

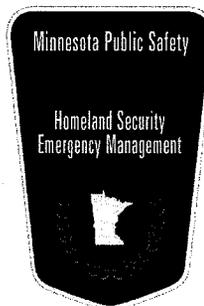
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**Minnesota Department of Public Safety
Division of Homeland Security and Emergency Management**

**2004 Annual Report to the Legislature
M.S. 115 E.08, Subd. 4
January 2004**

The readiness of state government to
respond to discharges of oil or hazardous substances



Background

The Commissioner of the Department of Public Safety is charged with the coordination of the hazardous materials state agency response in Minnesota by authority of M.S. 115 E.01 through 115.E.09. This statute also requires an annual report to the appropriate committees of the legislature about the readiness of state government to properly respond to discharges of oil or hazardous substances.

Introduction

The Department of Public Safety, division of Homeland Security and Emergency Management (HSEM) coordinates the emergency preparedness of state agencies to respond to discharges of oil and hazardous substances. The division continues its on-call staffing ability and maintains the hazardous materials response teams. The Hazardous Materials Response Team Program is designed to assist local authorities by providing technical guidance to incident commanders, and recommending mitigation measures necessary to protect life, property and the environment commensurate with locally available levels of hazardous materials training and response capability. The hazardous materials response teams and the on-call staff are available 24 hours a day, 7 days a week through the Minnesota State Duty Officer. The department also contracts with four law enforcement agencies to provide statewide response for explosive devices.

Program Outlines

Homeland Security and Emergency Management

- A. **HSEM Hazardous Materials Staff** are on-call 24 hours a day, 7 days a week to assist local authorities. The staff is trained to the Specialist level in hazardous materials response capability, and staff members carry response equipment in their vehicles. The on-call staff provides technical guidance and expertise to local officials during emergencies and assists them with determining what resources and services may be needed to manage the incident.
- B. **The Chemical Assessment Teams (CAT)** are currently composed of a minimum of nine trained personnel; one specialist and two technicians must be available for a response at all times. The response staffing of up to four is an increase of one staff member over last year. HSEM is currently working to increase the number of team members who respond to an incident to five over the current number of four. In Marshall the new CAT team is now in place, having received their equipment and training throughout 2003. This team should be ready for independent response assignments by fall of 2004.
- C. **Emergency Response Teams (ERT)** Emergency Response Teams are composed of a minimum of thirty trained personnel; four specialists, four technicians, and one medical support officer must be available for a response at all times. ERT's can also serve as Chemical Assessment Teams (CAT). When operating as a CAT the ERT will respond with up to four personnel and adhere to CAT response protocols.

The teams responded to 121 requests for service during calendar year 2003, a 51% decrease from the previous year. Of these responses, 19 of them were state dispatches of the CAT team, and 1 response was for an ERT. The nineteen state responses maintained the average from calendar year 2002. The state is in the process of adding a new, larger Chemical Assessment Team truck to the CAT. The new truck will allow for more equipment storage and be a more effective tow vehicle for the trailers. Funding for this initiative is possible through federal homeland security allocations.

The feedback from local jurisdictions concerning the teams continues to be positive. The Hazardous Materials Response Team program is still the most cost effective and efficient way to supplement local response capabilities and recover much of the response costs from the responsible party's involved in these cases.

- D. **The Minnesota Emergency Preparedness and Response Committee** is chaired by HSEM staff and consists primarily of state agencies that respond to the needs of local government during emergencies and disasters as outlined in the Governor's executive order 99-20 Assigning Emergency Responsibilities to State Agencies. This team meets monthly (or as-needed) to discuss, review, and update the Minnesota Emergency Operations Plan and the Governors' executive order as it relates to emergency and disaster preparedness and response.
- E. **The Minnesota Duty Officer (MDO)** program, located within the Homeland Security and Emergency Management division has proven to be a critical link in notifying state agencies of spills. The MDO is the 'hub' within the emergency management cycle of mitigation, preparedness, response, and recovery. Incoming requests for assistance-ranging from air quality complaints to natural disasters to threats or acts of terrorism-are all coordinated through four full time and two part time duty officers who assist the public and professional response agencies 24 hours a day, 7 days a week. During the 2003 calendar year, the Duty Officers processed approximately **11,378** incoming report calls, in turn making **19,374** outgoing notifications. These numbers only reflect activity resulting in a report being filed with the Duty Officer. It *does not* include any of the incoming or outgoing calls generated by the change in the federal terrorism alert levels, or the Wellstone plane crash in northern Minnesota. A breakdown of the incoming calls shows:
- a) 57% were informational inquiries.
 - b) 20% were spills reporting, down 1% from 2002.
 - c) There were 107 calls to the Duty Officer of a suspected WMD event.
From the outgoing notification perspective:
 - a) 20% were air quality related, an increase of 5% over last year.
 - b) 56% were spills notifications, down 1% from last year.
 - c) 24% were supplemental report calls, an increase of 2% over last year.
 - d) 6% were underground storage tank pulls with notification of contaminated soil. This number remained the same as last year.
 - e) 8% were responding to requests for information, an increase of 1% over last year.
 - f) There were 349 outgoing notifications of a suspected WMD event.
- The balance of the calls consisted of weather related incidents, SARA Title III releases, pipeline incidents, Meth Labs, Bomb Squad or CAT/ERT team requests or activations, and requests for the National Guard and/or Civil Air Patrol.
- F. **The State Agency Responders Committee** is coordinated by HSEM and comprised of the initial on-call field responders from all state agencies that have responsibilities in hazardous materials incident management. This team meets quarterly and reviews previous responses for opportunities to improve our effectiveness. This committee also actively seeks input from local jurisdictions about how the state can assist their response to hazardous materials events. This committee brings a wide variety of state and federal level expertise to the table with contributions from Public Information Officers (PIO), the National Guard's 55th Civil Support Team, and the Minnesota Department of Health.
- G. **Statewide Bomb Squad Response** capability is accomplished by four contractual agreements with four law enforcement agencies. These teams have responded to 81

incidents throughout the state with 72 of them being state dispatches. This is an increase of 46% over 2002, holding true to the trend of increased responses for these teams. Federal homeland security funding has been used to enhance the response capability of these teams. Some of the improvements made in 2002 included new robots, total containment vessels, and detection equipment.

- H. **The Minnesota Incident Management System (MIMS)** is utilized by state agencies and many local jurisdictions when responding to any size or variety of incident. MIMS is a management tool, which uses a unified command structure to coordinate the many aspects of a response. Agencies trained in MIMS promote teamwork and allow various levels of government to work together without disrupting the local response structure. There continues to be high demand from a variety of response agencies and personnel for the MIMS courses sponsored by HSEM. In a time of elevated and high terror alerts and universal budget cuts, state agencies and local jurisdictions having responsibilities during hazardous materials events recognize the need to share resources and standardize training. Partnerships with the Association of Minnesota Emergency Managers (AMEM) and others will continue to improve delivery of services to meet this demand.

Minnesota Pollution Control Agency

MPCA's Emergency Response Team consists of approximately 10.5 FTE of highly trained and experienced staff. They are stationed in the Metro District and in five sub-district offices around the state. One emergency responder is on-call during all evening and weekend hours, available through the state Duty Officer. During calendar year 2003, the state Duty Officer reported more than 2,000 spill and emergency incidents to the MPCA. The number of reported incidents may be leveling off after many years of gradual rise. Statute section 115.061 requires that spills be reported to the MPCA.

During the past year the MPCA has devoted approximately 2 FTE for terrorism response. MPCA's primary roll in terror and disaster response is debris management and debris decontamination, disinfections, and disposal. MPCA has also prepared for supporting terrorism response in a variety of logistical, preventative, preparedness, informational and support roles. In a similar fashion, MPCA has provided extensive planning and leadership for animal disease epidemic preparedness, particularly in the questions of carcass disposal in Foot and Mouth Disease and Chronic Wasting disease cases.

MPCA's Emergency Response Team has embraced spill prevention and spill response preparedness as part of their mission. Companies who operate storage tanks, pipelines, railroads, cargo trailers, or who otherwise handle oil or hazardous substances are required to take steps to prevent and prepare for spills under Chapter 115E. MPCA's responders have reviewed many facility response plans, participated in, or conducted many spill drills with facilities and local government, and presented dozens of spill response-training classes. In particular the "Boom Schools", which provide spill response equipment and training to fire departments throughout the state, have served the environment and Minnesota's businesses by helping fire departments contain businesses' spills and minimized cleanup costs. Mapping and preparing for protection of sensitive natural resources from spills has been accomplished for most of Minnesota. Caches of shared oil spill response equipment have been placed along the Mississippi River south of St. Paul in a private/public partnership project. Most of the MPCA's spill prevention and preparedness work is done in partnership with facility operators, but some is done in a regulatory or enforcement mode when needless spills and poor responses have created pollution problems.

MPCA's responders have been the backbone and instigators of several of the Community Awareness Emergency Response (CAER) groups that have formed across

Minnesota to facilitate partnership between facilities and all levels of government. Fewer spills and better response preparedness result from CAER activities. MPCA's responders also have been instrumental in the various inter-agency work groups to coordinate state hazardous materials activities.

MPCA's emergency responders are fully authorized by the MPCA Contingency Plan to carry out emergency actions around the clock. Included is access to emergency funds of the state "Superfund" and "Petro Fund" to activate contractors when necessary. Recovery of costs from responsible parties is attempted when those public funds are used.

Minnesota Department of Transportation – Office of Freight and Commercial Vehicle Operations

The Office of Freight and Commercial Vehicle Operations (OFCVO), formerly Motor Carrier Services, has four hazardous materials transportation specialists who respond to hazardous materials transportation incidents, commercial vehicle accidents, homeland security related incidents, and abandonment of hazardous materials on public and private property. These on-scene response personnel are a critical element of the state response infrastructure due to their broad knowledge of hazardous materials transportation issues, including emergency response techniques, transportation security, and experience in dealing with illegal spills and abandonment.

MnDOT hazardous materials specialists continue to investigate causes of hazardous materials transportation incidents. Incidents occurring in Minnesota are tracked internally, and OFCVO staff also use the USDOT incident management program as a tool to identify shippers and carriers involved in multiple incidents. Post-incident follow-up investigations lead to regulatory enforcement actions when merited.

Hazmat staff serves on the Traffic Management Center Incident Management Coordination Team. This team coordinates the efforts of MnDOT, the State Patrol, local police, fire and emergency medical service agencies, and the towing companies to ensure rapid response to incidents on metro area highways.

The MnDOT Abandoned Container Program continues to investigate and remediate illegal dumping of hazardous materials containers on state highway right-of-ways, and to assist local governments in dealing with abandonment. Hazardous materials dumping near critical facilities is a security issue, and OFCVO staff provide training to state and local government personnel about the hazards presented by abandoned hazardous materials, security implications of dumping at some sites, and methods for dealing with the materials.

Two OFCVO hazardous materials specialists have completed the Nuclear, Biological, and Chemical (NBC) Domestic Preparedness Training Course offered by the FBI and Federal Emergency Management Agency (FEMA). Hazardous materials specialists from OFCVO serve on MnDOT's Security and Emergency Response Team, and are providing hazmat transportation security training to the trucking and shipping industry and law enforcement agencies. Staff from OFCVO is active in enforcing the newly mandated federal hazmat transportation security regulations.

Hazardous materials specialists of the OFCVO continue to do hazmat cargo inspections under the Hazardous Materials Package Inspections Program. Hazmat packages are inspected at freight docks and carrier facilities to ensure compliance with existing regulations and to prevent incidents before they happen.

The OFCVO continues to work with the Transportation Security Administration and other federal agencies concerning US/Canadian border crossing issues. This includes both highway and railroad crossings, and counter-terrorism projects that are ongoing at ports of entry in Roseau, Lancaster, Warroad, and International Falls.

OFCVO hazardous materials specialist continue to offer Hazmat Incident First Responder classes to police, sheriff, and emergency medical personnel around the state. These classes are designed to assist local public safety agencies in identifying the hazards that may be present at a transportation incident. The First Responder class has been revised to include additional information about NBC terrorism, and tips for local law enforcement to evaluate hazmat shipper and transporter compliance with existing requirements.

Minnesota Department of Agriculture

The MDA Emergency Response Program began in 1990. Currently, the program consists of a metro four-person on-call team and a regional Agricultural Chemical Investigator team that work on a 24/7 basis. Together they provide emergency response guidance and oversight to local jurisdictions experiencing agricultural chemical incidents. Minnesota statutes Chapter 18D.103 requires that agricultural chemical incidents be reported to the MDA. The on-call team also receives Duty Officer report notifications for several other MDA divisions as well as the MN Board of Animal Health (BAH)

In 2002, the MDA continued its approach to all hazard preparedness by permanently filling the position of department all hazard Planner. This position was created to coordinate emergency preparedness and response readiness, capabilities, and efficiencies across all divisions and program areas within the MDA. Since September 2001, counter-terrorism preparedness and response activities were assigned to this position as well. This resulted in a vacancy in the Agronomy and Plant Protection Division (APPD) Incident Response Unit Emergency Spill Response Program leaving only 1 FTE to perform the majority of the day-to-day response activities of approximately 140 agricultural chemical spills reported annually.

The MDA continues to receive notifications of anhydrous ammonia (AA) theft and/or the tampering of AA equipment. AA is used as a precursor for illegal methamphetamine production. MDA staff responds to all such reports offering proactive steps to the agricultural chemical industry to help reduce this threat.

On call staff are authorized to access emergency funds in the state "Superfund" and have done so on several occasions. Responders often assist the responsible parties in accessing the Agricultural Chemical Response and Reimbursement Account (ACRRA) for costs associated with spill cleanups.

The MDA Emergency Response Program remains committed to preserving the core responsibilities of agricultural chemical emergency preparedness and response and protection of the state's food production environment - from the farm to the table. MDA is also committed to addressing the new responsibilities in counter-terrorism preparedness and response, despite current budget constraints and the recent reduction in resources available to the Emergency Response Program.