



ESF-10 Oil and Hazardous Materials

JOHNSON COUNTY EMERGENCY OPERATIONS PLAN

Coordinating Agency: Johnson County Department of Health and Environment

Support Agencies:

Johnson County Med-Act
Johnson County Wastewater
Jurisdictional Fire Departments
Jurisdictional Law Enforcement
Olathe Fire Department
Overland Park Fire Department
Regional Hazardous Materials Teams
Kansas Department of Health and Environment

INTRODUCTION

Purpose

The purpose of the *ESF-10 Oil and Hazardous Materials Annex* is to establish how Oil and Hazardous Materials response activities will be coordinated to meet the needs generated by disasters affecting Johnson County.

Scope

This annex identifies the key policies, concepts of operations, roles and responsibilities, and capabilities associated with *ESF-10 Oil and Hazardous Materials* in Johnson County. Specific operating procedures and protocols are addressed in documents maintained by the participating organizations.

ESF-10 Oil and Hazardous Materials applies to all individuals and organizations and the full range of Oil and Hazardous Materials services that may be required to support disaster response and recovery operations in Johnson County. Additional first responder functions are addressed in *ESF-4 Firefighting Annex*, *ESF-6 Mass Care Annex* for sheltering activities, the *ESF-9 Search and Rescue Annex*, *ESF-13 Public Safety*, and *ESF-15 Public Information*.

SITUATION & ASSUMPTIONS

In addition to the “Situation and Assumptions” section in the Basic Plan, the Concept of Operations for ESF-10 is based on the following:

Situation

1. Hazardous materials and hazardous wastes are a concern for Johnson County because a sudden accidental or intentional release of such materials can be dangerous to human health and safety, damage property, and affect the quality of the environment. The most likely occurrences of such releases are in the following areas:
 - a. The primary transportation routes of hazardous materials and hazardous waste are interstate and major highways, railroad lines, and pipelines. In particular, Olathe has two sets of rail lines traversing the City.
 - b. The Mid-America LEPC maintains a list of business and industry facilities reporting extremely hazardous substances (EHS) under the provisions of Title III of the Superfund Amendments and Reauthorization Act (SARA). This information is reported to the local fire department and collected by KDHE, on behalf of the Kansas Commission on Emergency Planning and Response (CEPR). Facilities that store or use chemicals considered unusually dangerous to human safety are required by Section 112R of the Clean Air Act Amendments to assess the potential impacts of an accidental release of the chemical at their facility and to prepare risk management plans (RMP).
 - c. Agricultural chemicals such as pesticides and fertilizers can pose a threat to the environment if used improperly or if there is a release.
 - d. Hazardous materials and wastes in large quantities and varieties can be found in residences. Home businesses can use hazardous materials and generate hazardous waste that is unknown to regulatory agencies. Illegal activities using hazardous materials such as drug labs can be found in residences.
 - e. Illegal dumping of chemical waste consists primarily of used motor oils and fuels, solvents, and paint waste dumped in the environment. Biological and medical wastes can pose similar threats.
 - f. Some hazardous materials incidents have the potential to transmit through air and watershed, and may go across county or state boundaries (to or from Johnson County). This type of incident would require regional coordination and immediate communication with the Environmental Protection Agency and the Kansas Department of Health and Environment as well as the Missouri Department of Natural Resources should the incident be coming from or to Missouri.
 - g. The U.S. State Department of Transportation (USDOT), Pipeline and Hazardous Materials Safety Administration (PHMSA) maintains safety authority over liquid pipelines and all interstate pipelines in the State. Hazardous materials transportation and pipeline accidents must be reported directly to the 24-hour National Response Center.
 - h. For radiological or nuclear incidents, KDHE will provide oversight and technical direction to coordinating and support agencies. For releases of oil and hazardous materials, KDHE will provide technical direction during the response and oversight throughout the recovery.

2. The Kansas Office of the State Fire Marshal has eleven Regional Response Teams located in the following areas: Coffeyville, Colby, Emporia, Ford County, Manhattan, Overland Park, Salina, Sedgwick County, Seward County, Topeka, and Wellington. These teams can respond to most areas in Kansas within an hour; addressing hazardous materials incidents and accidents as well as terrorist incidents involving chemical, biological, radiological, or nuclear (CBRN) products.
3. Local Emergency Planning Committees:
 - The Kansas Commission on Emergency Planning and Response has divided Kansas into 105 emergency planning districts. These districts are defined by county boundaries.
 - Each of these planning districts has a Local Emergency Planning Committee (LEPC) or is part of a regional LEPC. LEPCs are made up of city and county elected officials, law enforcement officers, emergency responders, emergency managers, media, community members, industry, transportation, and medical representatives. They are mandated to develop and implement comprehensive emergency response plans concerning potential hazardous materials emergencies or disasters within their respective planning districts.
 - Kansas LEPCs maintain an inventory of facilities that have reporting requirements under sections 302, 311, and 312 and KAR 28-65-3 of the Emergency Planning and Community Right to Know Act.
4. Businesses using, storing, manufacturing or transporting reportable quantities (RQ) of hazardous chemicals per The Emergency Planning and Community Right to Know Act (EPCRA) are required to maintain inventories and provide the Mid-America LEPC and local fire departments in their jurisdictions with Materials Safety Data Sheets (MSDS) on the hazardous chemicals in their communities. Facilities covered by EPCRA must submit an emergency and hazardous chemical inventory form to the CEPR, the Mid-America LEPC and the local fire department annually. These forms, known as Tier II Reports, require basic facility identification information, employee contact information for both emergencies and non-emergencies, and information about chemicals stored or used at the facility.
5. Further, businesses regulated under EPCRA are required to develop emergency plans for responding to hazardous materials incidents and submitting this information to the CEPR who maintains comprehensive lists of facilities, chemicals and hazardous materials plans for the State.
6. First responders (e.g., Hazardous Materials Teams, EMS agencies, law enforcement agencies, as well as other local agencies with hazardous materials support responsibilities such as public works departments) maintain procedures, protocols and guidelines specifying the appropriate specialized personnel protective

equipment requirements and response actions for incidents involving hazardous materials.

7. There are two municipal based Hazardous Materials Response Teams in Johnson County, one with the Olathe Fire Department and one with the Overland Park Fire Department. Both teams have the capability of performing the following functions:
 - a. Field testing of known and unknown substances
 - b. Air monitoring & decontamination
 - c. Sampling of known and unknown industrial chemicals and some Weapons of Mass Destruction (WMD) chemical/biological substances
 - d. Radiation detection of alpha, beta and gamma rays
 - e. Hazardous Materials response (local and regional)

8. There are seven regional Hazardous Materials Teams in the KC Metro area that are Enhanced WMD Hazardous Materials Teams, potentially available to provide assistance.
 - a. Kansas City, KS Fire Department
 - b. Kansas City, MO Fire Department
 - c. Lee's Summit, MO Fire Department
 - d. Overland Park, KS Fire Overland Park Fire Department
 - e. Tri-District HAZARDOUS MATERIALS Response (Central Jackson County, Sni-Valley, and Ft. Osage Fire Districts, MO)
 - f. Leavenworth, KS Fire Department
 - g. Independence, Mo Fire Department

9. Local LEPCs in both Kansas and Missouri include a hazardous materials functional annex describing local roles and responsibilities, response actions, capabilities and references to their respective LEPC Plans. These hazardous materials functional annexes reference and build upon the information included in the Mid-America LEPC Regional Hazardous Materials Emergency Preparedness Plan and the Miami County LEPC Plan.

10. As required by SARA Title III, Johnson County has established a Local Emergency Planning Committee (LEPC) through a regional LEPC partnership (Mid-America LEPC) under its Bylaws as of 2014 states the following:

WHEREAS, pursuant to Title III, the Missouri State Emergency Response Commission designated the Mid-America Local Emergency Planning Committee as the Local Emergency Planning Committee for Kansas City, Missouri, and Cass, Clay, Jackson, Platte and Ray counties following their request for the Mid-America Local Emergency Planning Committee to support those communities in meeting the Title III requirements; and

WHEREAS, the designation of the Mid-America Local Emergency Planning Committee by the Missouri State Emergency Response Commission allows for additional jurisdictions to participate, with representation from each participating community and with stakeholder interests including elected officials, law enforcement, fire service, emergency medical, emergency management, public health, environmental, hospital, transportation, industry representatives of facilities subject to the SARA requirements, community groups and the media; and

WHEREAS, this Committee has been named the Mid-America Local Emergency Planning Committee (hereinafter cited as "the Committee"); and

WHEREAS, the Kansas Counties of Johnson, Wyandotte and Leavenworth have been accepted as members of the Mid-America Local Emergency Planning Committee, following their request to become part of the regional effort to reduce risks from hazardous materials events, through coordinated planning and training and education; and

WHEREAS, the task of the Committee, formed under the auspices of the Mid-America Regional Council, is to establish rules, give public notice of its activities, establish procedures for handling public requests for information, and develop an emergency operations plan for events related to hazardous materials.

11. Johnson County Wastewater Department programs include permitting, inspecting and investigation of industrial wastewater discharges and food service grease management in the Johnson County Wastewater Department service area. Johnson County Department of Health and Environment is responsible for management of air pollution from permitted sources, solid waste facilities including landfills, illegal dumping, and other environmental pollution complaints. Johnson County Department of Health and Environment also operates the County's household hazardous materials collection facility at which residents can drop off unwanted household chemicals. The department works in coordination with KDHE and/or EPA on environmental/Hazardous Materials investigations and remediation activities. Johnson County Wastewater Department Water Quality Lab can provide chemical characterization in water or solid material for specified parameters (does not include volatile or semi-volatile compounds).
12. There are some city jurisdictions that provide their own wastewater services in Johnson County: Edgerton, Gardner, Spring Hill, DeSoto and Olathe. If these cities have a hazardous materials incident, they will work directly with KDHE and/or EPA. However, if the incident exceeds the capabilities of that jurisdiction, they will notify the EOC for additional support.
13. During a Foreign Animal Disease incident, there may be a need to provide decontamination support for impacted animals. Refer to ESF-11 Agriculture, Animal Welfare, and Natural Resources.

Assumptions

1. All responding agencies will be trained in accordance with OSHA 1910.120 Hazardous Waste Operations and Emergency Response, which describes minimum levels of emergency responder skills, knowledge, and functional levels to meet health and safety requirements for response to a hazardous materials incident. Additionally, first responders will follow the guidance provide in NFPA 472, which defines competencies for personnel responding to hazardous materials emergencies. Training is available through a variety of sources and managed by the individual teams.
2. Facilities subject to EPCRA will submit chemical inventory lists and emergency plans in a timely manner to the local fire departments, Mid-America LEPC, and CEPR.
3. Emergency response personnel maintain ongoing communication with the facilities subject to EPCRA in their communities using, manufacturing and storing hazardous materials. Emergency response personnel and the facilities will work to ensure continuing coordination during and after the incident.
4. When needed, evidence collection will be handled by appropriate law enforcement officials, such as the FBI in a CBRNE incident.
5. In major incidents, state and federal resources will be available to assist jurisdictions in augmenting local and regional capabilities, but their availability may not be immediate.
6. Evacuation or sheltering-in-place may be required to protect portions of Johnson County.
7. Victims of a Hazardous Materials incident may require unique or special medical treatment not typically available in Johnson County.
8. The release of Hazardous Materials may have short and/or long term health, environmental and economic effects depending upon the type of product.
9. Hazardous Materials emergencies may occur without warning, requiring immediate emergency response actions.

CONCEPT OF OPERATIONS

1. Initial notification of a hazardous materials incident will normally be made to the Johnson County Emergency Communications Center (ECC). This initial notification may come from a variety of sources, such as citizens, facility owners, or emergency responders.
2. Upon notification of a hazardous materials incident, the ECC will obtain as much information as possible regarding the incident from the initial source of notification and alert the local fire department and dispatch a hazardous materials team and the Hazardous Materials Medical Support Team. The ECC will relay the information received (e.g., the chemical and quantity, safe routes of entry, injuries, etc.) to the responding agencies.
3. The IC will make all tactical field decisions using their agency's hazardous materials operating procedures and guidelines. As per existing agency procedures, the IC will direct responding agencies to accomplish the following activities as needed:
 - a. Identify, assess and evaluate the risks involved with the hazardous material or Chemical, Biological, Radiological, Nuclear (CBRNE) agents
 - b. Activate and direct hazardous material response tactical operations
 - c. Conduct rescue and decontamination activities
 - d. Take appropriate mitigation actions
 - e. Request notification and/or response by the Johnson County Department of Health and Environment.
 - f. Request notification and/or response by KDHE and/or EPA
 - g. Request/ensure notification to NRC
 - h. Request additional resources and personnel to assist with the incident.
4. The IC (or their designee) will maintain communications with the ECC and/or the Johnson County EOC (when activated) to ensure support for field operations, facilitate requests for additional resources and maintain appropriate coordination with other departments, agencies and jurisdictions.
5. If local hazardous materials incident response resources are inadequate, assistance will be requested from other unaffected or less affected jurisdictions in the region. If regional hazardous materials resources are needed, the responsible agency (i.e., the agency maintaining the resource) will deploy the resource at the request of the IC, unless the resource is already in use or other limitations prevent the responsible agency from deploying the resource.
6. The resources and personnel used to support hazardous materials operations will remain under the direct control of the agency maintaining the resources, but will be assigned by the IC or their designee. The sharing of hazardous materials resources between jurisdictions will be accomplished via established mutual aid systems.

7. If the potential need for regional hazardous materials resources is recognized, the Johnson County Emergency Communications Center (ECC) will provide initial notification to the Regional Hazardous Materials Teams that an incident has occurred possibly requiring their assistance. When and if needed, the appropriate Regional Hazardous Materials Teams will be deployed through the ECC using the process highlighted in the *Regional Coordination Guide ESF-10*.
8. As with any disaster response, the IC (or designee) will notify Johnson County Emergency Management (usually through the ECC) when they believe a situation may potentially require (or currently requires) the activation of the Johnson County Emergency Operations Center (EOC). Upon being notified JCEM would activate the County EOC as needed.
9. Johnson County Department of Health and Environment has the responsibility as the Coordinating Agency for ESF-10 Oil and Hazardous Material, and will coordinate response activities with the supporting agencies, local responders, etc. as needed. Also, as needed, both KDHE and EPA staff can be requested to provide staff to the County's EOC.
10. When the Johnson County EOC is activated, the IC (or their designee) will maintain communications with the ESF-10 Oil and Hazardous Materials Team to ensure countywide/regional coordination and request additional resources or assistance. The County EOC will work to coordinate information among other county and city departments, agencies and public officials. The County EOC will also work to ensure emergency functions such as mass care, transportation, communications, public works and others are activated in support of the incident.
11. The mission of the County ESF-10 Oil and Hazardous Materials Team is to ensure the provision of response support required to meet the needs generated by disasters affecting Johnson County. When activated, the ESF-10 Team in the County EOC will orchestrate the countywide coordination required to fulfill the mission of ESF-10. These activities will include:
 - a. Establish and maintain operational awareness of oil and hazardous materials through direct communications links with operational units (Hazardous Materials teams, DOCs, City EOCs, PSAPs, liaisons, EPA, KDHE, regional EOC's, etc.) in the field and/or their appropriate coordinating entities;
 - b. Conduct oil and hazardous materials disaster impact and needs assessments, prioritize ESF-10 operational objectives in alignment with the EOC Action Plan, and coordinate ESF-10 county-wide response activities;
 - c. Collect and analyze information relevant to ESF-10 and report in WebEOC and EOC documents including EOC Action Plans and Situational Reports;
 - d. Receive, manage, and track resource requests for ESF-10; and
 - e. Ensure full coordination of activities with other groups within the EOC to assist in the development and maintenance of a common operating picture.

12. Regional and state (EPA, KDEM, KDHE, etc as required) coordination will be maintained throughout the incident by ESF-10 Oil and Hazardous Materials in the County EOC in cooperation with responding agencies and other operational units. Regional coordination actions during a hazardous materials incident may include the dissemination of public information regarding in-place shelter or evacuation operations, safe routes, shelter locations or other issues potentially involving more than one jurisdiction, as well as sharing information through WebEOC.
13. The local EMAs/EOCs in the region may initiate and maintain regional coordination during a hazardous materials incident by using WebEOC, an online EOC information management tool. WebEOC allows jurisdictions to communicate information regarding emergency incidents in real time via the Internet. Other technology, such as teleconferencing, emails, facsimile, etc. may be used to help ensure regional coordination is accomplished.
14. All individuals/organizations involved in disaster response should collect and record information on the utilization of labor, materials, equipment, and disaster-related costs.
15. 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.
www2.epa.gov/emergency-response/local-governments-reimbursement-program

Notification & Reporting

1. In the event of a spill/release from a facility subject to EPCRA, that can potentially endanger public safety, the facility owner/operators are responsible for immediately notifying the Fire Department in the jurisdiction in which the incident has occurred. Notification will be accomplished by calling 9-1-1 (ECC). This emergency notification must include:
 - a. Chemical name and whether it is an extremely hazardous substance
 - b. Estimate of the quantity released into the environment
 - c. Time and duration of the release
 - d. Medium into which the release occurred
 - e. Any known or anticipated acute or chronic health risks associated with the release
 - f. Advice on medical attention for exposed individuals
 - g. Necessary precautions such as evacuation or in-place shelter
 - h. Name of a contact person
2. Department of Health and Environment must be notified immediately if dangerous

waste or hazardous substances are spilled or discharged and threatens human health or the environment regardless of quantity.

3. National Response Center (NRC) must be notified within 15 minutes if release reaches CERCLA reportable quantity (RQ).
4. The spiller is responsible for reporting spills that impact the soil or waters of the state. Hazardous materials that are released in the air that exceed federal reportable quantities must also be reported to the state reporting number. The federally listed chemicals and reportable quantities (RQ) can be obtained at www.epa.gov/emergencies under the tab of "List of Lists."

Anyone who causes a spill or release that may adversely impact the soil, waterway, or environment in the State of Kansas is required make immediate notification to the Kansas Spill Notification Line (785) 291-3333. Additional guidance regarding spills can be found on the following State websites.

- Kansas Division of Emergency Management – Spill and Release Notifications: www.kansastag.gov/spill
- Kansas Department of Health and Environment – Kansas Spill Response Program: www.kdheks.gov/spill

Additional Notifications:

Waterways

In Johnson County, Kansas the Johnson County Department of Health and Environmental should be notified of any release or spill that impacts or could potentially impact a waterway. The responding fire department can make this notification request through ECC dispatch. Federal law also requires that any oil spill that has impacted or threatens a waterway must be reported to the NRC.

LEPC/ CEPR

If the release is not contained or threatens the health or safety of the local population, the Mid-America Local Emergency Planning Committee (LEPC) must be notified first by dialing 911. If the release threatens populations outside the Mid-America LEPC's area of responsibility, the LEPC(s) of the potentially affected jurisdiction(s) must also be notified. The LEPC point of contact in most counties is the county emergency manager.

Whenever a spill exceeds the RQ of federally listed hazardous materials, the LEPC must be notified and the Kansas Commission on Emergency Planning & Response (CEPR) requires a follow up written report within seven days after the verbal report. The Kansas Division of Emergency Management (KDEM) facilitates the follow up written report which is called a Form A report. KDEM also requires a follow up Form A report for petroleum spills that exceed 110 gallons.

KCC Regulated Spills

Spills that occur at oil and gas wells are reportable to the Kansas Corporation Commission (KCC). Spillers may call the same number above to be directed to the KCC reporting numbers (select option 1 and then option 3) or may call the KCC district offices direct.

National Response Center

Whenever a spill exceeds the RQ of federally listed hazardous materials, it must also be reported to the National Response Center (NRC). Federal law also requires that any oil spill that has impacted or threatens a waterway must be reported to the NRC. EPA Region 7 Emergency Response Branch personnel monitor the NRC reports and may call the spiller back for more information. Spills can be reported to the NRC at 800-424-8802

5. The Kansas State Department of Health and Environment and the National Response Center (NRC) must be notified immediately if any oil or hazardous substances (regardless of quantity) are discharged to waters of the state including lakes, rivers, ponds, streams, underground water, storm water systems, sewers and all other surface water and watercourses.

5.6. Follow-up report must be sent to the Mid-America LEPC, Ste 200, KCMO 64105 within 7 days if release reaches the RQ under EPCRA Section 304 (CFR 40, Part 355).

- Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Notification: Any facility producing, using or storing one or more hazardous materials regulated under SARA, Title III must also notify the National Response Center, the Commission on Emergency Planning and Response (CEPR), the Kansas Department of Health and Environment and the Local Emergency Planning Committee (LEPC) of any release that exceeds the reportable quantity for that substance. Subject to this notification are all materials on the CERCLA list and those on the list of extremely hazardous substances established by the Environmental Protection Agency (EPA). Not all releases are subject to response by an emergency responder agency. For example, a release may be slightly in excess of what they are permitted to release to the air or water under authority of the applicable agency and therefore not subject to response by an emergency responder.

6.7. Facilities involved in hazardous materials incidents are required to provide ongoing information and assistance to the response personnel, Johnson County Emergency Management and the ESF-10 Team in the County EOC as required by the situation.

7.8. Notification of a hazardous materials spill or release from transportation incidents is normally made by calling 9-1-1 (ECC), which will notify the appropriate response teams.

8.9. Notify JoCo Community Notification System

(1) NotifyJoCo is a mass notification system designed to keep Johnson County residents and businesses informed of emergencies and certain non-emergency events. By registering with NotifyJoCo and customizing the alert preferences, residents receive time-sensitive messages directly from the County, city, and participating public utilities.

See: www.notifyjoco.org

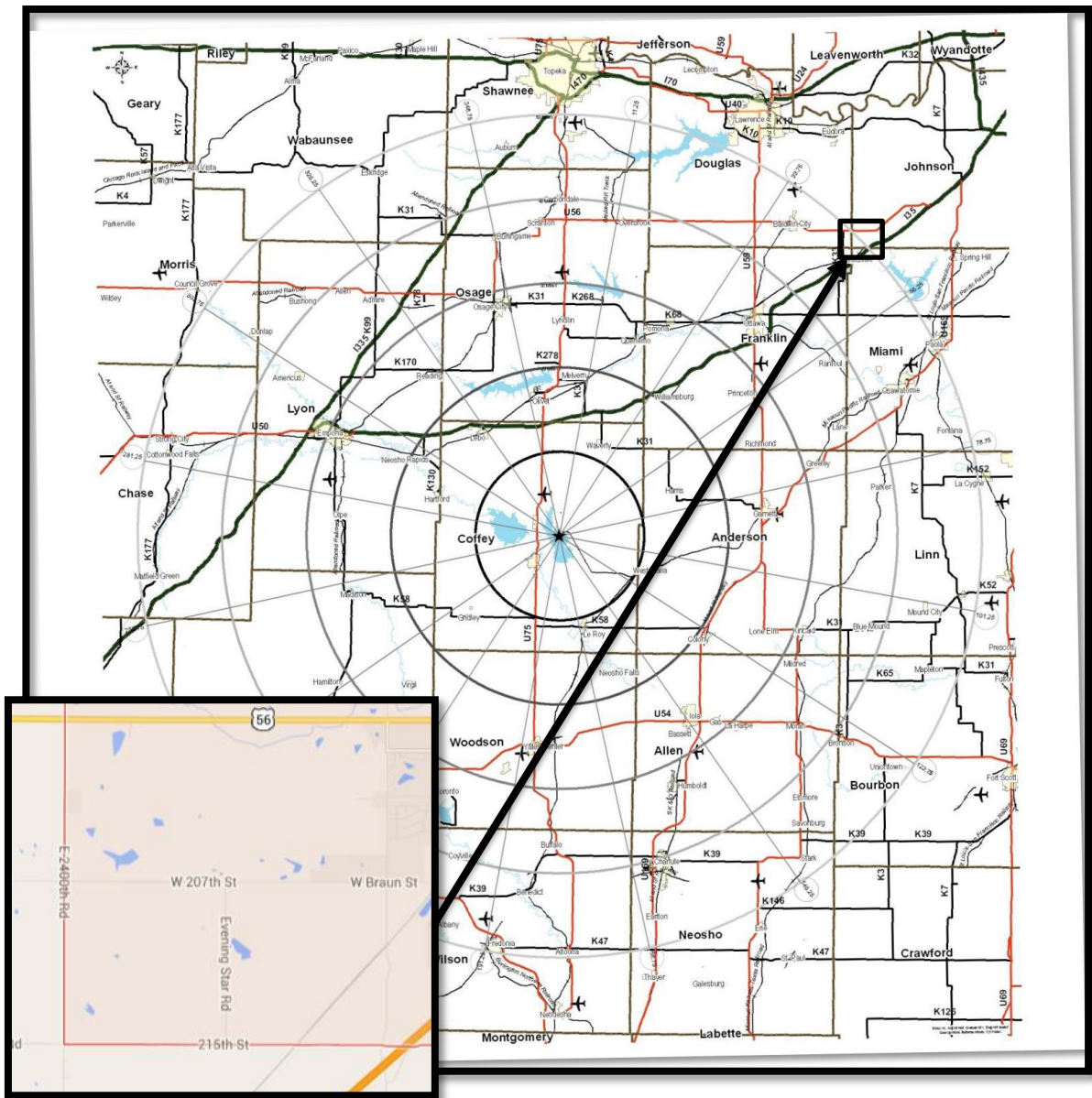
Evacuation & Sheltering In-place

1. The U.S. Department of Transportation *Emergency Response Guidebook* provides suggested distances for protecting, isolating or evacuating people from hazardous materials spill areas. The information in this Guidebook will be used by the Incident Commander (IC) to determine areas to be evacuated or areas for which in-place shelter will be recommended.
2. The IC will determine the need to evacuate people from unsafe areas. If an evacuation is not feasible, the Incident Commander may consider isolating people from the hazard by instructing them to stay indoors and away from outside air.
3. Jurisdictional law enforcement is responsible for selecting, establishing and maintaining evacuation routes and for the control and accountability of evacuees from the incident area to any designated shelters.
4. To the greatest extent possible private automobiles will be used for evacuation. Buses for emergency use are available from the Transit Department (see ESF-1 Transportation).
5. Whenever possible, evacuees should be encouraged to seek shelter with friends or relatives outside the affected areas.
6. The County EOC will work closely with the local media to disseminate information regarding the incident as described in ESF-15 Public Information. In addition, standard public warning and communication systems will be used, such as the Emergency Alert System (EAS), NOAA All-Hazard Radios, Notify JoCO, first responder public address systems, etc.
7. If requested by the IC, Johnson County Emergency Management or the EOC (when activated) can initiate mass notifications needed in the affected area.

Ingestion Pathway

An incident at a fixed nuclear power facility may result in a potential or actual release of radioactive material in sufficient quantity to constitute a threat to the health and safety of the off-site population.

Kansas is home to one operating nuclear power plant, located in Coffey County. The extreme Southwest corner of Johnson County is included in the 50 mile ingestion pathway zone (IPZ) for the Wolf Creek Generating Station.



This annex recognizes that providing safety and effective control of radiation hazards, under the best of circumstances, may require extraordinary resources and cooperation of all local, state, and federal agencies, in order to minimize the impact to the citizens of Kansas.

The Wolf Creek IPZ has a radius of about 50 miles from the reactor site. Predetermined protective action plans are in place for this IPZ and are designed to avoid or reduce dose from potential ingestion of radioactive materials.

Immediately upon becoming aware that an incident has occurred that may result in a radiation dose that exceeds federal government protective action guides, responsible nuclear power plant personnel will evaluate plant conditions and then make protective action recommendations (PARs) to the State and local government agencies on how to protect the population.

Nuclear power plant personnel are required to report the PARs to the State or local government agencies (within 15 minutes). State and local officials make the final decision on what protective action is necessary to protect public health and safety, and then relay these decisions to the public in a timely manner (normally within approximately 15 minutes).

Additionally, State and local agencies may independently assess the situation to ensure that the correct protective action decisions are made. Independent assessments performed during an accidental radiological release from a nuclear power plant ensure that the best possible action is taken.

Food control and agricultural embargo decisions will be made in coordination with KDA. KDA provides support under ESF 11, with additional support from agencies that are responsible under ESF 3 and ESF 10 for the assessment, stabilization, and disposal of contaminated animal products as well as plant materials, including food, feed, fiber, and crops.

The owner/operator of a Nuclear Regulatory Commission (NRC) licensed nuclear/radiological facility is primarily responsible for mitigating the consequences of an incident, providing notifications, and providing appropriate PARs to state and local government officials, as well as minimizing the radiological hazard to the public. The owner/operator has primary responsibility for actions within the facility boundary and may also have responsibilities for response and recovery activities outside the facility boundary under applicable legal obligations

(e.g., contractual, licensee, Comprehensive Environmental Response, Compensation, and Liability Act [CERCLA]).

KDHE's Radiation Control Program has regulatory jurisdiction over most radioactive materials used in the state and has the authority to issue orders for the protection of the public, as may be deemed appropriate.

KDEM's Technological Hazards Section, continues to train local officials on how to monitor, measure, and assess radiological situations. In addition, KDEM receives advance notification of radioactive material shipments coming through the state. Johnson County receives bulletins from both KDHE and KDEM when opportunities for training are available.

Local government officials have the overall responsibility of deciding and implementing the appropriate protective actions for the public during a nuclear power plant radiological emergency. They are responsible for notifying the public to take protective actions, such as evacuation, sheltering in place or taking potassium iodide pills as a supplement. State and local officials base their decisions on the protective action recommendations by the nuclear power plant operator and their own radiological or health organizations. The NRC provides advice, guidance, and support to the State and local government officials. Neither the nuclear power plant operator nor the NRC can order the public to take protective actions.

ESF 8 will coordinate the protection actions activities (including implementation and relaxation of such measures) through coordination with ESF 10, JCEM, KDHE, Wolf Creek, and other supporting ESFs.

Additional details and actions can be found in the Kansas Radiological Emergency Response Plan.

Waste Disposal

1. The ESF-10 Oil and Hazardous Materials Team will work with ESF-3 Public Works and Engineering for activities surrounding waste disposal. The Johnson County Debris Management Plan will be utilized to determine the appropriate methods for waste disposal of non chemical waste.
2. Disposal of radiological and hazardous wastes must be done in accordance with state and federal regulations and in most instances cannot be disposed of in any municipal solid waste landfill. In the event of a disaster involving these materials, the responsible party will be directed to comply with both state and federal requirements. Close coordination with KDHE and/or EPA may be needed on determining disposal options. Bulk liquids can be disposed of in the Johnson County

Landfill, (owned and operated by Deffenbaugh Industries, Inc.) if authorized by KDHE. Animal carcasses are not accepted at the Johnson County Landfill. Animal carcasses must be disposed of in accordance with K.S.A. 47-1219. Local options for disposal of some hazardous waste include the following:

- a. Kansas Department of Health and Environment (KDHE) Orphan Waste Program: When unidentified or potentially hazardous waste has been abandoned or illegally dumped, individuals can call Johnson County Department of Health and Environment. The waste will be removed, evidence and samples will be taken, and the waste will be disposed of properly in coordination with KDHE and/or Region 7 Environmental Protection Agency.
- b. Johnson County Department of Health and Environment’s Household Hazardous Materials Collection Program: Accepts common household hazardous materials such as petroleum products, solvents, car batteries, pesticides, and propane cylinders. No radioactive, medical waste, ammunition, explosive, incendiary device or asbestos-containing waste accepted. There is no charge for this service which is available to Johnson County residents on a year round basis -- by appointment only. Collection site is located at Foxridge, East of Lamar in Mission, KS.
- c. Johnson County Department of Health and Environment’s Conditionally Exempt Small Quantity Generator and Kansas Small Quantity Generator Program: Fee based program for Johnson County businesses. Examples of hazardous wastes accepted include: pesticides, fertilizers, solvents, paints and thinners, acid and alkaline wastes, aerosols, motor oil and lead acid batteries. Business must pre-register and be approved prior to dropping off waste. Collection site is also at Foxridge.
- d. Olathe Hazardous Waste Program: The City of Olathe sponsors a Household Hazardous Waste drop-off site at the Olathe Municipal Services Center, 1385 Robinson. The collection site accepts paints and varnishes, solvents, pool chemicals, pesticides, motor oil, antifreeze, transmission fluids, and recyclable batteries.

ROLES AND RESPONSIBILITIES

ESF-10 Oil and Hazardous Materials Team

The mission of the ESF-10 Oil and Hazardous Materials Team is to ensure the provision of Oil and Hazardous Materials support required to meet the needs generated by disaster affecting Johnson County.	
Coordinating Agency	Johnson County Department of Health and Environment
Support Agencies	Johnson County Med-Act Johnson County Wastewater Jurisdictional Fire Departments Jurisdictional Law Enforcement Olathe Fire Department

	<p>Overland Park Fire Department Regional Hazardous Materials Teams Kansas Department of Health and Environment American Red Cross Local Emergency Planning Committee</p>
<p>Core Capabilities</p>	<p><u>Environmental Response/Health and Safety</u> Mission Area: Response Description: Ensure the availability of guidance and resources to address all hazards including hazardous materials, acts of terrorism, and natural disasters in support of the responder operations and the affected communities</p> <ul style="list-style-type: none"> • Conduct actions to detect and assess the nature and extent of oil and hazardous materials releases • Take actions as appropriate to stabilize the release and prevent the spread of contamination; conduct environmental clean-up actions and decontaminate buildings and structures; and manage wastes • Follow applicable health and safety requirements for ESF #10 responders and coordinate, as needed, with Worker Health and Safety Support Annex response activities <p><u>Critical Transportation</u> Mission Area: Response Description: Provide transportation (including infrastructure access and accessible transportation services) for response priority objectives, including the evacuation of people and animals, and the delivery of vital response personnel, equipment, and services into the affected areas</p> <ul style="list-style-type: none"> • For incidents where transportation infrastructure or routes are contaminated by oil or hazardous materials: Help to identify safe evacuation and ingress routes; assess the nature and extent of contamination; and clean up and/or decontaminate infrastructure and routes • For incidents involving a blast or explosion associated with a chemical, biological, radiological, or nuclear (CBRN) threat agent resulting in a contaminated debris field: ESF #3 leads actions to clear critical transportation routes of CBRN-contaminated debris during the emergency phase, in consultation with ESF #10. • ESF #10 assumes leadership for management of CBRN-contaminated debris after the emergency phase is over <p><u>Infrastructure Systems</u> Mission Area: Response, Recovery Description: Stabilize critical infrastructure functions, minimize health and safety threats, and efficiently restore and revitalize systems and services to support a viable, resilient community</p>

	<ul style="list-style-type: none"> • For incidents where infrastructure is contaminated by oil or hazardous materials: Assess the nature and extent of contamination and clean up and/or decontaminate infrastructure <p><u>Public Information and Warning</u> Mission Areas: All Description: Deliver coordinated, prompt, reliable, and actionable information to the whole community through the use of clear, consistent, accessible, and culturally and linguistically appropriate methods to effectively relay information regarding any threat or hazard, as well as the actions being taken and the assistance being made available, as appropriate</p> <ul style="list-style-type: none"> • Provide the technical expertise to support the preparation of public information related to the environmental response in support of ESF #15
Preparedness	<ul style="list-style-type: none"> • Review the ESF-10 Annex annually and update as needed • Continually evaluate the capabilities required to accomplish the ESF-10 mission, identify any gaps, and leverage resources to address them • Manage the resolution of ESF-10 after-action issues • Develop and/or participate in relevant ESF related planning, training, and exercise activities at the local, regional, state, and/or federal level • Ensure necessary supplements to the ESF annex are developed and maintained (including emergency contact lists, resource lists, departmental/functional plans, procedures, protocols, & EOC job aids) • Ensure representatives from the Coordinating Agency and Support Agencies are fully trained and prepared to respond to the County EOC as ESF-10 Team Members
Response	<ul style="list-style-type: none"> • Establish and maintain operational awareness of oil and hazardous materials through direct communications links with operational units (Hazardous Materials teams, DOCs, City EOCs, PSAPs, liaisons, EPA, KDHE, regional EOC's, etc.) in the field and/or their appropriate coordinating entities; • Conduct oil and hazardous materials disaster impact and needs assessments, prioritize ESF-10 operational objectives in alignment with the EOC Action Plan, and coordinate ESF-10 county-wide response activities; • Collect and analyze information relevant to ESF-10 and report in WebEOC and EOC documents including EOC Action Plans and Situational Reports; • Receive, manage, & track resource requests for ESF-10; • Ensure full coordination of activities with other groups within the EOC to assist in the development and maintenance of a common operating picture.
Recovery	<ul style="list-style-type: none"> • Coordinate the ESF-10 support of recovery activities • Coordinate the restoration of ESF-10 resources and/or capabilities as needed • Ensure ESF-10 Team Members and/or their agencies provide appropriate records of costs incurred • Conduct an ESF-10 after action review

Mitigation	<ul style="list-style-type: none"> Identify and implement mitigation activities to prevent or lessen the impact of future incidents
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ESF-10 Oil and Hazardous Materials Coordinating Agency Responsibilities

Johnson County Department of Health and Environment	
Preparedness	<ul style="list-style-type: none"> Ensure each of the preparedness responsibilities identified for the County ESF-10 Team (listed above) are accomplished Maintain an inventory of agency resources Provide current emergency contact information to Johnson County Emergency Management
Response	<ul style="list-style-type: none"> Provide Oil and Hazardous Materials support in emergency/disasters, in accordance with departmental operations guides & protocols, existing MOUs & agreements, and the <i>ESF-10 Oil and Hazardous Materials Annex</i>. Ensure each of the response responsibilities identified for the County ESF-10 Team (listed above) are accomplished regardless of the activation/staffing level of the County EOC Arrange for appropriate staffing of the County ESF-10 Team in the EOC throughout activations Coordinate the activities of ESF-10 Team Members in the County EOC
Recovery	<ul style="list-style-type: none"> Coordinate the ESF-10 support of recovery activities Coordinate the restoration of ESF-10 resources and/or capabilities as needed Ensure ESF-10 Team Members and/or their agencies provide appropriate records of costs incurred Conduct an ESF-10 after action review
Mitigation	<ul style="list-style-type: none"> Identify and implement mitigation activities to prevent or lessen the impact of future incidents

Support Agency Responsibilities

Overland Park, Olathe HAZARDOUS MATERIALS Teams	
Preparedness	<ul style="list-style-type: none"> Assist with the ESF-10 Team preparedness activities (listed above) Maintain an inventory of agency resources Provide current emergency contact information to Johnson County Emergency Management
Response	<ul style="list-style-type: none"> Provide HAZARDOUS MATERIALS response in emergency/disasters, in accordance with departmental operations guides & protocols, existing MOUs & agreements, and the <i>ESF-10 Oil and Hazardous Materials Annex</i> Coordinate response activities with the ESF-10 Team in support of the ESF-10 mission Send agency representatives to the County EOC as part of the ESF-10 Team when activated
Recovery	<ul style="list-style-type: none"> Coordinate the restoration of agency resources and/or capabilities as needed Participate in countywide recovery planning and activities Prepare the documentation required to become eligible for reimbursement Participate in after action reviews
Mitigation	<ul style="list-style-type: none"> Identify and implement mitigation activities to prevent or lessen the impact of future incidents
Johnson County Med-Act	
Preparedness	<ul style="list-style-type: none"> Assist with the ESF-10 Team preparedness activities (listed above) Maintain an inventory of agency resources Provide current emergency contact information to Johnson County Emergency Management
Response	<ul style="list-style-type: none"> Provide Special Operations Group support in emergency/disasters, in accordance with departmental operations guides & protocols, existing MOUs & agreements, and the <i>ESF-10 Oil and Hazardous Materials Annex</i> Coordinate response activities with the ESF-10 in support of the ESF-10 mission Send agency representatives to the County EOC as part of the ESF-10 Team when activated
Recovery	<ul style="list-style-type: none"> Coordinate the restoration of agency resources and/or capabilities as needed Participate in countywide recovery planning and activities Prepare the documentation required to become eligible for reimbursement Participate in after action reviews
Mitigation	<ul style="list-style-type: none"> Identify and implement mitigation activities to prevent or lessen the impact of future incidents
Johnson County Wastewater	
Preparedness	<ul style="list-style-type: none"> Assist with the ESF-10 Team preparedness activities (listed above) Maintain an inventory of agency resources Provide current emergency contact information to Johnson County Emergency Management
Response	<ul style="list-style-type: none"> Coordinate permitting, inspecting and investigation of industrial wastewater discharges and food service grease management, in accordance with departmental operations guides & protocols, existing MOUs & agreements, and the <i>ESF-10 Oil and Hazardous Materials Annex</i> Coordinate response activities with the ESF-10 Team in support of the ESF-10 mission Send agency representatives to the County EOC as part of the ESF-10 Team when activated
Recovery	<ul style="list-style-type: none"> Coordinate the restoration of agency resources and/or capabilities as needed

	<ul style="list-style-type: none"> • Participate in countywide recovery planning and activities • Prepare the documentation required to become eligible for reimbursement • Participate in after action reviews
Mitigation	<ul style="list-style-type: none"> • Identify and implement mitigation activities to prevent or lessen the impact of future incidents
Jurisdictional Fire Departments	
Preparedness	<ul style="list-style-type: none"> • Assist with the ESF-10 Team preparedness activities (listed above) • Maintain an inventory of agency resources • Provide current emergency contact information to Johnson County Emergency Management
Response	<ul style="list-style-type: none"> • Provide fire service support in emergency/disasters, in accordance with departmental operations guides & protocols, existing MOUs & agreements, and the <i>ESF-10 Oil and Hazardous Materials Annex</i> • Coordinate response activities with the ESF-10 Team in support of the ESF-10 mission • Send agency representatives to the County EOC as part of the ESF-10 Team when requested
Recovery	<ul style="list-style-type: none"> • Coordinate the restoration of agency resources and/or capabilities as needed • Participate in countywide recovery planning and activities • Prepare the documentation required to become eligible for reimbursement • Participate in after action reviews
Mitigation	<ul style="list-style-type: none"> • Identify and implement mitigation activities to prevent or lessen the impact of future incidents
Jurisdictional Law Enforcement	
Preparedness	<ul style="list-style-type: none"> • Assist with the ESF-10 Team preparedness activities (listed above) • Maintain an inventory of agency resources • Provide current emergency contact information to Johnson County Emergency Management
Response	<ul style="list-style-type: none"> • Provide law enforcement support in emergency/disasters, in accordance with departmental operations guides & protocols, existing MOUs & agreements, and the <i>ESF-10 Oil and Hazardous Materials Annex</i> • Coordinate response activities with the ESF-10 Team in support of the ESF-10 mission • Send agency representatives to the County EOC as part of the ESF-10 Team when activated
Recovery	<ul style="list-style-type: none"> • Coordinate the restoration of agency resources and/or capabilities as needed • Participate in countywide recovery planning and activities • Prepare the documentation required to become eligible for reimbursement • Participate in after action reviews
Mitigation	<ul style="list-style-type: none"> • Identify and implement mitigation activities to prevent or lessen the impact of future incidents
Regional HAZARDOUS MATERIALS Teams	
Preparedness	<ul style="list-style-type: none"> • Assist with the ESF-10 Team preparedness activities (listed above) • Maintain an inventory of agency resources • Provide current emergency contact information to Johnson County Emergency Management
Response	<ul style="list-style-type: none"> • Provide HAZARDOUS MATERIALS response in emergency/disasters, in accordance with departmental operations guides & protocols, existing MOUs & agreements, and the <i>ESF-10 Oil and Hazardous Materials Annex</i> • Coordinate response activities with the ESF-10 Team in support of the ESF-10 mission

	<ul style="list-style-type: none"> • Send agency representatives to the County EOC as part of the ESF-10 Team when activated
Recovery	<ul style="list-style-type: none"> • Coordinate the restoration of agency resources and/or capabilities as needed • Participate in countywide recovery planning and activities • Prepare the documentation required to become eligible for reimbursement • Participate in after action reviews
Mitigation	<ul style="list-style-type: none"> • Identify and implement mitigation activities to prevent or lessen the impact of future incidents
State Support	
Preparedness	<ul style="list-style-type: none"> • Support the ESF-10 Team preparedness activities (listed above) • Provide State support in emergency/disasters, in accordance with departmental operations guides & protocols, existing MOUs & agreements, and the <i>ESF-10 Oil and Hazardous Materials Annex</i> • Maintain an inventory of agency resources • Provide current emergency contact information to Johnson County Emergency Management
Response	<ul style="list-style-type: none"> • Support response activities with the ESF-10 Team in support of the ESF-10 mission • Send agency representatives to the County EOC as part of the ESF-10 Team when activated
Recovery	<ul style="list-style-type: none"> • Support the restoration of agency resources and/or capabilities as needed • Support countywide recovery planning and activities • Participate in after action reviews
Mitigation	<ul style="list-style-type: none"> • Identify and implement mitigation activities to prevent or lessen the impact of future incidents
Federal Support	
Preparedness	<ul style="list-style-type: none"> • Support the ESF-10 Team preparedness activities (listed above) • Provide Federal support in emergency/disasters, in accordance with departmental operations guides & protocols, and the <i>ESF-10 Oil and Hazardous Materials Annex</i> • Maintain an inventory of agency resources • Provide current emergency contact information to Johnson County Emergency Management
Response	<ul style="list-style-type: none"> • Support response activities with the ESF-10 Team in support of the ESF-10 mission • Send agency representatives to the County EOC as part of the ESF-10 Team when activated
Recovery	<ul style="list-style-type: none"> • Support the restoration of agency resources and/or capabilities as needed • Support countywide recovery planning and activities • Participate in after action reviews
Mitigation	<ul style="list-style-type: none"> • Identify and implement mitigation activities to prevent or lessen the impact of future incidents
LEPC Support	
Preparedness	<ul style="list-style-type: none"> • Support the ESF-10 Team preparedness activities (listed above) • Provide support in emergency/disasters, in accordance with departmental operations guides & protocols, existing MOUs & agreements, and the <i>ESF-10 Oil and Hazardous Materials Annex</i> • Maintain an inventory of resources • Provide current emergency contact information to Johnson County Emergency Management
Response	<ul style="list-style-type: none"> • Support response activities with the ESF-10 Team in support of the ESF-10 mission • Send representatives to the County EOC as part of the ESF-10 Team when activated
Recovery	<ul style="list-style-type: none"> • Support the restoration of agency resources and/or capabilities as needed • Support countywide recovery planning and activities

	<ul style="list-style-type: none"> • Participate in after action reviews
Mitigation	<ul style="list-style-type: none"> • Identify and implement mitigation activities to prevent or lessen the impact of future incidents
American Red Cross	
Preparedness	<ul style="list-style-type: none"> • Support the ESF-10 Team preparedness activities (listed above) • Provide support in emergency/disasters, in accordance with departmental operations guides & protocols, existing MOUs & agreements, and the <i>ESF-10 Oil and Hazardous Materials Annex</i> • Maintain an inventory of resources • Provide current emergency contact information to Johnson County Emergency Management
Response	<ul style="list-style-type: none"> • Support response activities with the ESF-10 Team in support of the ESF-10 mission • Send representatives to the County EOC as part of the ESF-10 Team when activated
Recovery	<ul style="list-style-type: none"> • Support the restoration of agency resources and/or capabilities as needed • Support countywide recovery planning and activities • Participate in after action reviews
Mitigation	<ul style="list-style-type: none"> • Identify and implement mitigation activities to prevent or lessen the impact of future incidents

POLICIES, AUTHORITIES, AND REFERENCES

Please refer to the Basic Plan for additional Policies, Authorities, and References.

State Statutes

- K.S.A. 8-1-123b Interstate motor carriers; enforcement actions against;
- K.S.A. 8-15,107 – Removal of vehicles obstructing traffic; requirements;
- K.S.A. 8-1559 – Alteration of maximum speed limits; establishing speed limits in road construction zones; powers of secretary of transportation;
- K.S.A. 8-1759 – Spot inspections by highway patrol; penalties;
- K.S.A. 8-1759a – Inspection by highway patrol upon reasonable cause; notices of defects; penalties;
- K.S.A. 31-133 Fire Safety and Prevention;
- K.S.A. 31-143 Fire Safety and Prevention;
- K.S.A. 31-165 Fire Safety and Prevention;
- K.S.A. 32-807 Kansas Wildlife and Parks;
- K.S.A. 32-808 Kansas Wildlife and Parks;
- K.S.A. 48-1601 – 1625 Nuclear Energy Development and Radiation Control;
- K.S.A. 65-5701 – 5711EPCRA;
- K.S.A. 65-5721 – 5731 EPCRA/Commission on Emergency Planning and Response;
- K.S.A. 65-161-171y Public Water Supply and Prevention of Water Pollution;
- K.S.A. 65-171d – Prevention of Water Pollution;
- K.S.A. 65-171v – Cleanup Operations;
- K.S.A. 65-Article 30 Air Quality Control;
- K.S.A. 65-Article 34 Solid and Hazardous Waste;

- K.S.A. 66-1, 129a – Motor carriers, suspension, revocation or amendment of certificate; notice; hearing; impoundment of motor carrier’s vehicles; sale of such vehicles; proceeds; requirements;
- K.S.A. 66-1, 142a. – Investigations conducted by highway patrol and commission for federal agency;
- K.S.A. 66-1314 – Liability insurance requirements for vehicles not having state motor carrier permits;
- K.S.A. 66-1318 – Motor carrier inspection stations; control by superintendent of the highway patrol; locations authorized; law enforcement purposes;
- K.S.A. 66-1319 – Powers granted to members of high patrol; inspection and registration of vehicles; cooperation of state agencies;
- K.S.A. 66-1320 – Transfer of certain employees to highway patrol; rights preserved; application of civil service laws;
- K.S.A. 66-1324 – Motor carriers required to stop at inspection stations, which; certifications of compliance; penalty for violation; and
- K.S.A. 74-2108 - Police powers of patrol members; enforcement of laws relating to motor carriers; authority to inspect.

State Administrative Regulations

- K.A.R. 22-24 Regional Hazardous Materials Response;
- K.A.R. 28-35-133 – 505 Kansas Radiation Protection Regulations;
- K.A.R. 28-48-1,2--Spill Notification;
- All other KDHE Articles regarding Environmental Protection under K.A.R. Chapter 28; and
- K.A.R. 56-3-1– 6 Nuclear Emergency Preparedness Fees.

Federal Statutes

- 10 U.S.C. 382 (2002) Emergencies Involving Chemical or Biological Weapons;
- 18 U.S.C. 831(e) (2002) Emergencies Involving Nuclear Materials;
- 29 U.S.C. 651-678 (2002) The Occupational Safety and Health Act;
- 33 U.S.C. 1251 et seq. (1977) The Clean Water Act;
- 42 U.S.C. 11001-11050 EPCRA;
- 42 U.S.C. 2011-2297 (2003) The Atomic Energy Act of 1954;
- 42 U.S.C. 6901 et seq. (1976) The Resource Conservation and Recovery Act;
- 42 U.S.C. 7401-7671q (1990) The Clean Air Act;
- 42 U.S.C. 9601-9675 (2002) The Comprehensive Environmental Response, Compensation, and Liability Act;
- 49 U.S.C. 5101-5128 (2002) Transportation of Hazardous Materials;
- 49 U.S.C. 60101-60301 (2006) Pipeline Safety;
- 50 U.S.C. 2301-2368 (2003) The Defense Against Weapons of Mass Destruction Act;
- Public Law 95-91, 91 Stat. 567 (1977) The Department of Energy Organization Act;
- Public Law 100-408, 102 Stat. 1066 (1988) The Price-Anderson Act of 1988; and
- Public Law 101-380, 104 Stat. 484 (1990) The Oil Pollution Act of 1990.

Federal Supporting Plans

- Natural Oil and Hazardous Substances Pollution Contingency Plan;
- Nuclear Regulation 0654/FEMA-REP-1, which provides federal guidance for development and review of Radiological Emergency Management Plans for Nuclear Power Plants;
- “Interagency Radiological Assistance Plan” (Interim), U.S. DOE, Region III;
- The Federal Radiological Emergency Response Plan;
- Chemical/Biological Incident Contingency Plan (FBI, Unclassified); and
- Nuclear Incident Contingency Plan (FBI, Unclassified).

State Supporting Plans

- Kansas Response Plan
- Kansas Radiation Emergency Handbook

Regional Support Plans

- Regional Coordination Guide
- Mid-America Regional Hazardous Materials Emergency Preparedness Plan

Other Resources

- U.S. Department of Transportation *Emergency Response Guidebook*