



Hazardous Materials Response

Teller County Emergency Operations Plan – Annex H

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INTRODUCTION

The goal of this Annex is to provide some direction to: 1) minimize the adverse effects of hazardous materials upon life, health, property and the environment, 2) identify community resources for emergency planning, response, and recovery activities and 3) to coordinate an effective and safe response to a hazardous materials incident.

A Hazardous Material (HazMat) incident involves the release of a substance that may pose an unreasonable risk to people, the environment and/or property. The risk may be directly from the material, the result of the reaction or the combination of the material with other materials upon release. Hazardous material releases may be accidental, man-made (such as in cases of clandestine drug labs), or intentional (such as in terrorist actions or weapons of mass destruction).

This Annex provides basic guidelines and establishes responsibilities for response to a hazardous materials incident in Teller County. This plan will provide appropriate guidelines for response to the release of hazardous materials beyond the boundary of a facility using, storing or producing hazardous materials, and the release of hazardous materials that has the potential to injure or harm the population or the environment. All incidents must be reported, controlled and thoroughly investigated.

This Annex also meets statutory planning requirements of the federal Superfund Amendments and Reauthorization Act of 1986, SARA, Title III, and to develop a higher degree of community preparedness for incidents involving hazardous materials.

Facilities and political subdivisions within the jurisdiction of this plan should establish and maintain operational plans and procedures that are compatible and consistent with this Annex.

REFERENCES

- 29 CFR 1910.120 Hazardous Waste Operations and Emergency Response
 - .134 Respiratory Protection
 - .1200 Hazard Communication
- 40 CFR, Protection of Environment
- 49 CFR, Transportation
- NFPA 471, Recommended practice for responding to HazMat Incidents
- NFPA 472, Competencies of responders to HazMat/ WMD incidents
- NFPA 473, Competencies for EMS Personnel Responding to HazMat/WMD Incidents
- NFPA 1991, 1992, 1994, Chemical Protective Clothing
- SARA, Superfund Amendments and Reauthorization Act, 1986
- CERCLA, Comprehensive Environmental Response, Compensation, and Liability Act, 1980
- Clean Air Act, 1990
- CDPHE spill reporting regulations

AUTHORITY

DESIGNATED EMERGENCY RESPONSE AUTHORITY (DERA)

§29-22-102 (1), C. R. S., provides for the designation of emergency response authorities for hazardous substance incidents. The Teller County Sheriff is the DERA. Once designated, a DERA is responsible for providing and

maintaining the capability for emergency response to a hazardous materials incident occurring within its jurisdiction. A DERA may provide and maintain that capability directly, or through mutual aid and other agreements. “Emergency response to a hazardous substance incident” means taking the initial emergency action necessary to minimize the effects of a hazardous substance incident. Initial emergency action to minimize the effects would ordinarily include confining, containing and controlling the product involved to extent safely possible consistent with training and equipment.

Though circumstances may arise where the identification of a DERA may be difficult, those circumstances should be few and unique. The identification of a DERA can normally be determined by relying on the following general principles:

1. Where a spill/discharge actually occurs will determine the DERA. Where the events leading to the spill/discharge began is not relevant.
2. For spills/discharges that occur within the limits of a town, city, or Special District, the fire department is ordinarily the DERA. That designation should be done by ordinance or resolution. In the absence of such action the Sheriff’s Office is the DERA by default. However, another entity may be designated the DERA by ordinance or resolution.
3. The Colorado State Patrol is the DERA for spills/discharges that occur within the boundaries of any publicly maintained highway or county road not within a municipality’s town limits.
4. Except for those spills/discharges that occur within the boundaries of any publicly maintained highway or within the limits of a municipality, the Sheriff is ordinarily the DERA. That designation should be done by ordinance or resolution. In the absence of such action the County Sheriff is the DERA by default. However, another entity may be designated the DERA by ordinance or resolution.
5. Spills/discharges occurring on private property are the responsibility of the property owner, who must notify the pertinent DERA (fire district or Sheriff) and then either coordinate a response or affect a response independently, to include notification to Colorado and Federal agencies as required by regulations or laws.

LOCAL EMERGENCY PLANNING COMMITTEE

In 1986 Congress passed the Emergency Planning and Community Right to Know Act as Title III of the Superfund Amendments and Reauthorization Act (SARA). Congress enacted this law to help local communities protect public health and safety and the environment from chemical hazards.

The Local Emergency Planning Committee (LEPC) is a focal point for Title III activities in the community. The responsibilities of the LEPCs are stated in the law: each LEPC must develop an emergency plan, collect and store information provided by facilities and make that information available to the public. All Teller County LEPC meetings are open to the public and meetings are held regularly.

HAZARD ANALYSIS

The population of Teller County is susceptible at any time to occurrences involving hazardous materials on roads, highways, pipelines and at fixed facilities that manufacture, use or store dangerous chemical substances or due to intentional human acts. The release of hazardous materials can threaten people and natural resources in the immediate vicinity of the accident. Releases can prompt population evacuations and spills into water or onto the ground can adversely affect public water and sewer systems.

A fixed-facility incident is an uncontrolled release of chemicals or other potentially hazardous materials from a facility. A transportation incident refers to an uncontrolled release of chemicals or other hazardous materials during transport (i.e., highways, pipelines and airways). A hazardous materials incident may occur at any time during routine business operations, as a result of a natural disaster or intentional human act.

Transportation accidents involving hazardous materials are most likely to occur along the routes designated for hazardous substance carriers by the Colorado State Patrol or via a pipeline, although accidents can occur on other routes used to transport chemicals between facilities and end users and to designate routes. The designated route for transporting hazardous materials through Teller County is Colorado Highway 24 & Highway 67 south toward Cripple Creek.

All sites and facilities that either manufacture, store, use or transport hazardous materials in Teller County and are subject to the requirements of SARA Title III. Facilities subject to SARA Title III are required to report chemical inventories to state and local officials and to cooperate with local agencies in preparing for hazardous materials accidents.

The U.S. Department of Transportation (CFR) regulates the packaging, handling, labeling and transportation of hazardous materials. SARA Title III and the International Fire Code (IFC) require facilities to furnish information about hazardous and toxic chemicals used in their operations to local emergency planning committees (LEPCs), to state officials and to local fire departments. The UFC regulates the storage of hazardous materials. The law requires facilities to report information regarding the identity, quantity, location and properties of hazardous substances and to immediately notify local and state officials whenever a reportable release of hazardous materials occurs.

When a hazardous material incident occurs in Teller County, hazardous materials response teams can gain immediate access to specific information about a facility from the LEPC and/or jurisdictional fire department or the Designated Emergency Response Authority (i.e., building plans and chemical inventories) to guide response efforts and to help ensure the safety of responders and others near the site.

LOCAL GOVERNMENT RESPONSE/UNIFIED COMMAND

The overall authority for providing direction and control at the scene of an emergency or disaster rests with the DERA and the Incident Commander (IC). A Unified Command approach may be used in incidents that overlap jurisdictional authorities. Requests for local mutual aid assistance will be requested through the IC. Supplemental assistance from regional, State and Federal agencies will be made through the DERA.

In the event of a hazardous material incident, the Incident Management System Guidelines will provide effective leadership, coordination and unified on-scene command of emergency response forces. All on-scene actions shall be consistent with the objective of ensuring the safety of all emergency responders and the public.

A hazardous materials incident may require a broad range of on-scene response organizations including: emergency response personnel from all levels of government; industry representatives; private contractors; and the media. The need for specialized equipment and technical knowledge during response may also be extensive, as are the number of critical decisions that must be made in the area of the incident: containment, emergency worker safety, public protective actions, and environmental protection.

This Annex addresses the need to ensure control of a multi-jurisdiction/multi-agency response to a hazardous materials incident, and highlights the demand for a Unified Incident Command System under the direction of the Incident Commander. The concept of Unified Command simply means that all agencies having jurisdictional responsibilities at an incident will contribute to the process of:

- Determining overall response objectives
- Selecting response strategies
- Ensuring joint planning and application of tactical and operational activities
- Maximizing use of available resources
- Public Alerting and News Releases

REPORTING OF A FACILITY HAZARDOUS MATERIALS INCIDENT

The County's response is based upon effective planning and training. Primary emergency response is most effective when the community receives prompt notification of an incident. This section provides guidance to facilities and stresses the critical need for prompt and accurate reporting.

REPORTING REQUIREMENT

Any release of a reportable quantity of a hazardous substance or extremely hazardous substance to the environment (EPCRA §304, 40-CFR§355.40) must be immediately reported. The report is to be made by calling 9-1-1 immediately after the incident occurs. Note, this reporting requirement does not apply to any release that results in exposure to persons solely within the site or sites on which a facility is located (EPCRA §304(d)).

In addition, in order to better protect safety and to support the primary emergency responders, the LEPC requests that facilities immediately report 'Perceptible Exposure' releases by calling 9-1-1. A 'Perceptible Exposure' means: "Any release of a hazardous substance or extremely hazardous substance which is visible, produces a detectable odor or a distinctive taste, or impacts a human or environmental receptor physically, such as causing eye irritation, itchy skin, damaged vegetation, chronic injury, etc."

As soon as practicable thereafter, a written, follow-up emergency notice shall be submitted via email to:

Teller County Administration Office
Don Angell, Director of Emergency Management
angelld@co.teller.co.us

Teller County Public Health and Environment
Michelle Wolff, Director of Public Health
wolffm@co.teller.co.us

Note: This section is intended to facilitate emergency response and does not guarantee compliance with reporting requirements under any other environmental or health and safety law. There may be other applicable reporting requirements depending on the circumstances of the release.

DERA RESPONSE GUIDELINES

Response by any agency should be consistent with agency training and equipment.

1. **SAFELY RESPOND:** Placement of your apparatus upwind, uphill and upgrade of the incident.
2. **ISOLATE AND DENY ACCESS/ENTRY:** Disallow anyone from entering or accessing the hazard area. Use of banner tape, vehicles, and law enforcement to accomplish.
3. **COMMAND:** Establish ICS and initiate perimeter control.
4. **IDENTIFICATION OF MATERIAL:** Placards, shipping papers, consists, tank/container types, license plate numbers.
5. **CONTROL:** Eliminate ignition sources.
6. **PROTECTIVE ACTIONS:** Evacuation and/or shelter in place options (consider immediate needs, including manpower and logistical considerations). Establish and maintain adequate safety zones for the duration of the incident.

The DERA will not normally take possession of, transport, store, or arrange disposition of any HazMat from an incident or third party. It will be customary practice to have the responsible party retain possession, to include items used in the containment of the response, and to select and hire a qualified HazMat cleanup contractor to properly complete the remediation of the scene following stabilization by the HazMat Response Team.

The Fire Districts in Teller County have trained personnel at the Operations level, should Technicians and/or a formal Hazmat Response Team be required, either the NETCO Fire or the Cripple Creek Victor Gold Mine HazMat Response team (HMRT) will be notified and bring in other HazMat responders as warranted from the region and, working through IC, other agencies. Both HMRT's are part of the South-Central Colorado Regional HazMat Team which includes CSP HazMat. Additionally, both HMRT's maintain a contact list of other parties, to include approved HazMat cleanup contractors.

LEVELS OF MAGNITUDE

These Levels of Magnitude, 1, 2 and 3, express the impact of a hazardous materials incident upon the community. The Level of Magnitude shall be determined by the initial IC.

LEVEL 1

Definition: A hazardous materials incident that is not likely to adversely impact or threaten life, health, property, a waterway or the environment and where control of the incident is within the capabilities of resources available to the local response agencies.

Criteria:

- Incident controlled by the facility or the local response jurisdictions.
- Local HazMat team advice may be required for technical assistance.
- No need for evacuation, medical treatment, evaluation or decontamination.
- May not require Public Alerting; the Incident Commander shall respond to public and media requests for information.

LEVEL 2

Definition: A hazardous materials incident that may adversely impact or threaten life, health, property, waterway or the environment within an area immediately surrounding the point of release or potential release and where control of the incident is within the capabilities of the resources locally available to responders in Teller County.

Criteria:

- Incident will be secured by local, multi-agency response and coordination
- Local and/or regional HazMat team is required for response and/or assistance
- Possible evacuation and/or sheltering for the area immediately affected by the release or potential release (as determined by the Emergency Response Guide).
- EMS evaluation/treatment and/or decontamination is required
- Any UN placarded vehicle, facility incident, pipeline or illegal drug lab
- Requires public alerting; may include any and all available resources (see Public Warning and Information Annex A for information on various warning methods)

LEVEL 3

Definition: A hazardous materials incident that has significant risk of adversely impacting or threatening life, health, property, waterway or the environment at or beyond the point of release and will require a response by or lead to the involvement of State and/or Federal agencies.

Criteria:

- Incident that is beyond the capabilities of the local resources and requires multi-jurisdictional and/or regional involvement and resources.
- Evacuation or sheltering, to include sheltering in place, of residents or facilities.
- Requires public alerting; may include any and all available resources (see Public Warning and Information Annex A for information on various warning methods)

HAZMAT MATRIX

	Level 1	Level 2	Level 3
Criteria	<ul style="list-style-type: none"> No immediate threat to life safety, property or the environment 	<ul style="list-style-type: none"> Threat to life safety, health, property or environment Decontamination required Exceeds resources of 'first in' engine UN placarded vehicle or facility 	<ul style="list-style-type: none"> Significant threat to life or property Immediately exceeds local resources Involvement of regional assets AND/OR State or Federal agencies
Required Action	<ul style="list-style-type: none"> Response and containment No medical, evacuation or decontamination needed 	<ul style="list-style-type: none"> Evacuation possible (ERG) EMS treatment Multi-agency response Regional HazMat response 	<ul style="list-style-type: none"> Evacuation required Decontamination required Medical evaluation required
Protocol	<ul style="list-style-type: none"> Implement agency specific HazMat Protocols Contact Local HazMat Team (NETCO/CCV Mine HMRT) 	<ul style="list-style-type: none"> Implement agency specific HazMat Protocols Contact Local HazMat Team (NETCO/CCV Mine HMRT) 	<ul style="list-style-type: none"> Implement agency specific HazMat Protocols Contact Local HazMat Team (NETCO/CCV Mine HMRT)

RESPONSE GUIDELINES

CHEMICAL PROPERTY ASSESSMENT

The JIC/EOC should immediately begin to obtain information on:

- 1) The chemical which was released as soon as possible from the reporting party and relay this information to first responders
- 2) The physical and chemical properties of a product
- 3) The chemical hazards and handling information, may be obtained by Dispatch from sources including:
 - a) **WISER:** WISER is a system designed to assist first responders in hazardous material incidents. WISER provides a wide range of information on hazardous substances, including substance identification support, physical characteristics, health information, and containment and suppression advice.
Link: <http://wiser.nlm.nih.gov/>
 - b) **Emergency Response Guide:** The current edition, 2016, is primarily a guide to aid first responders in quickly identifying the specific or generic hazards of the material(s) involved in the incident, and protecting themselves and the general public during the initial response phase of the incident.
Link: <http://wwwapps.tc.gc.ca/saf-sec-sur/3/erg-gmu/erg/ergmenu.aspx>

NOTIFICATION

LEVEL 1

Upon declaration of a Level 1 hazardous materials incident, shall follow proper notification procedures which may include the following:

- Fire Department for jurisdiction
- Local Law Enforcement
- Other agencies as appropriate

LEVEL 2

Upon declaration a Level 2 hazardous materials incident, shall follow proper notification procedures which may include the following:

- NETCO/CCV Mine Hazardous Material Response Team (HMRT)
- Fire and/or EMS for jurisdiction
- Local Law Enforcement
- County Sheriff
- County Emergency Management
- County Department of Public Health
- Other agencies as appropriate

LEVEL 3

Upon declaration of a Level 3 hazardous materials incident, shall follow proper notification procedures which may include the following:

- All Level 2 agencies, **PLUS**
- County Administrator
- National Response Center
- Other agencies as appropriate – EOC activation determined through consultation with Emergency Management, Fire Chief, Sheriff and the Incident Commander.

WARNING, EVACUATION AND SHELTER

Since a hazardous materials incident is normally a rapidly developing situation, initial public alerting by emergency response personnel is a critical aspect of public safety. Once a decision has been made to evacuate or shelter-in-place, the Incident Commander shall initiate procedures to alert the public. Refer to Public Alert and Warning Annex A. Public Alerting provides timely and reliable emergency information pertaining to the need for protective actions. For protective actions to be effective, the public must first be alerted that an emergency exists, and second be instructed on what to do.

The Incident Commander may request law enforcement to initiate evacuation orders in the area surrounding a hazardous materials accident, based on protective actions recommendations made by the DERA. For most incidents, law enforcement and fire services personnel will use the best available measures to warn people in the immediate area of the need to evacuate. Refer to Evacuation Guide Annex B and Mass Care and Shelter Guide Annex C.

RECOVERY

Recovery immediately follows emergency response. It involves direction to restore the community to normal conditions and may include:

- Requesting a State or Presidential Disaster Declaration
- Maintaining access control
- Clearing debris
- Restoring public utilities
- Providing emergency social services (shelter, clothing, food, etc.)
- Rebuilding
- Investigating the incident
- Continuing public information – general purpose and health-related
- Maintaining security in restricted areas
- Providing long-term counseling for residents

CLEAN-UP AND DISPOSAL

The clean-up and disposal of hazardous materials will be done in compliance with all applicable local, State and Federal regulations. The responsible party for the hazardous material incident is legally and financially responsible for the clean-up and disposal of hazardous wastes. If the responsible party for a hazardous material incident is unknown, unwilling or unable to accomplish the cleanup and disposal, the State of Colorado may hire a commercial clean-up company with state funds.

RELOCATION AND RE-ENTRY

In cases where contamination of the environment has occurred and the long-term relocation of residents is necessary, the Teller County Department of Human Services shall provide relocation assistance.

Re-entry to an area that has been sheltered-in-place or evacuated shall not be allowed until authorized by the Incident Commander. The Incident Commander shall confer with the Teller County Sheriff's Office, Director of Emergency Management and/or other members of the unified command and other Teller County Departments that may be needed, and other appropriate entities, to establish and communicate re-entry procedures that will include:

- A time to return
- Safety precautions
- Health precautions
- Symptoms of illness as a result of exposure

The Public Information Officer of the Unified Command shall inform the public of the re-entry procedures. This may be done by the following methods:

- NIXEL/IPAWS Message
- News Release
- Announcements and/or printed materials at Reception Centers
- Printed materials issued at Traffic Control Points and Access Control Points
- Emergency Alert System

COMPENSATION AND REIMBURSEMENT

Response and recovery costs associated with hazardous materials incidents are the responsibility of the owner or shipper of the materials involved. When the DERA determines that a hazardous materials accident on private property presents “an imminent danger to public health and safety beyond such property,” the response costs then fall to the party or parties responsible for the incident. Costs recovered by the DERA are distributed proportionately among the agencies that rendered assistance. When costs cannot be recovered from the responsible party, the agencies that responded to the DERAs’ request for assistance may apply for reimbursement of eligible expenses from the Emergency Response Cash Fund, managed by the Colorado Department of Local Affairs, Division of Local Government.

ENVIRONMENTAL PROTECTION AGENCY (EPA) LOCAL GOVERNMENT REIMBURSEMENT PROGRAM

In the event of a release (or threatened release) of hazardous substances, EPA may reimburse local governments for expenses related to the release and associated emergency response measures. The Local Governments Reimbursement (LGR) Program provides a "safety net" of up to \$25,000 per incident to local governments that do not have funds available to pay for response actions.

APPLYING FOR REIMBURSEMENT

- [Determining Your Eligibility](#)
- [Requirements for Reimbursement](#)
- [Reimbursement Application](#)

FACILITY PLANNING

Some facilities located within Teller County do not meet SARA Title III reporting requirements, but if requested by the LEPC, are still required to participate in the following actions for optimal community and responder safety. Facilities regulated by SARA Title III, and other facilities that are requested, must meet planning requirements:

1. Prepare both an analysis of hazards at the facility and a response procedure for those hazards. Copies are submitted to: The Local Emergency Planning Committee representative (TC Director of Emergency Management), the State Emergency Planning Commission and the local Fire Department.
2. Comply with the applicable SARA reporting requirements and OSHA regulations.
3. Designate an official (available on 24-hour call) who is capable of being on call for a phone consultation or for participating in an Incident Command Post or EOC as a facility representative. This person will have information and the authority to:
 - a. Identify the location, type and quantity of hazardous or materials
 - b. Provide MSDS information and technical data on properties of the chemicals or materials present
 - c. Implement the Emergency Action Plan for the facility (“Facility Emergency Contingency Plan”), if appropriate and available.

TRAINING & EXERCISE

TRAINING

The LEPC supports that each agency has a training program for personnel and emergency staff to ensure a safe and effective response to hazardous materials incidents. Training requirements are established by State and Federal regulations. Aside from specialized training and certification in Colorado (Awareness, Operations, Technician and Specialist), there are rules which impact how the DERA responds and manages a scene. Training deficiencies should be identified through appropriate administrative channels for resolution.

Some, but not all, of significance are:

1. The Incident Commander of a HazMat Incident must be certified at, at the very least, the HazMat Operations Level (29 CFR 1910.120(q)(6)(v)).
2. The Safety Officer must be certified at, at least, the HazMat Technician Level (NFPA 472 Ch 12.1.1.2)

SARA Title III, Section 303(c)(8) requires training for those responsible to implement chemical emergency plans. Teller County intends to utilize courses sponsored by the Federal and State governments and private organizations to fulfill this requirement. Local agencies and facilities will also schedule courses to address the unique concerns and needs of the local hazardous materials preparedness program.

Local agencies, facilities and organizations should provide in-service training to satisfy operational needs, to maintain appropriate certification standards and to comply with applicable regulatory standards. It is recommended that a training officer be designated to establish an annual training program designed to meet requirements. Individual training records should be maintained on all emergency responders.

EXERCISE

SARA Title III, Section 303(c)(9) requires local jurisdictions to establish “methods and schedules for exercising the emergency plan.” An effective exercise program will strengthen response management, coordination and operations, and identify areas for improvement. Corrective actions can then be taken to improve and refine public safety capabilities.

Exercises are generally classified into four categories: Orientations, Tabletop, Functional and Full-Scale. Each exercise type varies in activities and resources. Some require simple preparations and execution while others may be more complex and require greater efforts and resources. Each provides its own benefits and should be considered in the development of an exercise program to satisfy community and facility needs.

Each facility should conduct at least one annual test of their emergency plan. These tests should be coordinated, when possible, with the appropriate fire department and law enforcement agency. Facilities should conduct an exercise debriefing, and within 30 days prepare an after-action report noting corrective action and lessons learned.

ATTACHMENT A HAZMAT CONTACT LIST

[HAZMAT CONTACT LIST](#)

(For Official Use Only, a Password is required to view)

ATTACHMENT B ENVIRONMENTAL SPILL REPORTING GUIDELINES AND BROCHURE

[ENVIRONMENTAL SPILL REPORTING GUIDELINES AND BROCHURE](#)