

ANNEX Q

Hazardous Materials and Oil Spill Response



STATE OF TEXAS EMERGENCY MANAGEMENT PLAN

Revised January, 2013/Updated March, 2013

ANNEX Q

Hazardous Materials and Oil Spill Response

APPROVAL AND IMPLEMENTATION

This annex is hereby accepted for implementation and supersedes all previous editions.

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Table of Contents

ANNEX Q

HAZARDOUS MATERIALS AND OIL SPILL RESPONSE

DRAFT

APPENDICES:

- 1. HAZARDOUS MATERIALS AND OIL SPILL RESPONSE ESF ORGANIZATION**
- 2. HAZARDOUS MATERIALS AND OIL SPILL RESPONSE ESF ACTION GUIDE**

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Explanation of Terms

1. Acronyms

DDC	Disaster District Committee
DHS	Department of Homeland Security
DSHS	Department of State Health Services
EOC	Emergency Operations Center
EPA	Environmental Protection Agency
ERT	Emergency Response Team
ESF	Emergency Support Function
FODCO	Field Operations Division Central Office
GLO	General Land Office
Hazmat	Hazardous Material
HSPD-5	Homeland Security Presidential Directive 5, Management of Domestic Incidents
ICS	Incident Command System
IMT	Incident Management Team
JFO	Joint Field Office
NCP	National Oil and Hazardous Substances Pollution Contingency Plan
NDOW	Natural Disaster Operational Workgroup
NIMS	National Incident Management System
NRF	National Response Framework
NRT	National Response Team
OSPRA	Oil Spill Prevention and Response Act
OSC	On-scene Coordinator
PPE	Personnel Protective Equipment
PRP	Potentially Responsible Party
RRC	Texas Railroad Commission
RRT	Regional Response Team
SERC	State Emergency Response Commission
SOC	State Operations Center
SONS	Spill of National Significance
SOP	Standard Operating Procedures
SOSC	State On-Scene Coordinator
STAR	State of Texas Assistance Request Form
TCEQ	Texas Commission on Environmental Quality
TCFP	Texas Commission on Fire Protection
TEMP	Texas Emergency Management Plan
TDCJ	Texas Department of Criminal Justice
TDEM	Texas Division of Emergency Management
TDI	Texas Department of Insurance
TEEX	Texas Engineering Extension Service
TEXTFIRS	Texas Fire Incident Reporting System
TPWD	Texas Parks and Wildlife Department
TxDOT	Texas Department of Transportation
TxDPS	Texas Department of Public Safety
TWC	Texas Water Code
USCG	United States Coast Guard
WMD	Weapons of Mass Destruction

2. Definitions

Federal On-Scene Coordinator (FOSC or OSC): The federal official predesignated by the Environmental Protection Agency (EPA) or the United States Coast Guard (USCG) to coordinate responses under subpart D of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP); or the government official designated to coordinate and direct removal actions under subpart E of the NCP.

Hazardous Material (Hazmat): For the purpose of the Texas Emergency Support Function (ESF) #10 and the Oil and Hazardous Materials Incident Annex to the National Response Framework (NRF), the term is intended to mean hazardous substances, pollutants, and contamination as defined by the NRF.

Hazardous Substance: Those substances that because of quantity, concentration, physical or chemical characteristics may pose a threat to human health or the environment when improperly treated, stored, transported, or disposed of. Hazardous substances include those defined as hazardous under federal, state, and municipal laws. A more detailed definition may be found in the NCP pursuant to section 311(b)(2)(A) of the Clean Water Act.

Incident Command System (ICS): A standardized on-scene emergency management system specifically designed to provide for the adoption of an integrated organizational structure that reflects the complexity and demands of single or multiple incidents without being hindered by jurisdictional boundaries. ICS is the combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure, designed to aid in the management of resources during incidents. ICS is used for all emergency responses and is applicable to small, as well as, large and complex incidents. ICS is used by various jurisdictions and functional agencies, both public and private, or organized field-level incident management.

Incident Management Team (IMT): Provides the command and control infrastructure to manage logistical, fiscal, planning, operational, safety and community issues related to an emergency. As an incident becomes more complex, additional resources are required along with increasingly higher levels of training and capability in accordance with the complexity of the emergency.

Joint Field Office (JFO): A temporary federal facility established locally to provide a central point for federal, state, local and tribal executives with responsibility for incident oversight, direction and/or assistance to effectively coordinate protection, prevention, preparedness, response, and recovery actions.

National Incident Management System (NIMS): The system mandated by Homeland Security Presidential Directive #5 (HSPD-5) that provides a consistent nationwide approach for federal, state, local and tribal governments; the private sector; and nongovernmental organizations to work effectively and efficiently together to prepare for, respond to and recover from domestic incidents regardless of cause, size, or complexity. To provide for interoperability and compatibility among federal, state, local and tribal capabilities, NIMS includes a core set of concepts, principles and terminology.

National Response Center: A national communication center for activities related to oil and hazardous substance response actions. This center receives and relays notices of oil and hazardous substance releases to the appropriate federal and state agencies.

State On-Scene Coordinator (SOSC): A state official designated by the appropriate state agency with jurisdiction to coordinate and direct a state-funded response or oversee a private response to a discharge or spill. This term may be used interchangeably with agency on-scene coordinator.

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ANNEX Q

Hazardous Materials and Oil Spill Response

I. AUTHORITY AND REFERENCES

A. STATE

1. **Texas Health & Safety Code**
 - Chapter 382, Vernon Supp, 1990, Clean Air Act
 - Chapter 361, Solid Waste Disposal Act
 - Chapter 341, Subchapter C, Sanitary Standards for Drinking Water
2. **Texas Water Code**
 - Chapter 26, Subchapter G, §26.262, Hazardous Substances Spill Prevention and Control Act
3. **Texas Administrative Code**, Title 30
4. Texas Administrative Code, Title 16, Section 3.30

B. FEDERAL

1. National Incident Management System (March 1, 2004)
2. Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), 42 U.S.C §9601, et seq.
3. Air Pollution Prevention and Control (Clean Air Act), 42 U.S.C Chapter 85
4. Resource Conservation and Recovery Act (RCRA), 42 U.S.C §6901 et seq.
5. Superfund Amendments and Reauthorization Act of 1986 (SARA), Public Law 99-499
6. Water Pollution Prevention and Control (Clean Water Act), 33 U.S.C. Chapter 26

C. Mutual Aid Agreements and Contingency Plans

1. State of Texas Emergency Management Plan, Section X
2. State of Texas Oil and Hazardous Substances Spill Contingency Plan (RG-290, November 1997)
3. Area Contingency Plans, United States Coast Guard

II. PURPOSE

- A. The purpose of this annex is to define the organization, operational concepts, responsibilities and procedures to accomplish hazardous materials and oil spill response in Texas.
- B. This annex is applicable to all locations and to all agencies, organizations and personnel with hazardous materials and oil spill response emergency support function (ESF) responsibilities:
 - During certain response operations, this annex may be used in conjunction with Radiological Emergency Management Annex (D).
 - In case of terrorism or suspected terrorism refer to Terrorist Incident Response Annex (U) for additional information.

III. SITUATION AND ASSUMPTIONS

See Texas Emergency Management Plan, Section III

IV. CONCEPT OF OPERATIONS

A. OVERVIEW

The provisions of this annex, in compliance with the National Incident Management System (NIMS) operating principles and protocols constitute general guidance designated for agencies and individuals engaged in activities to mitigate the effects of and/or prevent the occurrence of a hazardous substance spill.

B. STATE SUPPORT AND ASSISTANCE POLICY

In accordance with this plan and the National Incident Management System (NIMS), state emergency support and assistance are provided as quickly and efficiently as feasible. Consistent with the priority of need, attempts to provide assistance, when practical, are as outlined in Section IV-E of the Direction and Control Annex (N).

This provides the State with an effective means to provide emergency assistance in a timely and cost-effective manner. The decision to expend state funds to provide support and assistance requires consideration of both need priority and cost to the State. In situations where lives and property are immediately threatened, however, the most rapid means of response is taken.

C. STAFFING REQUIREMENTS

1. Based on situational requirements, Council member agencies may provide staff to the State Operations Center (SOC), Joint Field Office (JFO), affected Disaster District Committee (DDC), Emergency Operations Centers (EOCs) and field-deployed incident command posts. Representatives may serve in both a primary and/or support agency role for several Emergency Support Function (ESF) groups. To facilitate accomplishment of assigned responsibilities, the number of agency personnel operating from each location is based on operational requirements and coordinated with the appropriate primary agency.
2. Agency representatives must have knowledge of the resource request, deployment and accountability methodology for committing assets or services that may be at their disposal.

D. HAZARDOUS MATERIALS AND OIL SPILL RESPONSE OBJECTIVES

ESF member agencies are responsible for coordinating and conducting a council response to threatened or actual release or discharge of hazardous materials and oil spills. The Texas Commission on Environmental Quality (TCEQ), as the State's primary agency for this ESF, serves as the coordinating agency to accomplish functions which may include assisting a support agency during a response (in accordance with the State of Texas Emergency Management Plan). Functions are fulfilled per applicable local, state or federal statutes as they apply to an agency's rules and regulations. The overall efforts of this ESF protect public health, safety and

the environment by reducing the release of pollutants and contaminants; ensuring that waste, including low-level radioactive waste, is properly managed and safely disposed; and expediting the cleanup of contaminated sites.

E. RESPONSE TO HAZARDOUS MATERIALS AND OIL SPILL INCIDENTS

1. TCEQ staff coordinates with the Railroad Commission (RRC) and the General Land Office (GLO) staff to identify and respond to spills. TCEQ may also be involved in helping water and wastewater treatment plants return to normal operations following discharges or spills that affect the facilities or as a result of a natural disaster. Further, TCEQ provides advice and assistance with the disposal of hazardous and nonhazardous material or debris associated with spills resulting from disasters.
2. All coastal discharge response and cleanup operations resulting from unauthorized discharges of oil are administered and directed by the GLO pursuant to the *Oil Spill Prevention and Response Act of 1991 (OSPR)*, *Texas Natural Resources Code §40.001 et seq.* As a co-trustee of the State's natural resources, GLO also has statewide responsibility for Natural Resource Damage Assessment (NRDA).
2. The RRC has spill response authority for spills or discharges from all activities associated with the exploration, development or production of oil, gas and geothermal resources including storage or pipeline transportation, (*Texas Natural Resources Code §§85.042, 91.101, and 91.601*). Spills or discharges from brine mining or surface mining are also under the jurisdiction of the RRC [*Texas Revised Civil Statutes Ann. Art. 5920-11 (Vernon)* and Chapter 131 of the *Texas Natural Resources Code*]. Any spill or discharge, whether hazardous or nonhazardous, that emanates from an oil, gas or geothermal resource exploration or production facility or brine mine or surface mine is under the jurisdiction of the RRC.

F. IMPACT ASSESSMENTS & CLEANUP OPERATIONS

TCEQ, in conjunction with the GLO and the RRC, coordinates the overall state effort to detect, identify, contain, cleanup, dispose and/or minimize releases of oil or hazardous materials. These actions include assessment of impacts and cleanup needs or priorities and advising and assisting others where the source of the spill is known. TCEQ coordinates with other local or federal government authorities to adequately abate, contain and remove contaminants whenever the source of the spill is unknown or the responsible party is unwilling or unable to respond.

G. TECHNICAL ASSISTANCE

TCEQ provides the State Emergency Management Council with information and advice on matters pertaining to oil and hazardous substances emergency response, climatology, air quality, public water supply, dam safety, flood-hazard areas, ground-water geology, solid waste management including hazardous waste and radioactive waste, hydrology, meteorology, special water districts, water quality, and water use and rights. TCEQ obtains and analyzes meteorological and climatological data for forecasts in emergency situations. TCEQ provides spill response maps as needed.

Personnel are provided to assist in damage assessment, rehabilitation and planning; and to assist in returning public water systems, dams, reservoirs, water and wastewater treatment plants to normal operations when requested. Further, TCEQ staff provide advice and aid in the disposal of hazardous and non-hazardous debris and contaminated sediment residues resulting from disasters. The Texas Department of Transportation (TxDOT) and TCEQ, in accordance with Subsection (F) of Section 26.264, Texas Water Code, as amended, have entered an agreement that provides for the use of TxDOT resources for certain state-sponsored spill and discharge cleanups. Cleanup and removal of such substances for which TxDOT personnel are not adequately trained or that require protective clothing or equipment as determined by TCEQ on-scene coordinator are excluded and not considered as services that may be performed under this agreement. TPWD has primary responsibility for protecting Texas' fish and wildlife (Chapter 12, *Texas Parks and Wildlife Code*). By designation of the governor, TPWD is a state natural resource trustee and has the obligation to protect and preserve all trust resources of the State of Texas.

H. ADVICE ON EMERGENCY PROTECTIVE MEASURES

ESF member agencies coordinate state efforts to prevent, mitigate or minimize the threat of potential releases and provide technical assistance and public information on the actions necessary to preserve health and protect property.

I. COORDINATION WITH FEDERAL AGENCIES

While conducting a state level response, all trustees and RRC staff coordinate (with federal agencies) on any hazardous materials or oil spill response in accordance with the *National Response Framework (NRF)*, the *National Incident Management System (NIMS)* and federal statutes applicable to the respective state agencies.

J. STATE OF TEXAS OIL AND HAZARDOUS SUBSTANCES SPILL CONTINGENCY PLAN

The *State of Texas Oil and Hazardous Substances Spill Contingency Plan* (Spill Contingency Plan) is a TCEQ-maintained guide to strengthen and improve the response mechanisms for discharges or spills of oil and hazardous materials within the territorial limits of the state. This plan describes state procedures and guidance, and identifies those policies and requirements set forth in statutes and rules. TCEQ, RRC and GLO staff serve as primary incident coordinators and State On-Scene Coordinators (SOSCs). Other interested parties involved in a response are expected to cooperate with this ESF; which addresses spills of oil, hazardous materials, or other substances for the State. This ESF includes all inland areas, waters, and coastal water to the three-league state boundary.

K. COST RECOVERY & MITIGATION

The GLO, RRC, TCEQ and TPWD are responsible for coordinating state efforts to recover response costs through any federal reimbursement options or directly from responsible parties. Also, where actions may be taken to mitigate potential spills or effects of future spills, the agencies coordinates mitigation actions.

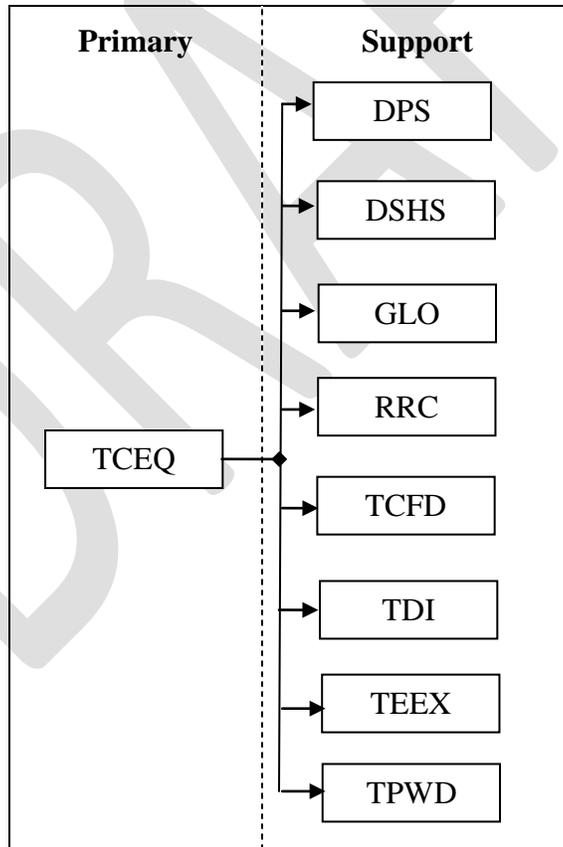
L. MULTIPLE ESF OPERATIONS

This plan provides for employment of appropriate resources from multiple ESFs during response and recovery operations as a standard practice. Requests for hazardous materials and oil spill response support may occur during significant emergency response and recovery operations regardless of the initial type of incident, hazard and/or other ESFs involved.

V. ORGANIZATION AND ASSIGNMENT OF RESPONSIBILITIES

A. ORGANIZATION

All ESF groups identified in the Emergency Management Plan (Section III.A.1.) are composed of personnel and resources from several state agencies and organizations. Each group is directed by a primary agency selected on the basis of its authority and capability in that particular functional area. Per this Annex, the primary agency is TCEQ. The other agencies and organizations within the group are designated as support agencies/organizations based on their ability to provide equipment, personnel and/or expertise in support of functional tasks. The agencies/organizations that comprise this ESF group are listed in Appendix 1 of this Annex and in the table below.



B. ASSIGNMENT OF RESPONSIBILITIES

Should the resources of the State of Texas be exceeded and/or if the HAZMAT incident is declared a Spill of National Significance (SONS), or Incident of National Significance, the ESF agency with jurisdiction notifies the SOC to request necessary resources in accordance with the procedures outlined in Resource Management Annex (M) and specific provisions outlined in the *National Oil and Hazardous Substance Contingency Plan (NCP)*.

1. General

All agencies/organizations assigned to Hazardous Materials and Oil Spill Response Annex (Q) are responsible for the following:

- a. Designating and training representatives for their agency to serve as ESF members and ensuring that appropriate Action Guides and Standard Operating Procedures (SOPs) are developed and maintained.
- b. Identifying staffing requirements and maintaining current notification procedures to ensure appropriately trained agency personnel are available for extended emergency duty in the SOC, DDC, EOCs and, as needed, the JFO and incident command post.
- c. Developing and maintaining procedures to ensure that a current inventory of agency resources and contact lists are available.
- d. Developing and maintaining procedures to identify, locate, commit and deploy any agency support resources.
- e. Providing personnel, equipment and other assistance to support emergency response and recovery operations within the agency's capabilities.
- f. Providing situational and operational status reports in accordance with existing procedures and as requested by the primary agency.

2. Primary Agency

TCEQ is the primary agency for releases of hazardous materials and oil spill response and is responsible for:

- a. Coordinating state-level assets and services which includes synchronizing the most feasible recommendations to the designated direction and control authority for the mission.
- b. Identifying and coordinating ESF staffing requirements appropriate to the emergency situation to include investigative assignments for the primary and support agencies.
- c. Processing requests for assistance from the DDC and/or State Emergency Response Commission (SERC) and assigning support staff, which includes:

- 1) Assisting other agencies with data collection, documentation and damage assessment in the disaster area(s) to include information on spill impacts and cleanup costs.
 - 2) Assisting local officials in identifying and preparing emergency sites for waste and/or debris staging/disposal.
 - 3) Assisting with grant funding preparation and developing priorities for state resource allocation.
 - 4) Assisting, coordinating and monitoring state and nonstate funded remediation efforts.
- d. Obtain and compile documentation/information necessary for effective and efficient strategy management by TDEM and/or SOC staff. Resources include but are not limited to: Spill Contingency Plans, ePlans, private sector chemical databases, SOC data and other regulatory agency information sources.
 - e. Develop, maintain and distribute this Annex, the *State of Texas Oil and Hazardous Substances Spill Contingency Plan* and appropriate SOPs.
 - f. Serve as a Natural Resource Trustee for assessment of natural resource damage(s) in Texas.

3. Support Agencies/Organizations

a. General

All ESF members should be aware of their organization's capabilities for providing assistance and support. Support agencies provide assistance in the form of personnel, equipment and/or technical assistance as requested by the Primary Agency and/or designated direction and control authority.

b. General Land Office (GLO)

Serve as the support agency for oil spills or discharges that enter or threaten to enter Texas coastal waters. Serve as state level responders to discharge and cleanup operations resulting from unauthorized discharges of oil that enter or threaten to enter coastal waters pursuant to the *Oil Spill Prevention and Response Act of 1991 (OSPRE)* and *Texas Natural Resources Code §40.001 et seq.* See Appendix 2, Tab 1, and Appendix 3 (currently under revision). The Texas Coastal Oil Spill Planning and Response Toolkit, produced by the GLO, provides reference and resource material at www.texasoilspilltoolkit.org.

c. Railroad Commission of Texas (RRC)

Serve as the support agency for spills or discharges from all activities associated with the exploration, development or production of oil, gas and

geothermal resources including storage or pipeline transportation (excluding highway transport and refined product spills). (*Texas Natural Resources Code* §85.042, 91.101, and 91.601). See Appendix 2, Tab 2 and Appendix 3. Also see the *Texas Administrative Code* Title 16, Part 1, Chapter 3, Rule §3.30- a Memorandum of Understanding between the RRC and TCEQ.

d. Texas Department of Transportation (TxDOT)

Mobilize personnel, materials and equipment for the containment, cleanup and mitigation of spills or discharges of oil or other hazardous substances designated by EPA or by TCEQ, pursuant to Subchapter G of the *Texas Water Code*.

e. Texas Parks and Wildlife Department (TPWD)

Conduct protection activities, e.g., investigating fish kills and any type of pollution that may cause loss of fish and wildlife in accordance with Chapter 26 of *Texas Water Code* and Section 12.0011 of the *Texas Parks and Wildlife Code*.

f. Texas Department of Insurance (TDI)

Through the Office of the State Fire Marshal, provide support in arson investigations, business licenses and inspections, public information and education, arson laboratory, the Texas Fire Incident Reporting System (TEXFIRS) and engineering assistance.

g. Department of State Health Services (DSHS)

- 1) Prepare to assume the role as the state support agency for response to Hazmat incidents involving radioactive materials in accordance with Radiological Emergency Management Annex (D).
- 2) Activate and staff the DSHS State Medical Operations Center to coordinate public health and medical resources and activities as needed.
- 3) Use the statewide Public Health Information Network, and other means of communication, to provide critical health information to public health officials, first responders and medical professionals.
- 4) Coordinate public health response activities with the Texas Poison Control Network as needed.
- 5) Provide facility chemical inventory data on reportable quantities of hazardous substances and extremely hazardous substances as needed or by request.
- 6) Provide supplemental laboratory analysis capabilities via DSHS-owned laboratories.

- 7) Provide epidemiological and toxicological support for exposure assessment, risk assessment, and risk characterizations necessary to adequately evaluate public health impacts of Hazmat incidents.
- h. **Texas Engineering Extension Service (TEEX)**
- 1) Provide training and technical expertise in the following areas:
 - a) Hazardous Materials.
 - b) Public Works including the Public Works Response Team.
 - c) Center for Marine Training and Safety.
 - d) Occupational & Environmental Safety.
 - e) Water & Wastewater.
 - 2) Provide specialized programs and technical expertise to train students and local governments for response, management, planning and mitigation for:
 - a) Hazardous Materials.
 - b) Oil Spills.
 - c) Search & Rescue.
 - d) Occupational & Environmental Safety.
- i. **Texas Department of Public Safety (TxDPS)**
- 1) Secure incident sites.
 - 2) Communicate site-specific information including hazardous material placard numbers to responders and involved agencies.
 - 3) Coordinate with local jurisdictions to ensure proper state notification for releases of hazardous materials and oil in transportation incidents.
 - 4) Assist in the dissemination of information to the public on health and property protective actions following a transportation incident involving hazardous materials and oil spills.
 - 5) Provide support by offering:
 - a) Hazmat training for emergency services providers and Public Safety personnel (e.g., EMS, Fire, Police).
 - b) EMS Level I and Level II Hazmat training.

j. Texas Commission on Fire Protection (TCFP)

Administer programs related to certification of eligible local fire departments and other public fire-fighting organizations that include hazardous materials response training materials.

VI. DIRECTION AND CONTROL

- A. Direction and control of emergency response and recovery operations within Texas is exercised in accordance with Sections IV, V and VI of the TEMP, pursuant to the coordination based on the NIMS construct.
- B. TCEQ designee serves as the primary agency representative and coordinates Hazardous Materials and Oil Spill Response ESF activities within the SOC.
- C. Within each Disaster District, the DDC Chairperson forwards questions and requests for assistance to TCEQ representative in the Disaster District EOC.

VII. EMERGENCY RESPONSE LEVEL/ACTION GUIDES

See TEMP, Section VI, A., for a list of the different emergency response levels and the kinds of activities that characterize each level. Appendix 2, to this annex contains a supplemental Action Guide that outlines any additional actions the ESF group members need to take at each emergency response level to ensure the group is prepared to respond and support emergency operations.

VIII. CONTINUITY OF GOVERNMENT

- A. Lines of succession for personnel with emergency management responsibilities should be in accordance with existing policies and required emergency management standard operating procedures (SOPs) for each agency/organization.
- B. Primary and support agencies ensure their respective personnel are trained and prepared to operate in the event that regular agency members are absent. They should identify alternate or backup personnel and ensure these individuals understand the lines of succession, predelegated authorities and task responsibilities of their individual agencies. Procedures and action guides are to be clearly written with sufficient detail so alternate and backup personnel can understand and use them in performing their responsibilities.
- C. Primary and support agencies will ensure all records necessary for emergency management operations can be easily obtained from each member agency in an emergency. Additionally, these records should be duplicated and stored at another location(s) in the event the primary records are destroyed.

IX. ADMINISTRATION AND SUPPORT

A. SUPPORT

- 1. Requests for emergency assistance should be resolved at the lowest level of control facility management when appropriate resources are available.

Unresolved assistance requests normally flow upward from cities to the county; upward to the DDC, to the SOC; and if necessary, to other states or the federal government for assistance or support.

2. ESF member agencies also maintain lists of private contractors and other commercial resources that may be available for emergency operations.

B. AGREEMENTS AND UNDERSTANDINGS

All agreements and understandings entered into for the purchase, lease or other use of equipment and services shall be in accordance with the provision of state law and procedures. The Proclamation of a State Disaster issued by the governor may suspend selected rules and regulations that affect support operations. The specific impact of the situation is determined by each agency and ESF group members are advised accordingly of administrative and/or procedural changes that may affect emergency operations.

C. STATUS REPORTS

The STAR status reports is maintained and generated through WEBEOC. ESF agencies can view, submit and receive STARs via WEBEOC.

D. EXPENDITURES AND RECORD KEEPING

1. Each state agency is responsible for establishing administrative controls necessary to manage the expenditure of funds and to provide reasonable accountability and justification for federal reimbursement in accordance with the established guidelines.
2. The first source of funds for expenditures by state agencies in response to an emergency, imminent disaster or recovery from a catastrophic incident, is from funds regularly appropriated by the legislature.
3. In accordance with established procedures, state agencies may seek financial assistance from the Disaster Contingency Fund.

E. CRITIQUES

Following the conclusion of any significant emergency event/incident or exercise, the Primary Agency representative conducts a critique of the group activities during the event/incident/exercise. Support agencies provide written and/or oral comments for this critique and the Primary Agency representative consolidates all comments into a final report and submits it to the State Coordinator.

X. DEVELOPMENT AND MAINTENANCE

- A. Both the chief of TDEM and the executive director of TCEQ are the approving authorities for this annex and are both responsible for its approval and implementation.

- B. TCEQ designee is responsible for development, maintenance and distribution of this annex.
- C. TCEQ designated representative, in conjunction with the chief of TDEM, is also responsible for conducting an annual review, coordinating all review and revision efforts, and incorporating information learned from exercises and actual events into this annex.

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APPENDIX 1 TO ANNEX Q

HAZARDOUS MATERIALS AND OIL SPILL RESPONSE ESF ORGANIZATION

PRIMARY AGENCY Texas Commission on Environmental Quality (TCEQ)

SUPPORT AGENCIES: General Land Office (GLO)
Railroad Commission of Texas (RRC)
Texas Commission on Fire Protection (TCFP)
Department of State Health Services (DSHS)
Texas Department of Public Safety (DPS)
Texas Department of Transportation (TxDOT)
Texas Engineering Extension Service (TEEX)
Texas Parks and Wildlife Department (TPWD)
Texas Department of Insurance (TDI)

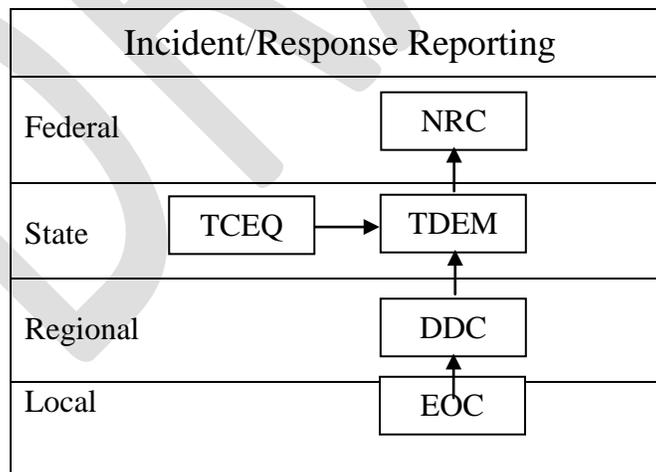
APPENDIX 2 TO ANNEX Q

HAZARDOUS MATERIALS AND OIL SPILL RESPONSE ESF ACTION GUIDE

<u>RESPONSE LEVEL</u>	<u>ACTIVATION LEVEL</u>	<u>AGENCY</u>	<u>ACTION</u>
I	Emergency Conditions	TCEQ	* see Tab A
		All Support ESF Agencies	* see Tab B
II	Escalated Response Conditions	TCEQ	* see Tab A
		All Support ESF Agencies	* see Tab B
III	Increased Readiness Conditions	TCEQ	* see Tab A
		All Support ESF Agencies	* see Tab B
IV	Normal Conditions	TCEQ	* see Tab A
		All Support ESF Agencies	* see Tab B

* See Action Guides in Tabs A and B for details on actions taken by primary (TCEQ) and all support agencies for each response level.

The information-sharing procedure for these agencies is shown in the graphic below.



**TAB A
APPENDIX 2 TO ANNEX Q**

**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
HAZARDOUS MATERIALS AND OIL SPILL RESPONSE ESF ACTION GUIDE**

The following actions are taken by the Texas Commission on Environmental Quality (TCEQ). These actions are intended to be general and not all-inclusive. Each incident or request for action may vary in nature.

EMERGENCY CONDITIONS (Response Level I)

TCEQ involvement at this level includes:

1. Provides situation briefings of threat/incident to ESF #10 agencies and the SOC.
2. Deploys designated personnel to the SOC to maintain operational presence at the TCEQ infrastructure desk.
3. Serves as the primary agency responsible for Hazardous Materials and Spill Response, and coordinates response activities with other ESF #10 agencies and the SOC as appropriate.
4. Deploys TCEQ Regional Disaster Response Strike Teams as appropriate.
5. Deploys TCEQ Emergency Management Support Team and Contractors as appropriate.
6. Coordinates with support agencies to deploy available assets as appropriate.
7. Submits requests for ESF #10 Federal Mission Assignments as necessary.
8. Participates in SOC briefings to provide current status of all activities and advise appropriate support agencies.
9. Deploys designated personnel to the Disaster District(s), JFO or other designated sites as appropriate.
10. Provides daily situational updates and administrative reports to the SOC.

ESCALATED RESPONSE CONDITIONS (Response Level II)

TCEQ involvement at this level includes:

1. Provides situation briefings of threat/incident to ESF #10 agencies and the SOC.
2. Deploys designated personnel to the SOC to maintain operational presence at TCEQ infrastructure desk.

3. Serves as the primary agency responsible for Hazardous Materials and Spill Response, and coordinates response activities with other ESF #10 agencies and the SOC as appropriate.
4. Determines status of support agency assets, noting assets that are available for deployment, with particular emphasis on assets within area of operations.
5. Places TCEQ Emergency Management Support Team, TCEQ Regional Disaster Response Strike Teams and Contractors on standby as appropriate. These assets may also be pre-positioned as necessary.
6. Prepares and reviews potential requests for ESF #10 Federal Mission Assignments as necessary.
7. Participates in SOC briefings to provide current status of all activities and advise appropriate support agencies.
8. Deploys designated personnel to the Disaster District(s), JFO or other designated site as appropriate.
9. Provides daily situational updates and administrative reports to the SOC as requested.

INCREASED READINESS CONDITIONS (Response Level III)

TCEQ involvement at this level includes:

1. TCEQ maintains situational awareness of Hazardous Material and Oil Spill threats/incidents.
2. Provides situation briefings of threat/incident to ESF #10 agencies and the SOC as appropriate.
3. Serves as the primary agency responsible for Hazardous Materials and Spill Response, and coordinates response activities with other ESF #10 agencies and the SOC as appropriate.
4. Provides situational awareness to TCEQ Emergency Management Support Team, TCEQ Regional Disaster Response Strike Teams and/or Contractors as appropriate.
5. Reviews and updates operating procedures for accomplishing Hazardous Materials and Spill Response responsibilities under the Texas Emergency Management Plan.
6. Reviews and updates emergency response equipment resource inventories.

NORMAL CONDITIONS (Response Level IV)

TCEQ involvement at this level includes:

1. Develops and maintains operating procedures for accomplishing Hazardous Materials and Spill Response responsibilities under the Texas Emergency Management Plan.

2. Develops and maintains a call list to ensure ability to communicate with key personnel and intra-agency contacts.
3. Regularly tests communications systems.
4. Develops and maintains emergency response equipment resource inventories.
5. Develops and trains TCEQ Emergency Management Support Team & Regional Disaster Response Strike Teams.
6. Maintains emergency response equipment.
7. Trains personnel to carry out ESF #10 responsibilities.
8. Conducts drills and exercises to evaluate and maintain effectiveness of operating procedures and ability to accomplish EFS #10 responsibilities.
9. Updates operating procedures based on input from drills, exercises and after-action reports to improve effectiveness.
10. Monitors current natural, technological and homeland security threats, and collects and analyzes intelligence where appropriate.

(Rev 10/12) Annex Q-Appendix 2-Tab A

TAB B
APPENDIX 2 TO ANNEX Q

ESF #10 SUPPORT AGENCIES
HAZARDOUS MATERIALS AND OIL SPILL RESPONSE ESF ACTION GUIDE

The following actions are to be taken by the ESF #10 Support Agencies. These actions are intended to be general and not all-inclusive. Each incident or request for action may vary in nature.

EMERGENCY CONDITIONS (Response Level I)

The Support Agencies' involvement at this level includes:

1. Assists the ESF #10 Primary Agency (TCEQ) in accomplishing Hazardous Materials and Spill Response responsibilities as outlined under the Texas Emergency Management Plan. The duties assigned to each Support Agency may differ based on each agency's capabilities.
2. Deploys assets as appropriate.
3. Maintains situational awareness of Hazardous Material and Oil Spill threats/incidents and increases interagency coordination and situation reporting to meet demands for information on the current situation.
4. Participates in SOC briefings to provide current status of all activities and advise appropriate support agencies.
5. Provides daily situational updates and administrative reports to the SOC.
6. Briefs appropriate officials and agency representatives on anticipated risk situations, expected impacts and contingency measures. There may be limited impairment of some normal government operations because some staff members may be involved in increased readiness activities.

ESCALATED RESPONSE CONDITIONS (Response Level II)

The Support Agencies' involvement at this level includes:

1. Deploys designated personnel to the SOC to maintain operational presence as required.
2. Maintains situational awareness of Hazardous Material and Oil Spill threats/incidents.
3. Determines status of agency assets, noting assets that are available for deployment, with particular emphasis on assets within area of operations. Report status to ESF #10 Primary Agency (TCEQ).
4. Places assets on standby. These assets may also be pre-positioned as necessary.
5. Participates in SOC briefings and conference calls.

6. Deploys designated personnel to the Disaster District(s), JFO or other designated site as appropriate.
7. Provides daily situational updates and administrative reports to the SOC as requested.
8. Briefs appropriate officials and agency representatives on anticipated risk situations, expected impacts and contingency measures. There may be limited impairment of some normal government operations because some staff members may be involved in increased readiness activities.

INCREASED READINESS (Readiness and Response Level III)

The Support Agencies' involvement at this level includes:

1. Maintains situational awareness of Hazardous Material and Oil Spill threats/incidents.
2. Requests that key staff and personnel be available for conference calls and possible SOC activation.
3. Reviews equipment availability. Equipment needs and supply shortages should be filled if possible.
4. Reviews operating procedures for accomplishing Hazardous Materials and Spill Response responsibilities under the Texas Emergency Management Plan.
5. Reviews and updates emergency response equipment resource inventories.
6. Briefs appropriate officials and agency representatives on anticipated risk situations, expected impacts and contingency measures. There may be limited impairment of some normal government operations because some staff members may be involved in increased readiness activities.

NORMAL CONDITIONS (Readiness and Response Level IV)

The Support Agencies' involvement at this level includes:

1. Develops and maintains operating procedures for accomplishing Hazardous Materials and Spill Response responsibilities as a support agency under the Texas Emergency Management Plan.
2. Develops and maintains a call list to ensure ability to communicate with key personnel and intra-agency contacts.
3. Regularly tests communications systems.
4. Develops and maintains emergency response equipment resource inventories.
5. Maintains emergency response equipment.
6. Trains personnel to carryout ESF #10 responsibilities.

7. Conducts drills and exercises to evaluate and maintain effectiveness of operating procedures and ability to accomplish EFS #10 responsibilities.
8. Updates operating procedures based on input from drills, exercises and after-action reports to improve effectiveness.
9. Monitors current natural, technological and homeland security threats, and collects and analyzes intelligence reported to the SOC.

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