1986

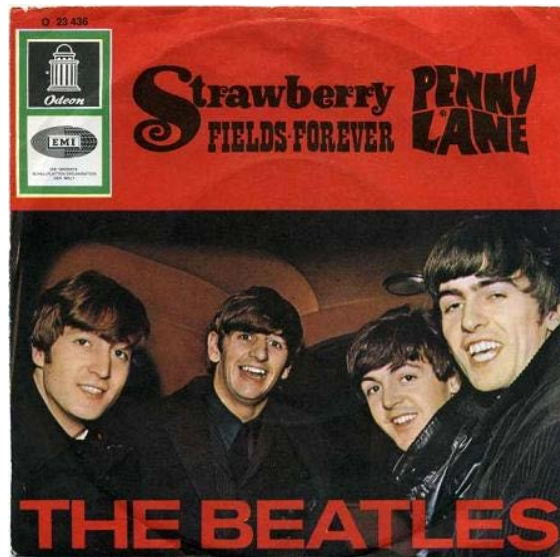


National Response System – HazMat Planning



2018

March, 1967



Where We Came From



In March, 1967, Torrey Canyon, carrying 119,000 tons of crude oil, struck reef off coast of England, spilling over 37 million gallons.

Resulting oil slick was 35 miles long and nearly 20 miles wide.

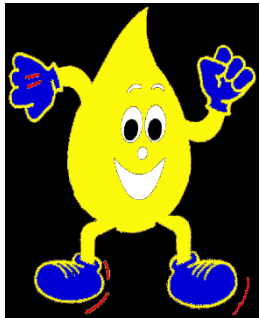
Cleanup, by United Kingdom forces, involved detergent, bombs, kerosene, and rockets.

Total cleanup bill exceeded \$4 million, which would be \$26,400,000 in today's money.

Where We Came From

"It is imperative that we take prompt action to prevent similar catastrophes in the future and to insure that the Nation is fully equipped to minimize the threat from such accidents to health, safety and our natural resources."

President Lyndon Johnson, May 26, 1967
referring to the *Torrey Canyon* Oil Spill



Actually, it was his daughter who asked how U.S. would handle a spill, which planted seed in Johnson's mind.

Where We Came From

Report to President outlined status of U.S. spill technology, vessel designs, available equipment, and skilled manpower.

In June of 1968, Johnson asked Defense, Interior, and Transportation to assume special responsibilities to complete multi-agency contingency plan to strengthen Nation's preparedness to act in the event of an oil spill along coast and waterways.



Late in 1968, first NCP completed:

- **First comprehensive system of accident reporting, spill containment, and cleanup**
- **National reaction response team and regional response coordinators**
- **Addressed oil spills only; other hazardous substances not covered under original plan**

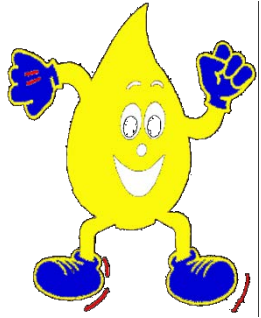


Where We Came From

"I have today approved a plan to reduce damage from the 2,000 or more spills of oil and other hazardous materials that occur each year in this country and along its shores..."



Where We Came From



First test of new NCP on January 28, 1969, when Union Oil offshore drilling platform experienced blowout off coast of Santa Barbara, CA.

By February 16, 1969, estimated 3.3 million gallons discharged



Where We Came From

"I don't like to call it a disaster, because there has been no loss of human life; I am amazed at the publicity for the loss of a few birds"

Fred Hartley, President, Union Oil



Actually, over 3,600 birds killed, as well as countless mammals, including seals and sea lions.

Federal, State, and local officials, as well as volunteer organizations, worked together to mitigate consequences of spill.

Where We Came From

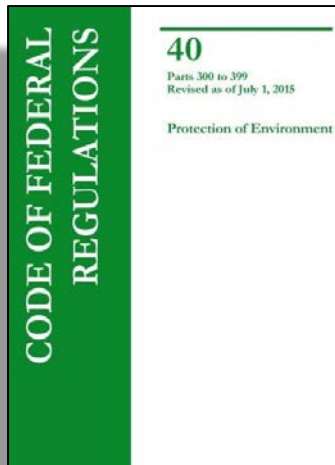
1972 revisions to CWA required NCP address releases of hazardous substances, as well as oil spills

NCP revised to establish NRS with its 3 primary core components: NRT, RRTs, and OSCs



NATIONAL OIL & HAZARDOUS SUBSTANCES POLLUTION CONTINGENCY PLAN (NCP)

- The NCP, 40 CFR Part 300, is administered by EPA



- NCP describes the national preparedness and response system (NRS) for oil and hazardous substances
 - Includes chemical, biological, radiological, and nuclear (CBRN) releases to the environment
 - Both accidental and intentional (including terrorist) releases

AUTHORITIES

**Clean Water Act (CWA)
Section 311,
as amended by Oil Pollution Act
(OPA 90)**



**Comprehensive Environmental
Response, Compensation, and Liability
Act (CERCLA)
(aka Superfund)**




- ❖ Response
- ❖ Planning and Preparedness
- ❖ Enforcement

National Oil & Hazardous Substances Pollution Contingency Plan (NCP)

Regulation at **40 CFR part 300** that implements the oil/hazmat response authorities in these laws

THE OIL RESPONSE LANDSCAPE



**>135,000 MILES
OF PIPELINE
> 7 M B/D
TRANSPORTED**



**>16,000
OIL SPILLS IN
2016***



**>140,000 MI
OF RAIL
>700 TH B/D
TRANSPORTED**



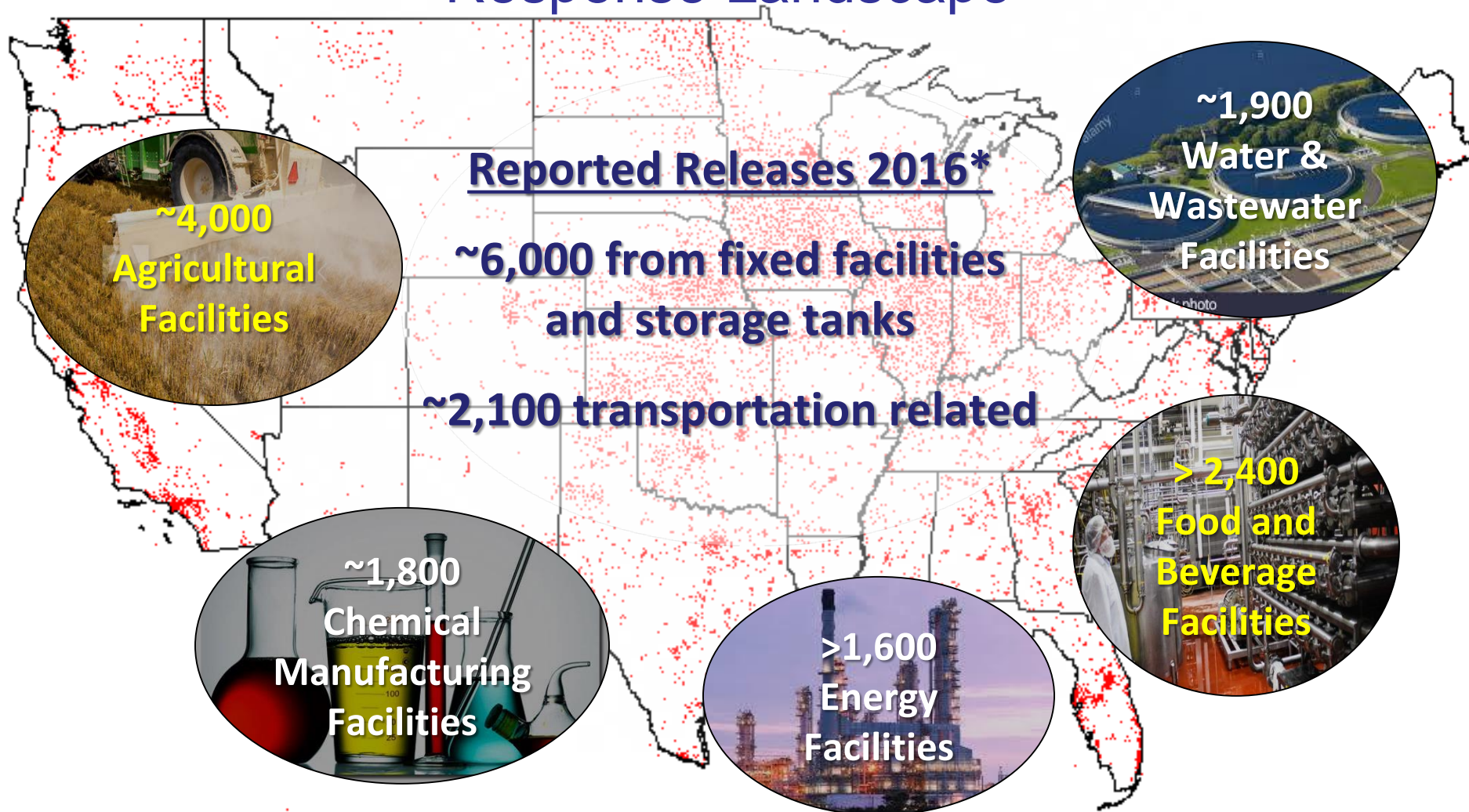
**>1.5M B/D
TRANSPORTED
BETWEEN U.S.
PORTS**



**>2,000 PLATFORMS
OUTER
CONTINENTAL SHELF
17% TOTAL U.S.
CRUDE PRODUCTION**

**CRUDE OIL IMPORTS > 9 M B/D
CRUDE OIL EXPORTS >4.5 M B/D**

The Hazardous Substances Response Landscape



*Reports of “non-oil” releases to National Response Center

ABOUT THE NRS

- NRS divided into local, regional, and national organizational levels
- Participants include federal, state, local, and private sector agencies and organizations, with interests in or responsibilities for oil and hazardous substances emergencies
- Federal agencies in NRS provide on-site response capability at local level

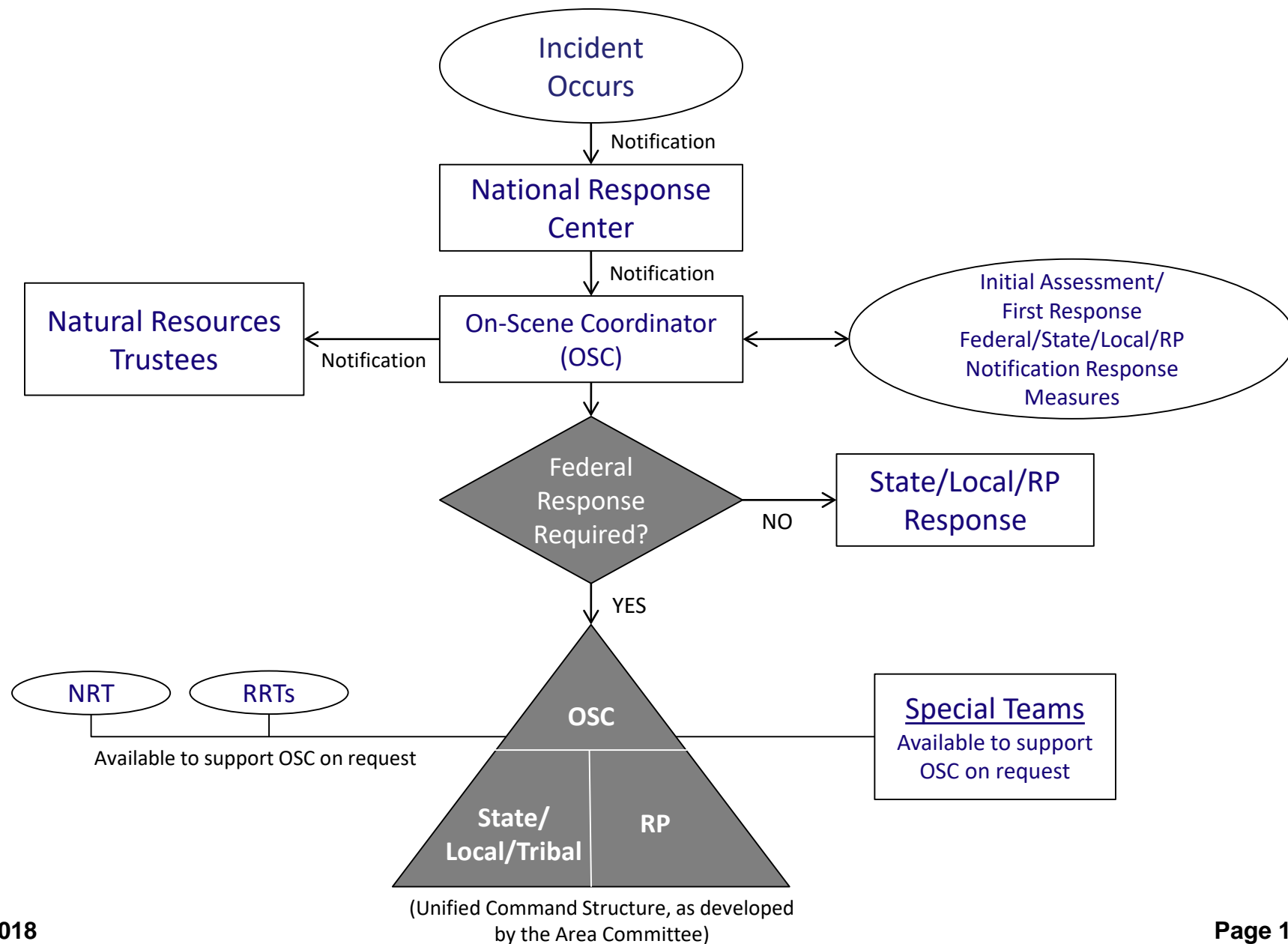


KEY NRS COMPONENTS

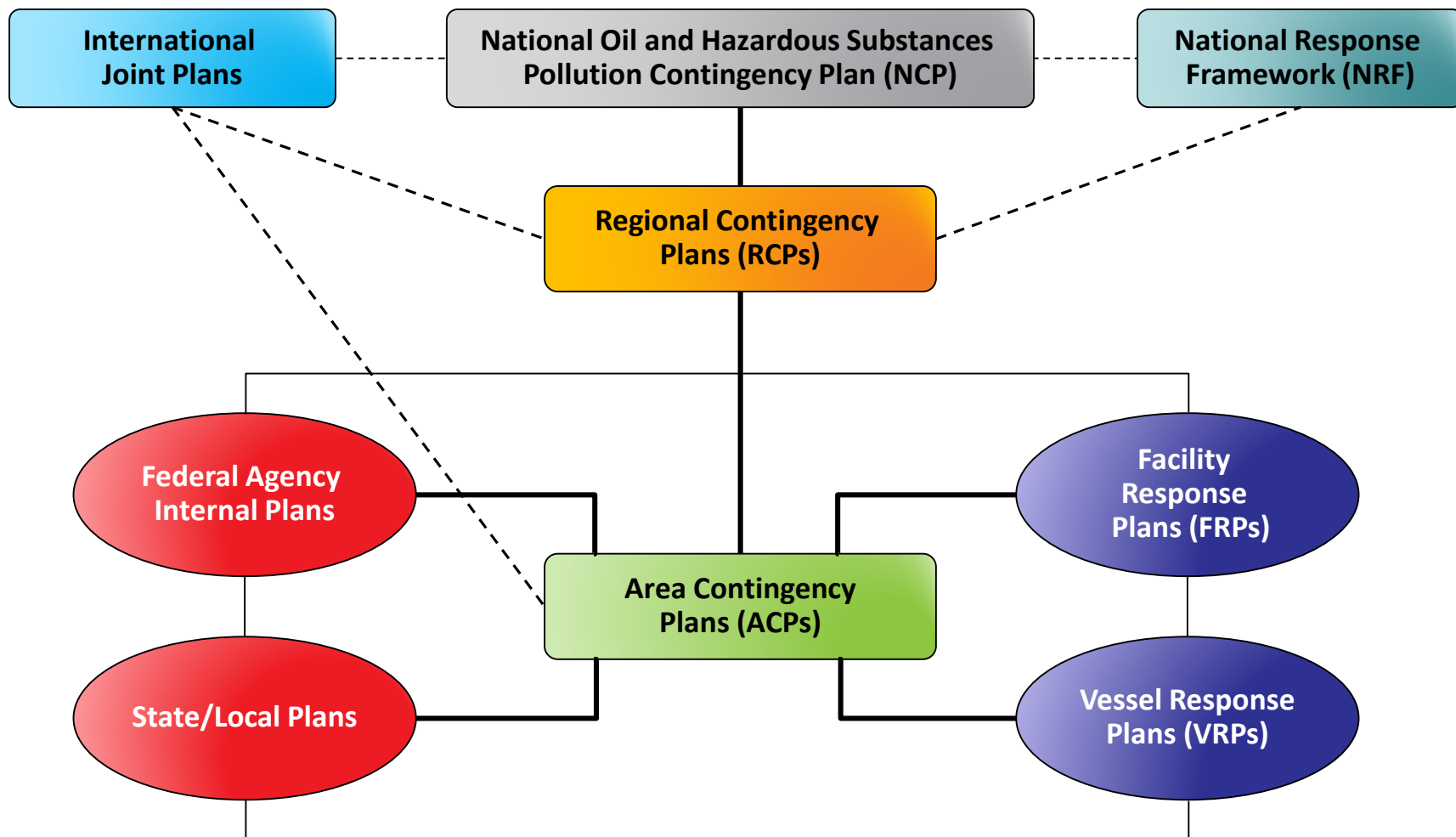
- **National Response Center (NRC)**
- **Federal On-Scene Coordinators (OSCs)**
- **13 Regional Response Teams (RRTs)**
- **National Response Team (NRT)**
- **Area Committees**
- **State/Local Governments**
- **Special Teams**
- **Joint Response Teams with neighboring countries**
- **Regulated Industry**



NRS NOTIFICATION & DECISION PROCESS



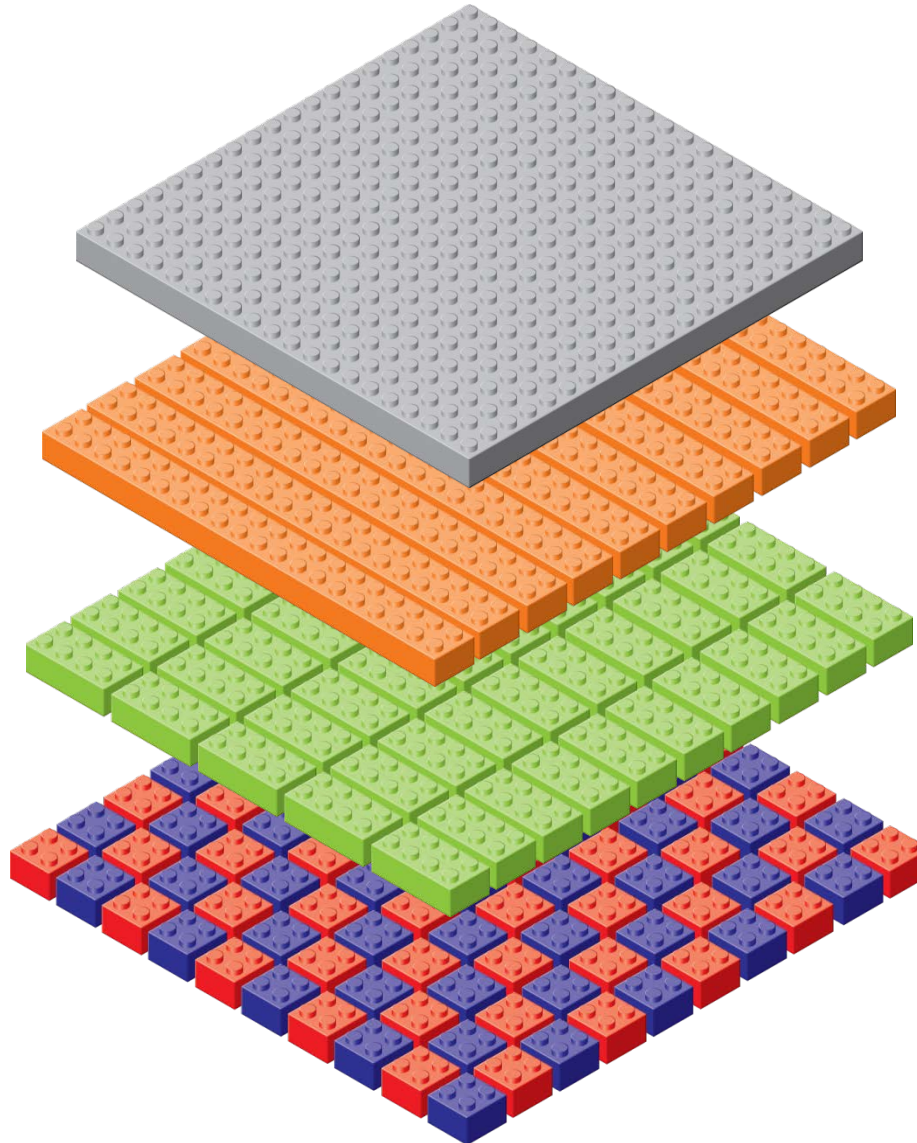
NRS FAMILY OF PLANS



NRS Plans and Planning Groups

NRS Plans

- National Contingency Plan
- Regional Contingency Plans
- Area Contingency Plans
- Local Emergency Planning Committee Plans
- Industry Plans



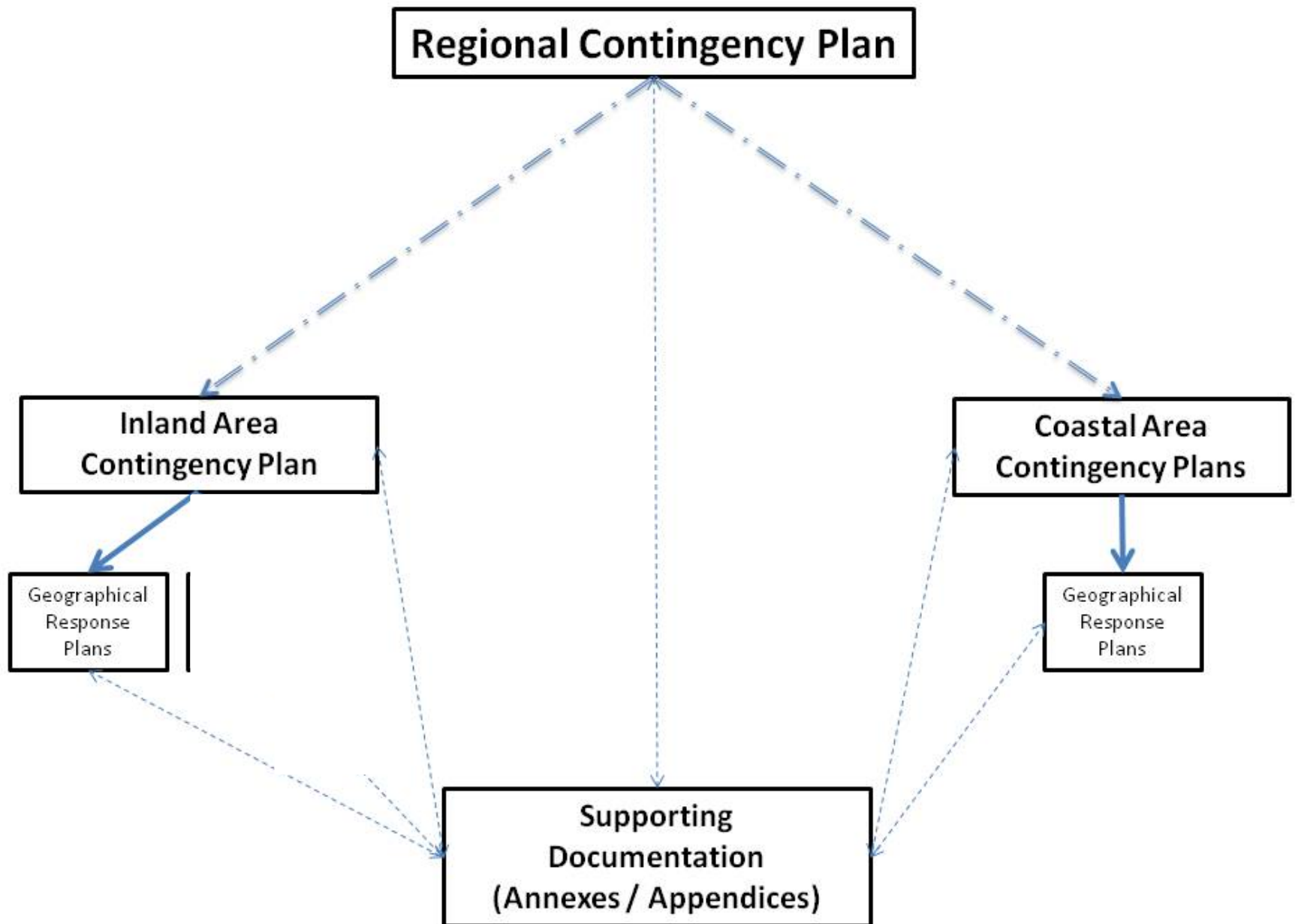
Planning Groups

- National Response Team
- Regional Response Teams
- Area Committees
- State Emergency Response Commissions
- Local Emergency Planning Committees
- Industry

REGIONAL CONTINGENCY PLANS (RCPs)



- Developed by multiagency RRTs
- Provide for effective regional response coordination
- Ensure clear roles and responsibilities
- Follow NCP format

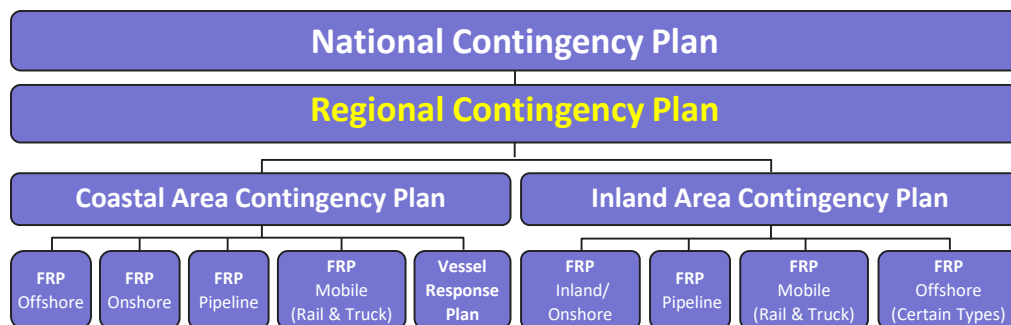


REGIONAL CONTINGENCY PLANS (RCPs)



- Include information on government, commercial, and academic facilities and resources in each region
- Coordinate with ACPs and LEPC plans
- Designate boundary between the coastal and inland zones
- Include applicable preauthorization plans for use of dispersants and other oil spill control agents listed on NCP Product Schedule, and burning agents for in-situ burn operations

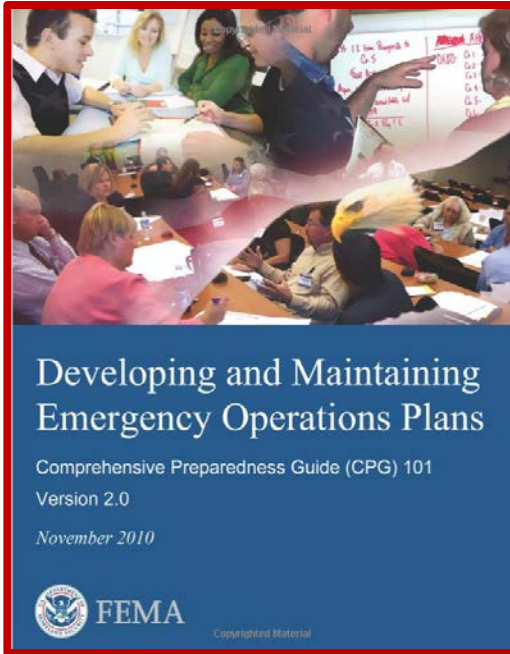
AREA CONTINGENCY PLANS (ACPs)



- Developed by Area Committees led by OSCs
- Provides for effective response coordination for worst case discharges
- There are 36 Coastal ACPs and 13 Inland ACPs

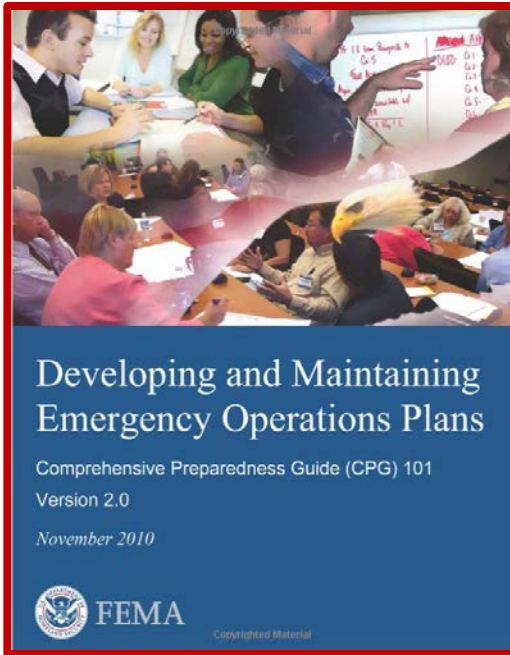


STATE, TERRITORIAL, TRIBAL, AND LOCAL PREPAREDNESS – ALL HAZARD PLANNING



- **Emergencies and disasters such as hurricanes, floods, tornadoes, terrorist activities, fires, explosions, transportation accidents, infectious diseases and other potential hazards continuously threaten Region 6 and its citizens.**
- **In response to such threats, each state law requires political subdivisions in the State to prepare and keep current a local or interjurisdictional emergency operations plan.**

STATE, TERRITORIAL, TRIBAL, AND LOCAL PREPAREDNESS – ALL HAZARD PLANNING



- **Emergency operations planning activities at the state, regional and local levels are shaped by State legislation as well as national policies, doctrine and guidance.**

STATE, TERRITORIAL, TRIBAL, AND LOCAL PREPAREDNESS



Emergency Planning and Community Right-to-Know Act (EPCRA) (or SARA Title III)

- Help communities prepare for chemical emergencies
- Resulted in SERCs , TERCs and over 3,000 LEPCs
- Requires development of local emergency response plans for responding to chemical releases
- Under the NCP, RCPs/ACPs are integrated with state and local plans

FEDERAL FACILITY REQUIREMENTS FOR HAZMAT / OIL PLANNING

- **EPA's Oil Pollution Prevention Regulation (SPCC and Facility Response Plan Requirements) - 40 CFR part 112.7(d) and 112.20-.21;**
- **BSEE's Facility Response Plan Regulation - 30 CFR part 254;**
- **PHMSA's Pipeline Response Plan Regulation - 49 CFR part 194; part 195**
- **USCG's Facility Response Plan Regulation - 33 CFR part 154, Subpart F; part 156**
- **EPA's Risk Management Programs Regulation - 40 CFR part 68**

FEDERAL FACILITY REQUIREMENTS FOR HAZMAT / OIL PLANNING

- **OSHA's Emergency Action Plan Regulation - 29 CFR 1910.38(a);**
- **OSHA's Process Safety Standard - 29 CFR 1910.119;**
- **OSHA's HAZWOPER Regulation - 29 CFR 1910.120;**
- **EPA's Resource Conservation and Recovery Act Contingency Planning Requirements - 40 CFR part 264, Subpart D, 40 CFR part 265, Subpart D, and 40 CFR 279.52**
- **DHS Chemical Facility Anti-Terrorism Standards Site Security Plan -- 6 CFR 27.225**

SPCC / FRP Planning Requirements

- **Facilities which pose threat of substantial harm to environment by discharging oil into navigable waters or adjoining shorelines required to prepare and submit response plans to EPA**
- **FRP demonstrates facility's preparedness to respond to a worst case oil discharge.**
- **A facility is covered if:**
 - **total oil storage capacity greater than or equal to 42,000 gallons and it transfers oil over water to/from vessels; or**
 - **total oil storage capacity greater than or equal to 1 million gallons and can threaten waters of the U.S.**

SPCC / FRP Planning Requirements



- **Emergency Action Plan Contents**
 1. **Qualified Individual Information**
 2. **Emergency Notification Phone List**
 3. **Spill Response Notification Form**
 4. **Response Equipment List and Location**
 5. **Response Equipment Testing and Deployment**
 6. **Facility Response Team**
 7. **Evacuation Plan**
 8. **Immediate Actions**
 9. **Facility Diagram**

DOT PHMSA Facility Response Plans

- **49 CFR Part 194 – Response Plans for Onshore Oil Pipelines**
- **Applies to an operator of an onshore oil pipeline that, because of its location could reasonably be expected to cause... harm to the environment by discharging oil into or on any navigable waters of the United States...**
- **Requires operator to submit an FRP before oil can be transported**
- **Operators can certify they have sufficient response resources and operate up to two years without an approval**



Key Elements in an FRP

- **Responsible Party's Qualified Individuals**
- **Worst case discharge (WCD) calculation and location**
- **Identification of environmentally sensitive areas consistent with Area Contingency Plans**
- **Evidence of response resource**
- **Understanding of the National Response System**
- **Federal, state and county/parish contacts**
- **Drill and exercise program**



RMP Facility Response Planning Requirements

For facilities required to complete and submit an RMP, the facility must complete an emergency response program that spells out:

- **emergency health care**
- **employee training measures**
- **procedures for informing the public and response agencies (e.g the fire department) should an accident occur.**



RMP Facility Response Planning Requirements

- Procedures for informing public and local emergency response agencies about accidental releases
- Proper first-aid and emergency medical treatment necessary to treat accidental human exposures; and
- Procedures and measures for emergency response after accidental release of regulated substance;
- Procedures for the use of emergency response equipment and for its inspection, testing, and maintenance;
- Training for all employees in relevant procedures; and
- Review and update emergency response plan to reflect changes at the stationary source and ensure that employees are informed of changes.

RMP Facility Response Planning Requirements

- Emergency response plan developed under paragraph (a)(1) of RMP shall be coordinated with community emergency response plan developed under EPCRA
- Upon request of LEPC or emergency response officials, owner or operator shall promptly provide to local emergency response officials information necessary for developing and implementing community emergency response plan.



RCRA Facility Planning Requirements

- Large quantity generator must have contingency plan for the facility
- Contingency plan must be designed to minimize hazards to human health or environment from fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water



RCRA Facility Planning Requirements



- **LARGE** quantity generator must time submit quick reference guide to emergency responders or LEPC
 - 1) **Types/names of hazardous wastes and associated hazard**
 - 2) **Estimated maximum amount of each hazardous waste**
 - 3) **Identification of any wastes where exposure would require unique or special treatment**
 - 4) **Map of facility showing wastes locations**
 - 5) **Evacuation map**
 - 6) **Locations of water supply**
 - 7) **Notification systems**
 - 8) **Name of emergency coordinator(s)**

OSHA Facility Emergency Action Plan Requirements



Plan must include, but is not limited to:

- **Means of reporting fires and other emergencies**
- **Evacuation procedures and emergency escape route assignments**
- **Procedures for employees who remain to operate critical plant operations before they evacuate**
- **Accounting for all employees after an emergency evacuation has been completed**
- **Rescue and Medical Duties for Employees Performing Them**
- **Names or job titles of persons who can be contacted**

DHS CFATS Facility Response Planning Requirements

Crisis Management Plan

Facilities should develop and maintain comprehensive crisis management plan that contains strategies for responding to different types of security incidents, including:

- Security Response
- Emergency Response
- Post-Incident Security
- Evacuation
- Notification Control
- Contingency Plans



DHS CFATS Facility Response Planning Requirements

Crisis Management Plan

Crisis management plans generally include documented agreements with offsite responder services, including:

- Ambulance/Medical Support
- Firefighting Support
- Marine Support
- Environmental Restoration Support
- Hazardous Spill Support
- Explosive Device Disposal Support



DHS CFATS Facility Response Planning Requirements

Crisis Management Plan

- Training, drills, and exercises play vital role in maximizing and testing efficiency of response plan to security incident
- Involving local first responders when preparing plan and conducting drills can carry significant benefits for facility in event of incident



So...

Eddy County, NM

FACILITY NAME	FACILITY ADDRESS	CITY	ZIP	LAT	LONG	RMP	FR P	RCRA LQG	TRI	EH S
AGAVE DAGGER DRAW GAS PLANT	278 PIPELINE ROAD	ARTESIA	88210	32.715685	-104.445931	100000064351				X
ARTESIA BULK PLANT	2903 W. MAIN	ARTESIA	88210	32.841944	-104.435556					X
ARTESIA MAIN	601 W GRAND AVE	ARTESIA	88210	32.83861542	-104.4037552					X
ARTESIA PLANT	1925 ILLINOIS CAMP ROAD, P.O. BOX 1170	ARTESIA	88210			100000013889				
CROP PRODUCTION SERVICES 5164	103 EAST MILL ROAD	ARTESIA	88210	32.868631	-104.398565					X
FRONTIER FIELD SERVICES, LLC - EMPIRE ABO GAS PLANT	257 EMPIRE ROAD	ARTESIA	88210	32.775382	-104.259886					X
HELENA CHEMICAL COMPANY	504 LAKE ARTHUR HWY	ARTESIA	88210	32.9512661	-104.3820245					X
HOLLYFRONTIER ASPHALT COMAPNY LLC - ARTESIA	2411 N FREEMAN	ARTESIA	88210						88210KCHSP2411N	
HOLLYFRONTIER NAVAJO REFINING LLC - ARTESIA REFINERY	501 E MAIN ST	ARTESIA	88210	32.842847	-104.390798	100000151426	X	NMD048918817	88210NVJRF501EA	X
PILOT THOMAS LOGISTICS-ARTESIA	606 W RICHEY AVE	ARTESIA	88210						88210NTDFL66RIC	
ROCKWATER ENERGY SOLUTIONS - ARTESIA	9 COMPRESS RD	ARTESIA	88211	32.886264	-104.40727			NMR000023564		
US DHS FEDERAL LAW ENFORCEMENT TRAINING CENTER ARTESIA	1300 W RICHEY BLDG 25	ARTESIA	88210						88210STRSR1300W	
XCEL ENERGY - EDDY COUNTY HVDC	12 MI EAST OF ARTESIA	ARTESIA	88210	32.81337	-104.2419					X
XCEL ENERGY - EDDY COUNTY INTERCHANGE	12 MI EAST OF ARTESIA	ARTESIA	88210	32.814471	-104.240393					X
AT&T - NM0100	1.5 E. OFF HWY180 ON WOOD AVE	CARLSBAD	88220	32.420674	-104.228838					X
CARLSBAD CAVERNS NATIONAL PARK	3225 NATIONAL PARKS HIGHWAY	CARLSBAD	88220	32.174824	-104.375517			NM3141799921		
CHAPARRAL GAS PLANT	492 SHUGART ROAD	CARLSBAD	88220			100000206056				
SUMMIT MIDSTREAM LANE PROCESSING FACILITY	55 BUFFALO GRASS ROAD	CARLSBAD	88220			100000238682				
TESSENDERLO KERLEY SERVICES	4717 NATIONAL PARKS HWY	CARLSBAD	88220						8822WTSSND4717N	
US DOE WASTE ISOLATION PILOT PLANT	30 MILES E OF CARLSBAD ON THE JAL HWY	CARLSBAD	88220	32.41662	-103.766593			NM4890139088	88220SDWST3MILE	X
WINDSTREAM CARLSBAD CENTRAL OFFICE	510 WEST GREENE STREET	CARLSBAD	88220	32.4185	-104.232416					X
XCEL ENERGY - CARLSBAD GAS TURBINE	501 MUSCATEL DRIVE	CARLSBAD	88220	32.42266	-104.2169					X

Conclusion

- **National Response System is comprised of various levels of contingency plans**
- **These plans must be coordinated to ensure effectiveness and efficiency**

