



ADMINISTRATIVE REGULATION

OFFICE OF THE CITY MANAGER

Number: AR 809
Sections: 1 - 6
Responsible Department: Fire
Amended Date: March 2016
Review Date: March 2021

SUBJECT: *Hazardous Material Incident Response Policy*

1. **Purpose:** To provide a Hazardous Material Incident response policy for all City employees who respond to incidents within the City of Huntington Beach.
2. **Authority:** Huntington Beach City Charter Section 401.
3. **Application:** This regulation applies to all officers and employees of the City.
4. **Definitions:**
 - 4.1 **Hazardous Material:** Any substance that poses a threat to life, the environment or property whether in usable or waste condition.
 - 4.2 **Incident Commander:** Highest-ranking officer in charge of a Hazardous Material Incident until relieved by someone of a higher authority.
 - 4.3 **Responsible Party:** The person directly responsible for the Hazardous Material Incident or in their absence the property owner of the site where the Hazardous Material Incident originated.
 - 4.4 **Hazardous Material Incident:** Any release or threatened release of a hazardous material as defined above in Section 4.1 into the air, water or on the ground. A Hazardous Material Incident shall include all subsurface releases.
 - 4.5 **Long Term Non-Emergency Hazardous Material Incident:** Any ongoing release of hazardous material that does not present an immediate threat to life, the environment or property but does require the ongoing monitoring or sampling of the release area to ensure public and environmental safety.
5. **Responsibilities:**
 - 5.1 **City Manager:** The City Manager shall be responsible for the proper administration of this policy for all employees under his/her immediate supervision

and for all Department Heads or heads of City agencies.

5.2 Fire Department: The Fire Chief shall ensure that Fire Department employees who respond to any hazardous material spill or leak do so in accordance with this policy and possess the proper training according to all State and Federal Regulations pertaining to hazardous material responders.

5.3 Public Works Department: The Director of Public Works shall ensure that Public Works Department employees who respond to any hazardous material spill or leak do so in accordance with this policy and possess the proper training according to all State and Federal Regulations pertaining to hazardous material responders.

5.4 Police Department: The Chief of Police shall ensure that Police Department employees who respond to any hazardous material spill or leak do so in accordance with this policy and possess the proper training according to all State and Federal Regulations pertaining to hazardous material responders.

5.5 Community Services Department: The Director of Community Services shall ensure that Community Services Department employees who respond to any hazardous material spill or leak do so in accordance with this policy and possess the proper training according to all State and Federal Regulations pertaining to hazardous material responders.

6. Procedure:

6.1 Report of a Hazardous Material Incident: Report of an actual or suspected Hazardous Material Incident should be received via 911 or other means as appropriate. Calls received internally by any department shall be referred to 911 or other means as appropriate.

6.2 Incident Response: The Fire Department responds to all reported Hazardous Material Incidents to mitigate the impacts of these incidents. After emergency mitigation the Fire Department shall identify the responsible party and provide cleanup protocol procedures for hazardous materials that have been discharged into the environment on public or private property. The only exception to this response would be if the Public Works Department Maintenance Operations Division certified HazMat personnel encounter a minor spill in the roadway that they are trained and capable of cleaning up without Fire Department response. All Hazardous Material Incident responses shall meet or exceed all Federal and State OSHA mandated standards.

6.3 Assessment: The Fire Department Incident Commander shall determine the responsible party. The Incident Commander shall also determine whether the incident is impacting public or private property.

6.3.1 Public Property Incidents: The Incident Commander shall determine if the responsible party has the ability to clean up the involved hazardous material

including proper disposal in accordance with all State and Federal Regulations. If the Responsible Party is determined not to be capable of proper clean up and disposal, then the Responsible Party will be directed to hire a certified clean up contractor and the Public Works Department Maintenance Operations Division certified HazMat personnel will monitor and certify the clean up process. If the Responsible Party cannot be determined after appropriate investigation, the City will assume clean up and disposal responsibility.

6.3.2 Private Property Incidents: The Incident Commander shall determine if a private property Hazardous Material Incident poses a threat to life, environment or public property. If a private property, Hazardous Material Incident does pose such a threat, the Fire Department Incident Commander shall take appropriate steps as specified in Section 6.2. If the private property Responsible Party cannot be contacted at the time of the Hazardous Material Incident, the Public Works Department will assume clean up and disposal efforts to minimize the public property impacts. The City will then pursue cost recovery efforts to ensure compensation for all clean up and disposal costs as well as all associated response efforts.

6.4 Notifications: The Fire Department Incident Commander shall ensure that all appropriate Local, State and Federal notifications are made during all Hazardous Material Incidents. These notifications shall include, but are not limited to, the following:

- HB Fire Department Hazardous Material Response Team
- California Office of Emergency Service
- HB Police Department
- HB Public Works Department
- Additional Fire Department resources as needed
- Orange County Health Department
- Orange County Public Works
- California Department of Fish and Game
- Regional Water Quality Control Board
- California Department of Toxic Substances Control
- Air Quality Management District
- National Response Center
- U.S. Coast Guard
- U.S. Environmental Protection Agency

In the event that the Public Works Department Maintenance Operations Division certified HazMat personnel are the first on scene of a spill, as referred to in Section 6.2, and it does not require a Fire Department response, the Public Works staff on scene shall be responsible for making all appropriate notifications.

The Fire Department Incident Commander will also be responsible for the development and implementation of a Unified Command process involving all

appropriate Federal, State and local agencies.

6.5 Record Keeping:

6.5.1 The Incident Commander is responsible for completing all necessary incident reports.

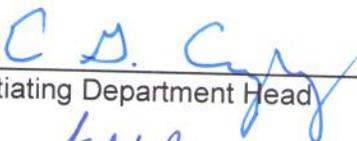
6.5.2 All City employees who respond to any Hazardous Material Incident are responsible for completing any and all necessary reports required by their respective departments.

6.6 Long Term Non-Emergency Hazardous Material Incidents: The Public Works Department shall be the lead department in providing long term resolution to a Hazardous Material Incident on, within or involving public property as defined in Section 4.4.4. Long Term resolution may include any or all of the following:

- Monitoring of community methane
- Monitoring and/or coordinating installation of engineered methane removal systems
- Lead agency callout for Orange County Health Care Agency and/or Integrated Waste Management Department
- Coordinating required site environmental engineering services
- Determining if a geo-chemical evaluation is required on or under public streets or public right-of-way

6.7 In the event that a long term incident under 6.6 above becomes an emergency, the Public Works Department shall activate a Fire Department response through 911 or other means as appropriate.

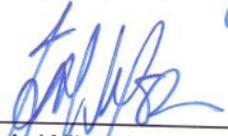
6.8 Enforcement: The Incident Commander shall ensure that an appropriate investigation of all Hazardous Material Incidents is conducted. When necessary, the Incident Commander shall utilize the Huntington Beach Police Department, Huntington Beach Code Enforcement, Huntington Beach Fire Department Hazardous Material Investigators, and/or the County District Attorney to issue citations, cease and desist orders, clean up and abatement orders, or code violations or to prosecute suspected responsible parties.



Initiating Department Head



Approved as to Form



Fred A. Wilson
City Manager