

## Emergency Support Function #10 – Oil and Hazardous Materials Response Annex

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### ESF Coordinator:

Environmental Protection Agency

### Primary Agencies:

Environmental Protection Agency  
Department of Homeland Security/  
U.S. Coast Guard

### Support Agencies:

Department of Agriculture  
Department of Commerce  
Department of Defense  
Department of Energy  
Department of Health and Human  
Services  
Department of Homeland Security  
Department of the Interior  
Department of Justice  
Department of Labor  
Department of State  
Department of Transportation  
General Services Administration  
Nuclear Regulatory Commission

## INTRODUCTION

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### Purpose

Emergency Support Function (ESF) #10 – Oil and Hazardous Materials Response provides Federal support in response to an actual or potential discharge and/or release of oil or hazardous materials when activated.

### Scope

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ESF #10 may be activated as described in the National Response Framework (NRF) for a Stafford Act response, at the Secretary of Homeland Security's discretion, and/or in response to a request for Federal-to-Federal support. Federal response to oil or hazardous materials incidents may also be carried out under another key Federal response authority called the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which is a regulation with the force of law found at 40 CFR Part 300. The NCP serves as an operational supplement to the NRF and may be used in conjunction with, or independent from, the Stafford Act. This annex provides an overview of both ESF #10 and NCP responses.

The scope of ESF #10 includes the appropriate actions to prepare for and respond to a threat to public health, welfare, or the environment caused by actual or potential oil and hazardous materials incidents. For purposes of this annex, "hazardous materials" is a general term intended to mean hazardous substances, pollutants, and contaminants as defined in the NCP.<sup>1</sup> Hazardous materials include chemical, biological, radiological, and nuclear substances, whether accidentally or intentionally released. When responding under the Stafford Act, however, ESF #10 may be used to take actions and respond to environmental contamination beyond what is covered by the NCP.

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<sup>1</sup> NCP provisions are summarized in this annex for purposes of brevity. The references in this annex to NCP provisions are not intended to change NCP requirements or interpretations. Nothing in the NRF alters or impedes the ability or authorities of designated Federal officials to carry out their duties under the NCP or to coordinate directly with their agency in execution of these duties.

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Appropriate general actions under ESF #10 can include, but are not limited to:

- Actions to prevent, minimize, or mitigate a release.
- Efforts to detect and assess the extent of environmental contamination, including environmental monitoring; and sampling and analysis of contaminated media such as air, water, soils, sediments, debris, buildings, and structures.
- Provision of environmental technical expertise to support development of Federal recommendations for public protective actions.
- Actions to stabilize the release and prevent the spread of contamination.
- Analysis of options for environmental cleanup and waste disposition, including options for cleanup and disposal of debris that is contaminated by oil discharges and hazardous materials releases.
- Implementation of environmental cleanup efforts, including but not limited to:
  - Collection of orphaned oil and hazardous materials containers.
  - Collection of household hazardous waste.
  - Removal of contaminated soil.
  - Decontamination of buildings and structures.
  - Disposition of animal carcasses contaminated by oil or hazardous materials.
  - Storage, treatment, and disposal of oil and hazardous materials, including contaminated debris.
  - Actions to protect natural resources.
  - Monitoring debris disposal.

Two key areas where the scope of ESF #10 intersects with the scope of other ESFs are described below:

- 1) The Nuclear/Radiological Incident Annex (NRIA) to the Response and Recovery Federal Interagency Operational Plans (FIOPs) describes the role of the Federal Radiological Monitoring and Assessment Center (FRMAC) when coordinating Federal radiological environmental monitoring, sampling, and assessment activities. When a FRMAC is activated for a radiological or nuclear incident response under the Stafford Act, the Environmental Protection Agency (EPA) provides FRMAC assets under ESF #10. The Department of Energy (DOE) provides FRMAC assets under ESF #12. If the radiological/nuclear incident also involves the release of oil or other hazardous materials, ESF #10 would coordinate environmental monitoring, sampling, and assessment activities for those other contaminants.
- 2) Under a September 7, 2010 Memorandum of Understanding (MOU) between the EPA, U.S. Army Corps of Engineers (USACE), and Federal Emergency Management Agency (FEMA), during a Stafford Act response to a blast/explosion incident involving

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chemical, biological, radiological or nuclear (CBRN) threat agents, USACE conducts certain contaminated debris and environmental cleanup activities under ESF #3, and in consultation with ESF #10. These activities include: initial emergency debris route clearance; stabilization of contaminated buildings/structures, as needed; and demolition of contaminated structures. ESF #10 conducts the remaining contaminated debris and environmental cleanup activities, including building/structure decontamination, contaminated water/wastewater management, and final waste (including contaminated debris) disposition. For Stafford Act responses to CBRN threat agent incidents that do not involve blasts/explosions, ESF #10 conducts all environmental cleanup activities, including all contaminated debris activities, building/structure decontamination/demolition, and contaminated water/wastewater management.

### **National Oil and Hazardous Substances Pollution Contingency Plan**

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The NCP is authorized by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Section 311 of the Clean Water Act (CWA), and the Oil Pollution Act of 1990 (OPA). The NCP provides an organizational structure and procedures for preparing for and responding to discharges and substantial threats of discharges of oil and releases; and substantial threats of releases of hazardous substances, pollutants, and contaminants.<sup>2</sup> The NCP addresses Federal authorities for both "removal" and "remedial" responses. Because the NRF generally addresses oil and hazardous materials incidents that are considered "removal" responses, the remainder of this discussion focuses on how the NCP operates for "removal" responses.

Federal NCP "removal" authorities differ from Stafford Act authorities in important ways, as described further below:

- 1) The Federal Government makes an independent evaluation of the need for Federal response rather than waiting for a local, state, tribal, territorial, or insular area government request.
- 2) The Federal Government may, and in some circumstances must, lead the response.
- 3) The Federal Government has tactical, on-scene command authorities.
- 4) The Federal Government has enforcement authorities over the parties responsible for oil discharges and hazardous substance releases.
- 5) Requests for Federal assistance from local, state, and tribal governments do not have to be made from the level of the governor.

While these differences in authority result in some differences in how NCP responses are conducted compared to Stafford Act responses, NCP emergency removal responses are conducted in accordance with the National Incident Management System and the Incident Command System (ICS), which are the common incident response management systems underlying the NRF.

NCP actions are carried out through the National Response System (NRS), which is an organized network of agencies, programs, and resources with authorities and

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<sup>2</sup> This annex refers to discharges and substantial threats of discharges as "discharges," and releases and substantial threats of releases as "releases."

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responsibilities in oil and hazardous materials preparedness and response at the local, state, tribal, territorial, insular area, and Federal levels. Key Federal response components of the NRS include the National Response Center, Federal On-Scene Coordinators (OSCs), 13 Regional Response Teams (RRTs), and the National Response Team (NRT).

The NCP requires that oil discharges and reportable quantities of hazardous substance releases be reported to the National Response Center. The Center forwards these notifications to pre-designated OSCs from the EPA and Department of Homeland Security/U.S. Coast Guard (DHS/USCG). In general, the EPA provides the Federal OSC for incidents in the inland zone, and the DHS/USCG provides the Federal OSC for incidents in the coastal zone.<sup>3</sup>

EPA and DHS/USCG OSCs conduct an independent evaluation of the need for a Federal response to such incidents and may take action in accordance with existing delegations of authority without a request from local, state, tribal, territorial, and insular area governments. Typically, however, the OSC coordinates with local, state, tribal, territorial and insular governments on the need for Federal response and may work with local, state, tribal, territorial, or insular area responders under a Unified Command. EPA and DHS/USCG OSCs respond at the tactical, on-scene Incident Command Post (ICP) level and carry out responsibilities under the NCP to coordinate, integrate, and manage overall oil and hazardous materials response efforts. EPA and DHS/USCG OSCs may conduct and lead Federal response actions using Federal and contractor resources; provide technical assistance; or provide oversight of local, state, tribal, territorial, insular area, or responsible party responses. In some cases involving substantial threats to public health and welfare, the Federal OSC is required to direct the response.

When overseeing a response by a responsible party, that party is generally included in the incident command structure, although the EPA or DHS/USCG OSC maintains final decision-making authority over the response effort.

The RRTs and NRT are key regional- and national-level multiagency coordination groups led by EPA and DHS/USCG that provide support to the Federal OSC as needed during incidents, including interagency technical assistance and resource support. The RRTs and NRT include representatives from 13 additional Federal agencies that provide oil and hazardous materials expertise and support, and some have specific responsibilities for natural resource protection. (These 13 agencies are also ESF #10 support agencies.) For responses requiring extraordinary Federal interagency support in terms of the extent or type of resources, requests may be made to the Secretary of Homeland Security for Federal-to-Federal support or elevated to other senior executive branch officials. Further, the Secretary of Homeland Security may coordinate a response, pursuant to Presidential directive.

The NCP provides that EPA or DHS/USCG may classify an oil discharge as a Spill of National Significance (SONS). For a SONS classification, EPA may name a Senior Agency Official who assists the EPA OSC with certain functions (e.g., communicating with affected parties and public, coordinating resources at the national level), and DHS/USCG may name a National Incident Commander who assumes these functions of the

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<sup>3</sup> The DOE and Department of Defense (DOD) are generally responsible for hazardous substance emergencies involving their facilities, vessels, materials, and weapons, including transportation-related incidents. Under 40 CFR 300.120, the DOE and DOD OSCs are responsible for taking all response actions to such incidents (both onsite and offsite). Other Federal agencies provide OSCs for hazardous substance removal actions that are not emergencies. For oil discharges, however, the agency providing the Federal OSC is either EPA or DHS/USCG.

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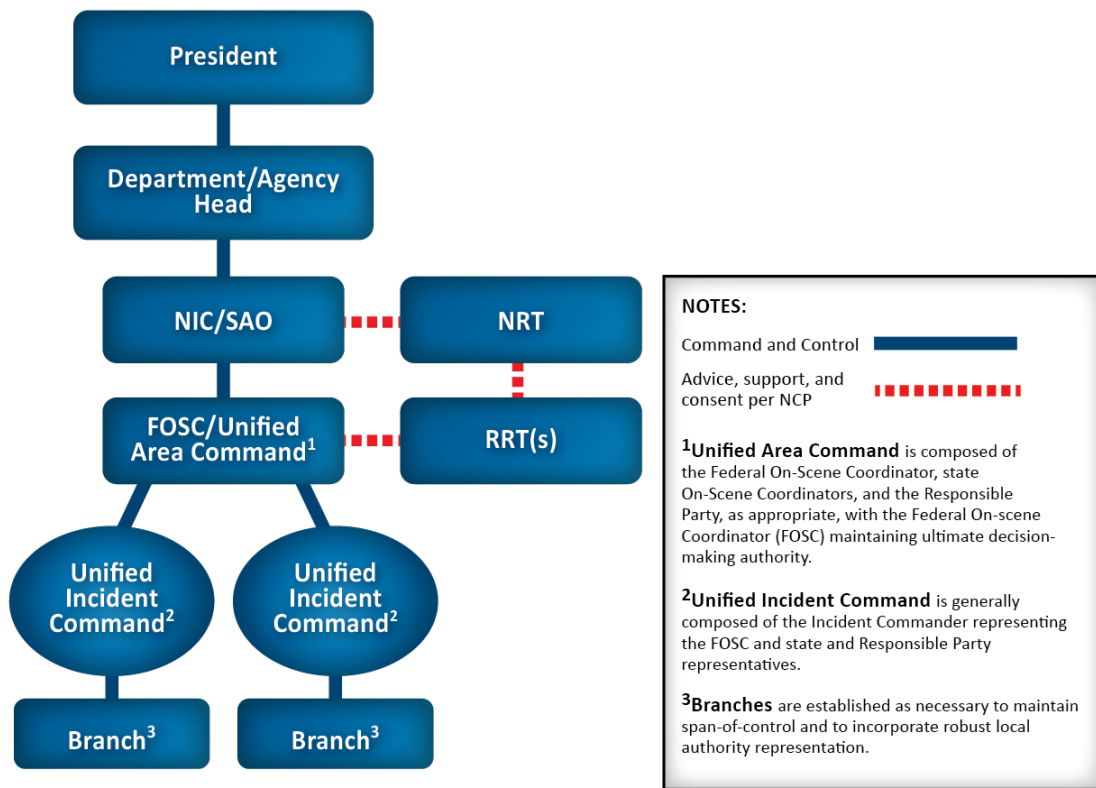
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DHS/USCG OSC. Under the NRF, EPA and DHS/USCG maintain authority for classifying a discharge as a SONS for purposes of the NCP as well as maintain OSC authorities and responsibilities. (DHS/USCG coordinates the decision for a SONS designation with the Secretary of Homeland Security as appropriate.) The Secretary of Homeland Security may or may not decide to coordinate the Federal response to a SONS, pursuant to Presidential directive. If not, EPA or DHS/USCG lead the Federal response.

NCP emergency removal responses are conducted using the ICS structures that correspond to NCP authorities. Figure 1 presents an example of how an NCP response structure may be stood up for a SONS that impacts two states and requires multiple ICPs. State and local government coordination mechanisms may include the following:

- States would be requested to deploy a state OSC to the Unified Area Command and Unified Incident Commands.
- The Unified Incident Commands would establish branches, as appropriate, that take local political subdivisions into consideration and include local government representatives.
- The Unified Incident Commands would assign Liaison Officers to local and state elected officials as appropriate.
- The EPA Senior Agency Official or DHS/USCG National Incident Commander would conduct regular calls with affected governors and include state OSCs in the call invitations.
- The RRT(s) would support the Federal OSC in the Unified Area Command and may also provide support to the Unified Incident Commands within their region(s), coordinating through the Federal OSC.

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**Figure 1: Spill of National Significance Response Organization**

Most NCP oil and hazardous materials incidents are not as large as a SONS and are managed by the Federal OSC working in Unified Command with local and state responders at the ICP level.

Federal funding of NCP response actions is provided through:

**The CERCLA (Superfund) Trust Fund.** For hazardous materials releases as defined by CERCLA. The Superfund Trust Fund is administered by EPA and may be accessed by EPA and DHS/USCG OSCs to fund Federal responses, enforcement actions, and cost recovery actions to recover response costs from responsible parties. CERCLA states that Federal “removal” responses may not exceed \$2 million in cost or 12 months in duration unless certain findings can be made. EPA issued Local Government Reimbursement regulations that also allow first responders to seek cost reimbursement for up to \$25,000 per response to help lighten financial burdens related to emergency response to hazardous materials. This reimbursement does not replace funding that local governments normally provide for emergency response.

**The Oil Spill Liability Trust Fund (Fund).** For oil discharges as defined by CWA/OPA. The Fund is administered in part by the DHS/USCG National Pollution Funds Center (NPFC). Certain amounts administered by NPFC may be accessed by EPA and DHS/USCG OSCs to pay the cost of Federal activities to remove the discharge of oil to protected waters and shorelines under CWA Section 311(c). The Fund is also available for NPFC payment of certain claims for removal costs and damages resulting from an oil discharge to waters and shorelines as described in OPA and NPFC regulations. In general, claimants must first present their claims to a responsible party under OPA before

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presenting their claim to the NPFC. States, however, may present claims for oil removal costs consistent with the NCP directly to the NPFC. Fund payments, including payments for Federal oil-related activities under CWA Section 311(c) and claims payments, are limited to \$1 billion per incident of which no more than \$500 million may be expended for natural resource damage assessments and claims.

### **RELATIONSHIP TO WHOLE COMMUNITY**

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This section describes how ESF #10 relates to other elements of the whole community.

#### **Local, State, Tribal, Territorial, and Insular Area Governments**

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Local and tribal government fire departments generally provide the first response to oil and hazardous materials incidents. State and territorial governments may have environmental response programs that supplement local governments for larger-scale or more complex responses.

Each of the 13 RRTs includes a representative of each state and territory within the region covered by the RRT. Tribes may also provide a representative to RRTs.

When activated to respond to a Stafford Act incident, the primary agencies for ESF #10 develop work priorities in coordination with local, state, tribal, territorial, and/or insular area governments. Activities are coordinated, as appropriate, at the ICP, Joint Field Office (JFO), and local/state EOCs.

#### **Private Sector/Nongovernmental Organizations (NGO)**

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The private sector owns many of the facilities that manufacture, use, and manage oil and hazardous materials. Under the NCP, the parties responsible for oil discharges and hazardous substance releases must clean them up or reimburse the government for the response. (The CERCLA and CWA/OPA provide certain defenses to liability.)

EPA and DHS/USCG OSCs employ private contractor resources to assist in conducting Federal response actions. Other parties responsible for cleaning up releases may also hire private contractors to perform the work.

EPA and DHS/USCG prepare regional and area contingency plans that include participation by representatives from relevant NGO partners and the oil and chemical sector.

Area contingency plans include procedures for volunteer management. Due to the hazardous nature of the work, public volunteers are not normally used in oil and hazardous materials response. However, in extraordinary situations, they may be used to assist in less hazardous support functions. Some NGOs may also contribute specific skills such as wildlife recovery and rehabilitation.

#### **Federal Government**

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Federal actions in support of the whole community are described below.

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### CORE CAPABILITES AND ACTIONS

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ESF #10 provides for a coordinated Federal response to actual or potential oil and hazardous materials incidents when activated for Stafford Act incidents or Federal-to-Federal support. ESF #10 responses to oil and hazardous materials incidents are generally carried out in accordance with the NCP. NCP response structures and coordination mechanisms remain in place but coordinate with NRF mechanisms. EPA and DHS/USCG OSCs respond at the on-site tactical level, and RRTs and the NRT may be activated to coordinate ESF #10 interagency actions and provide support to the OSC. EPA and DHS/USCG also provide representatives as appropriate to the JFO, Regional Response Coordination Centers (RRCCs), and National Response Coordination Center (NRCC). Some procedures in the NCP may be streamlined or may not apply. FEMA Public Assistance Policy 9523.8 applies to funding for ESF #10 activities. During Stafford Act responses, EPA and DHS/USCG OSCs retain their authority to take action under the NCP if necessary.

EPA serves as the primary agency for ESF #10 actions in the inland zone, and DHS/USCG serves as the primary agency for ESF #10 actions in the coastal zone (as defined in Regional and Area Contingency Plans). For incidents affecting both, EPA is the primary agency and DHS/USCG serves as the deputy.

### ESF Roles Aligned to Core Capabilities

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The following table lists the response core capabilities that ESF #10 most directly supports, along with the particular ESF #10 roles related to these core capabilities. In addition, all ESFs, including ESF #10, support the following core capabilities: Planning Operational Coordination, and Public Information and Warning.

Core Capability	ESF #10 – Oil and Hazardous Materials Response
<b>Environmental Response/Health and Safety</b>	<ul style="list-style-type: none"><li>• Conducts actions to detect and assess the nature and extent of oil and hazardous materials releases.</li><li>• Takes appropriate actions to stabilize the release and prevent the spread of contamination; conducts environmental cleanup actions; and decontaminates buildings and structures; and manages wastes.</li><li>• Follows applicable health and safety requirements for ESF #10 responders and coordinates, as needed, with Worker Health and Safety Support Annex response activities.</li></ul>
<b>Critical Transportation</b>	<p><b>For incidents where transportation infrastructure or routes are contaminated by oil or hazardous materials:</b></p> <ul style="list-style-type: none"><li>• Helps to identify safe evacuation and ingress routes; assesses the nature and extent of contamination; and cleans up and/or decontaminates infrastructure and routes.</li></ul> <p><b>For incidents involving a blast or explosion associated with a CBRN threat agent resulting in a contaminated debris field:</b></p> <ul style="list-style-type: none"><li>• ESF #3 leads Federal 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.</li></ul>



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Core Capability	ESF #10 – Oil and Hazardous Materials Response
<b>Infrastructure Systems</b>	<b>For incidents where infrastructure is contaminated by oil or hazardous materials:</b> <ul style="list-style-type: none"><li>• Assesses the nature and extent of contamination and cleans up and/or decontaminates infrastructure.</li></ul>
<b>Public Information and Warning</b>	<ul style="list-style-type: none"><li>• Provides the technical expertise to support the preparation of Federal public information related to the environmental response in support of ESF #15.<ul style="list-style-type: none"><li>– It is recognized, however, that in some cases it may be necessary for responding EPA and DHS/USCG OSCs to communicate with the media/public on tactical operations and matters affecting public health and safety directly from the scene, particularly during the early stages of the emergency response.</li></ul></li></ul>

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### Agency Actions

Primary Agency	Actions
<p><b>Environmental Protection Agency</b></p>	<p><b>For incidents for which EPA is the primary agency:</b></p> <ul style="list-style-type: none"> <li>• Maintains close coordination, as appropriate, between EPA headquarters and the affected regional office(s), DHS/USCG, the NRCC, other ESFs and Support Annexes, and the NRT.</li> <li>• Provides damage reports, assessments, and situation reports to support ESF #5.</li> <li>• Facilitates resolution of conflicting demands for oil and hazardous materials response resources and ensures coordination between NRT, RRT, and Unified Coordination activities, as appropriate. For national-level incidents coordinates through EPA headquarters the provision of backup support from other regions to the affected area.</li> <li>• Provides technical, coordination, and administrative support; and personnel, facilities, and communications for ESF #10.</li> <li>• Coordinates, integrates, and manages the overall Federal effort to detect, identify, contain, decontaminate, clean up, dispose of, or minimize discharges of oil or releases of hazardous materials; or to prevent, mitigate, or minimize the threat of potential releases. <ul style="list-style-type: none"> <li>– Provides OSCs for incidents within its jurisdiction.</li> </ul> </li> </ul> <p><b>In general:</b></p> <ul style="list-style-type: none"> <li>• Provides expertise on the environmental effects of oil discharges or releases of hazardous materials and environmental pollution control techniques.</li> <li>• Provides Chair for NRT and Co-Chairs for RRTs.</li> <li>• Manages EPA special teams under the NCP, including the Environmental Response Team, CBRN Consequence Management Advisory Team, and Radiological Emergency Response Team, which provide specialized technical advice and assistance to responders.</li> <li>• Coordinates, integrates, and provides investigative support, intelligence analysis, and legal expertise on environmental statutes related to oil and hazardous materials incidents, including regards to criminal cases, in support of responders.</li> <li>• Manages the National Criminal Enforcement Response Team that is composed of investigative and scientific personnel to provide investigative, scientific, and forensic technical advice, assistance, and other threat assessment needs in support of responders.</li> <li>• Provides expertise and assistance for waste management from oil discharges and hazardous materials releases, including: reviewing waste management plans and proposed waste management facilities and temporary storage and staging sites; conducting independent sampling and analysis of waste streams; monitoring or visiting waste management facilities and temporary storage and staging sites; and reporting and posting waste sampling results on an appropriate incident website.</li> <li>• Provides personnel and equipment to support the FRMAC, when activated. Augments the DOE-led FRMAC during the initial response then assumes FRMAC leadership from DOE at a mutually agreed upon time based on criteria listed in the NRIA.</li> </ul>

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Primary Agency	Actions
<p><b>Department of Homeland Security (DHS)</b></p>	<p><b>U.S. Coast Guard (USCG)</b></p> <p><b>For incidents for which DHS/USCG is the primary agency:</b></p> <ul style="list-style-type: none"> <li>• Maintains close coordination, as appropriate, between DHS/USCG headquarters and the affected Area and District office(s), the EPA, the NRCC, other ESFs and Support Annexes, and the NRT.</li> <li>• Provides damage reports, assessments, and situation reports to support ESF #5.</li> <li>• Facilitates resolution of any conflicting demands for oil and hazardous materials response resources and ensures coordination between NRT, RRT, and Unified Coordination activities, as appropriate. Coordinates through DHS/USCG headquarters the provision of personnel and logistical support from other districts to the affected area.</li> <li>• Provides technical, coordination; administrative support; and personnel, facilities, and communications for ESF #10.</li> <li>• Coordinates, integrates, and manages the overall Federal effort to detect, identify, contain, clean up, dispose of, or minimize releases of oil or hazardous materials; or to prevent, mitigate, or minimize the threat of potential releases.</li> <li>• Provides OSCs for incidents within its jurisdiction, including for the coastal zone response for incidents in which EPA is the primary agency but where the incident affects both the inland and coastal zone.</li> </ul> <p><b>In general:</b></p> <ul style="list-style-type: none"> <li>• Provides expertise on environmental effects of oil discharges or releases of hazardous materials and environmental pollution control techniques.</li> <li>• Assists in planning and preparedness efforts as Vice Chair of the NRT and Co-Chairs for RRTs.</li> <li>• Maintains the National Response Center.</li> <li>• Manages the Coast Guard Incident Management Assistance Team (CG-IMAT), Public Information Assist Team (PIAT), and the National Strike Force, which is composed of the National Strike Force Coordination Center and three strike teams located on the Pacific, Atlantic, and Gulf coasts. <ul style="list-style-type: none"> <li>– Provides response capabilities, technical advice, documentation and support assistance, communications, and incident management support for response activities.</li> </ul> </li> <li>• Offers expertise in domestic and international port safety and security, maritime law enforcement, ship navigation, and the manning, operation, and safety of vessels and marine facilities.</li> <li>• Maintains continuously staffed facilities that can be used for command, control, and surveillance of oil discharges and hazardous materials releases occurring within its jurisdiction.</li> </ul>

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Support Agency	Actions
<b>Department of Agriculture (USDA)</b>	<ul style="list-style-type: none"> <li>• Measures, evaluates, and monitors the impact of the emergency incident on agricultural systems, National Forest System land, and natural resources under USDA's jurisdiction.</li> <li>• Assists in developing protective measures and damage assessments.</li> <li>• Provides technical assistance in the disposition of livestock, poultry, pets, and other animals contaminated with hazardous materials.               <ul style="list-style-type: none"> <li>– USDA/Animal and Plant Health Inspection Service maintains the lead for animal health emergencies that impact agricultural production (e.g., avian influenza, naturally occurring anthrax, foot-and-mouth disease), including the disposition of diseased livestock and poultry.</li> </ul> </li> <li>• If available, provides technical assistance, including laboratory analysis, aerial photography interpretation, mapping, and Incident Management Teams. Other USDA agency support is obtained through either ESF #4 or ESF #11.</li> <li>• Through ESF #4, coordinates fire management and suppression activities in the event fires involve oil or hazardous materials.</li> </ul>
<b>Department of Commerce (DOC)</b>	<p><b>National Oceanic and Atmospheric Administration (NOAA)</b></p> <ul style="list-style-type: none"> <li>• Provides operational weather data and prepares forecasts tailored to support the response.</li> <li>• Provides expertise on natural resources and coastal habitat; the environmental effects of oil and hazardous materials; emergency consultations for protected resources; best management practices; and appropriate cleanup and stabilization alternatives.</li> <li>• Provides a Scientific Support Coordinator (SSC) to the OSC for responses in coastal and marine areas. The SSC serves as the principal advisor for addressing scientific issues and communicating with the scientific community. When requested, may provide this scientific coordination support for responses in the inland zone.</li> <li>• Predicts pollutant fate, effects, and transport as a function of time. For atmospheric releases, coordinates through the Interagency Modeling and Atmospheric Assessment Center (IMAAC), when activated.</li> <li>• Provides information on meteorological, hydrological, ice, and oceanographic conditions for marine, coastal, and inland waters. This includes satellite surveillance, remote sensing, and aerial photogrammetry.</li> <li>• Provides charts and maps for coastal and territorial waters and the Great Lakes.</li> <li>• Conducts emergency hydrographic surveys, search and recovery, and obstruction location to assist safe vessel movement.</li> <li>• Manages fisheries in Federal waters. Develops and conducts seafood safety sampling and fisheries reopening protocols in conjunction with the Food and Drug Administration and local authorities.</li> </ul>

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Support Agency	Actions
<b>Department of Defense (DOD)</b>	<ul style="list-style-type: none"> <li>• Provides an OSC and directs response actions for releases of hazardous materials from its vessels, facilities, vehicles, munitions, and weapons.</li> <li>• Provides Defense Support of Civil Authorities (DSCA) in response to requests for assistance during domestic incidents. With the exception of support provided under Immediate Response Authority, and by USACE and Navy Supervisor of Salvage as described below, the obligation of DOD resources to support requests for assistance is subject to the approval of the Secretary of Defense.</li> </ul> <p><b>U.S. Army Corps of Engineers</b></p> <ul style="list-style-type: none"> <li>• Provides response assistance for incidents involving contaminated debris, including CBRN contamination. The scope of actions may include waste sampling, classification, packaging, transportation, treatment, demolition, storm water management, and disposal. (These services are available independent of the DSCA process through an ESF #10 subtask to USACE.)</li> </ul> <p><b>Navy Supervisor of Salvage</b></p> <ul style="list-style-type: none"> <li>• In accordance with its statutory authorities, provides technical, operational, and emergency support in the ocean engineering disciplines of marine salvage, pollution abatement, and diving services. (These services are available independent of the DSCA process through MOUs with DHS/USCG and USACE.)</li> </ul>
<b>Department of Energy (DOE)</b>	<ul style="list-style-type: none"> <li>• Provides an OSC and directs response actions for releases of hazardous materials from its vessels, facilities, and vehicles.</li> <li>• Provides advice in identifying the source and extent of radioactive releases relevant to the NCP; and in the removal and disposal of radioactive contamination.</li> <li>• Provides additional assistance for radiological incidents pursuant to, or in coordination with, ESF #8 activities.</li> <li>• Under ESF #12, provides personnel and equipment to deploy the FRMAC for coordination of Federal radiological environmental monitoring, when activated. DOE establishes and leads the FRMAC for the initial response, then transitions FRMAC leadership to EPA at a mutually agreed upon time based on criteria listed in the NRIA.</li> <li>• Provides radiological support to local, state, and other Federal agencies through the DOE/National Nuclear Security Administration (NNSA). Response to releases from its own facilities or of its own materials may be provided by DOE/NNSA or another DOE component.</li> </ul>
<b>Department of Health and Human Services</b>	<p><b>Centers for Disease Control and Prevention/Agency for Toxic Substances and Disease Registry</b></p> <ul style="list-style-type: none"> <li>• Provides assistance on all matters related to the assessment of health hazards at a response and protection of response workers and the public health.</li> <li>• Determines whether illnesses, diseases, or complaints may be attributable to exposure to a hazardous material.</li> <li>• Establishes disease/exposure registries and conducts appropriate clinical testing.</li> <li>• Develops, maintains, and provides information on the health effects of toxic substances.</li> </ul> <p><b>Food and Drug Administration</b></p> <ul style="list-style-type: none"> <li>• Works in cooperation with EPA and USDA to ensure the proper disposal of contaminated food or animal feed.</li> </ul>

## Emergency Support Function #10 – Oil and Hazardous Materials Response Annex

Support Agency	Actions
<p><b>Department of Homeland Security (DHS)</b></p>	<p><b>Customs and Border Protection (CBP)</b></p> <ul style="list-style-type: none"> <li>• Where hazardous materials are transported by persons, cargo, mail, or conveyances arriving from outside the United States, provides extensive analytical and targeting capabilities through its National Targeting Center, full examination capabilities by trained CBP officers equipped with radiation detection and nonintrusive inspection technology, and nationwide rapid technical response capabilities through its Laboratory and Scientific Services Division.</li> </ul> <p><b>Federal Emergency Management Agency</b></p> <ul style="list-style-type: none"> <li>• Provides coordination support during ESF activations, as well as recovery and mitigation assistance during Federally-declared major disasters or emergencies under the Stafford Act.</li> <li>• Under ESF #5, leads the IMAAC to coordinate, produce, and disseminate atmospheric dispersion modeling and hazard prediction products that represent the Federal position during an actual or potential incident to aid emergency responders in protecting the public and environment.</li> </ul> <p><b>Office of Infrastructure Protection</b></p> <ul style="list-style-type: none"> <li>• Designates an Infrastructure Liaison to address issues regarding the protection and stabilization of critical infrastructure affected by a release of oil or hazardous materials.</li> <li>• Maintains access to a database of sites with hazardous materials; provides detailed knowledge of various hazardous material sites as a result of site visits and vulnerability assessments; and assists in the reduction of vulnerabilities and risks associated with certain hazardous material sites.</li> <li>• Conducts routine inspections of high-risk chemical facilities with 24-hours notice and conducts inspections with less than 24-hours advance notice if warranted by exigent circumstances or if any delay in conducting an inspection might be seriously detrimental to security.</li> </ul>
<p><b>Department of the Interior (DOI)</b></p>	<ul style="list-style-type: none"> <li>• Provides scientific/technical advice, information, and assistance to help prevent or minimize injury to natural and cultural resources and historic properties, such as public lands; units of the National Park System; National wildlife refuges and fish hatcheries; Alaska Native allotments and town sites; wildlife and associated habitats, including threatened and endangered species and migratory birds; and National monuments.</li> <li>• Provides scientific expertise and assistance in mapping, biological resources, geology, and hydrology; earthquakes and other natural hazards; minerals; and identification of hazards.</li> <li>• Provides expertise in and information on offshore drilling; production practices and facilities; and offshore minerals.</li> <li>• Maintains computer models for oil spill trajectory analysis and calculation of pipeline oil discharge volumes.</li> <li>• Provides information from response research.</li> <li>• For spills involving Outer Continental Shelf facilities, assists in source identification, oversees spill abatement as provided in the April 3, 2012, Memorandum of Agreement between USCG and DOI/Bureau of Safety and Environmental Enforcement, and approves resumption of operations.</li> </ul>

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<p><b>Department of Justice</b></p>	<ul style="list-style-type: none"> <li>• Provides expert advice on complex legal issues, including potential criminal cases as well as potential affirmative and defensive civil litigation issues.</li> </ul> <p><b>The Attorney General</b></p> <ul style="list-style-type: none"> <li>• Leads responsibility for criminal investigations of terrorist acts or terrorist threats by individuals or groups inside the United States or directed at U.S. citizens or institutions abroad where such acts are within the Federal criminal jurisdiction of the United States.</li> <li>• Generally acting through the FBI, the Attorney General, in cooperation with other Federal departments and agencies engaged in activities to protect national security, shall also coordinate the activities of the other members of the law enforcement community to detect, prevent, preempt, and disrupt terrorist attacks against the United States.</li> <li>• Represents the United States in affirmative and defensive civil litigation and has other legal responsibilities, including resolving legal disputes between Federal agencies.</li> </ul>
<p><b>Department of Labor (DOL)</b></p>	<p><b>Mine Safety and Health Administration</b></p> <ul style="list-style-type: none"> <li>• Provides mobile laboratory equipment and technical expertise for gas sampling and analysis.</li> </ul> <p><b>Occupational Safety and Health Administration (OSHA)</b></p> <ul style="list-style-type: none"> <li>• Serves as the Coordinating Agency for the NRF Worker Safety and Health Support Annex; and provides technical assistance and support to EPA, DHS/USCG, and other NRT/RRT agencies, as well as to the OSC, concerning the health and safety of response and recovery workers.</li> <li>• DOL/OSHA may provide technical assistance with: <ul style="list-style-type: none"> <li>– Risk assessment and risk management.</li> <li>– Identification, assessment, and control of health and safety hazards.</li> <li>– Development and oversight of site health and safety plans.</li> <li>– Site safety monitoring.</li> <li>– Worker exposure monitoring, sampling, and analysis.</li> <li>– Personal protective equipment selection, including respirator fit testing.</li> <li>– Incident-specific worker safety and health training.</li> <li>– Emergency worker decontamination.</li> </ul> </li> </ul> <p><b>The Worker Safety and Health Support Annex</b></p> <ul style="list-style-type: none"> <li>• Provides additional information on worker safety and health technical assistance. DOL/OSHA support is also directly available to NRT agencies under the NCP and under ESF #10 through a request by the primary agency.</li> </ul>
<p><b>Department of State</b></p>	<ul style="list-style-type: none"> <li>• Facilitates an integrated response between nations when a discharge or release crosses or threatens to cross international boundaries or involves foreign flag vessels.</li> <li>• Coordinates the solicitation of assistance and response to offers of assistance from foreign sources.</li> </ul>

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<b>Department of Transportation</b>	<ul style="list-style-type: none"><li>• Provides expertise on all modes of transporting oil and hazardous materials, including information on the requirements for packaging, handling, and transporting regulated hazardous materials.</li><li>• Issues special permits to facilitate movement of hazardous materials, hazardous waste, and hazardous debris in support of response efforts.</li></ul>
<b>General Services Administration (GSA)</b>	<ul style="list-style-type: none"><li>• Supports local, state, tribal, territorial, insular area, and Federal governments in the direct purchase and assisted acquisition of supplies, services, and equipment utilizing the GSA Schedules. Additionally, GSA provides leasing services for facilities and real property.</li></ul>
<b>Nuclear Regulatory Commission (NRC)</b>	<ul style="list-style-type: none"><li>• Coordinates the Federal response activities for a radiological incident involving a facility licensed by the NRC or an Agreement State; shipment of NRC- or Agreement State-licensed materials; or radioactive materials licensed under the Atomic Energy Act.</li><li>• Provides support to DHS as the coordinating agency for incidents requiring a coordinated Federal response, in accordance with the NRIA. The NRC and EPA coordinate their responses to an emergency involving both a radiological and chemical release in accordance with joint NRC/EPA implementing procedures.</li></ul>