

Annex E

NRF Emergency Support Function and Incident Annexes

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Terrorism Incident Law Enforcement and Investigation Annex

Coordinating Agency:

Department of Justice/Federal Bureau of Investigation

Cooperating Agencies:

Department of Defense
Department of Energy
Department of Health and Human Services
Department of Homeland Security
Department of State
Environmental Protection Agency

Introduction

Purpose

The purpose of this annex is to facilitate an effective Federal law enforcement and investigative response to all threats or acts of terrorism within the United States, regardless of whether they are deemed credible and/or whether they escalate to an Incident of National Significance. To accomplish this, the annex establishes a structure for a systematic, coordinated, unified, timely, and effective national law enforcement and investigative response to threats or acts of terrorism within the United States.

Scope

This annex is a strategic document that:

- Provides planning guidance and outlines operational concepts for the Federal law enforcement and investigative response to a threatened or actual terrorist incident within the United States; and
- Acknowledges and outlines the unique nature of each threat or incident, the capabilities and responsibilities of the local jurisdictions, and the law enforcement and investigative activities necessary to prevent or mitigate a specific threat or incident.

Policies

The United States regards terrorism as a potential threat to national security, as well as a violent criminal act, and applies all appropriate means to combat this danger. In doing so, the United States vigorously pursues efforts to deter and preempt these crimes and to apprehend and prosecute directly, or assist other governments in prosecuting, individuals who perpetrate or plan terrorist attacks.

To ensure the policies established in applicable Presidential directives are implemented in a coordinated manner, this annex provides overall guidance to Federal, State, local, and tribal agencies concerning the Federal Government's law enforcement and investigative response to potential or actual terrorist threats or incidents that occur in the United States, particularly those involving weapons of mass destruction (WMD), or chemical, biological, radiological, nuclear, or high-explosive (CBRNE) material.

Federal Agencies

The law enforcement and investigative response to a terrorist threat or incident within the United States is a highly coordinated, multiagency State, local, tribal, and Federal responsibility. In support of this mission, the following Federal agencies have primary responsibility for certain aspects of the overall law enforcement and investigative response:

- Department of Defense (DOD)
- Department of Energy (DOE)
- Department of Health and Human Services (HHS)
- Department of Homeland Security (DHS)
- Department of Justice/Federal Bureau of Investigation (FBI)
- Environmental Protection Agency (EPA)

According to HSPD-5, “The Attorney General has lead 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, as well as for related intelligence collection activities within the United States, subject to the National Security Act of 1947 and other applicable law, Executive Order 12333, and Attorney General-approved procedures pursuant to that Executive order. Generally acting through the Federal Bureau of Investigation, the Attorney General, in cooperation with other Federal departments and agencies engaged in activities to protect our 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. Following a terrorist threat or an actual incident that falls within the criminal jurisdiction of the United States, the full capabilities of the United States shall be dedicated, consistent with U.S. law and with activities of other Federal departments and agencies to protect our national security, to assisting the Attorney General to identify the perpetrators and bring them to justice. The Attorney General and the Secretary shall establish appropriate relationships and mechanisms for cooperation and coordination between their two departments.”

Although not formally designated under this annex, other Federal departments and agencies may have authorities, resources, capabilities, or expertise required to support terrorism-related law enforcement and investigation operations. Agencies may be requested to participate in Federal planning and response operations, and may be requested to designate liaison officers and provide other support as required.

Deployment/Employment Priorities

In addition to the priorities identified in the National Response Plan (NRP) Base Plan, the law enforcement and investigative response to terrorist threats or incidents is based on the following priorities:

- Preserving life or minimizing risk to health; which constitutes the first priority of operations.
- Preventing a threatened act from being carried out or an existing terrorist act from being expanded or aggravated.
- Locating, accessing, rendering safe, controlling, containing, recovering, or disposing of a WMD that has not yet functioned, and disposing of CBRNE material in coordination with appropriate departments and agencies (e.g., DOD, DOE, EPA).
- Apprehending and successfully prosecuting perpetrators of terrorist threats or incidents.

Planning Assumptions and Considerations

In addition to the planning assumptions and considerations identified in the NRP Base Plan, the law enforcement and investigative response to terrorist threats or incidents, particularly those involving WMD and CBRNE material, are based on the following assumptions and considerations:

- A terrorist threat or incident may occur at any time of day with little or no warning, may involve single or multiple geographic areas, and may result in mass casualties.
- The suspected or actual involvement of terrorists adds a complicating dimension to incident management.
- The response to a threat or actual incident involves FBI law enforcement and investigative activity as an integrated element.

- In the case of a threat, there may be no incident site, and no external consequences, and, therefore, there may be no need for establishment of traditional Incident Command System (ICS) elements such as an Incident Command Post (ICP) or a Joint Field Office (JFO).
- An act of terrorism, particularly an act directed against a large population center within the United States involving nuclear, radiological, biological, or chemical materials, will have major consequences that can overwhelm the capabilities of many local, State, and/or tribal governments to respond and may seriously challenge existing Federal response capabilities.
- In the case of a biological attack, the effect may be temporally and geographically dispersed, with no determined or defined “incident site.” Response operations may be conducted over a multijurisdictional, multistate region.
- A biological attack employing a contagious agent may require quarantine by Federal, State, local, and tribal health officials to contain the disease outbreak.
- If appropriate personal protective equipment and capabilities are not available and the area is contaminated with CBRNE or other hazardous materials, it is possible that response actions into a contaminated area may be delayed until the material has dissipated to a level that is safe for emergency response personnel to operate or until appropriate personal protective equipment and capabilities arrive, whichever is sooner.

Situation

The complexity, scope, and potential consequences of a terrorist threat or incident require that there be a rapid and decisive capability to resolve the situation. The resolution to an act of terrorism demands an extraordinary level of coordination of law enforcement, criminal investigation, protective activities, emergency management functions, and technical expertise across all levels of government. The incident may affect a single location or multiple locations, each of which may be an incident scene, a hazardous scene, and/or a crime scene simultaneously.

Concept of Operations

Command and Control

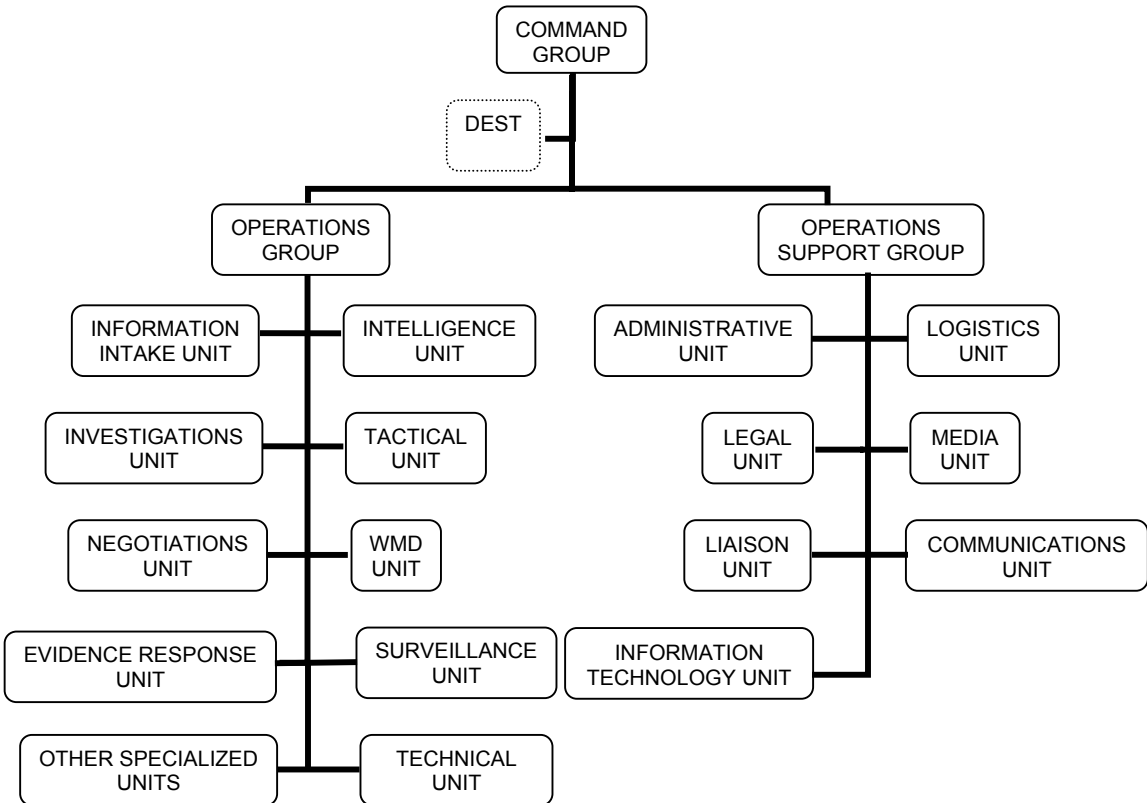
The FBI is the lead agency for criminal investigations of terrorist acts or terrorist threats and intelligence collection activities within the United States. Investigative and intelligence activities are managed by the FBI from an FBI command post or Joint Operations Center (JOC). The command post or JOC coordinates the necessary Federal law enforcement assets required to respond to and resolve the threat or incident with State, local, and tribal law enforcement agencies.

The FBI Special Agent in Charge (SAC) of the local Field Office establishes a command post to manage the threat based upon a graduated and flexible response. This command post structure generally consists of three functional groups: Command, Operations, and Operations Support, and is designed to accommodate participation of other agencies, as appropriate (see Figure 1).

When the threat or incident exceeds the capabilities and resources of the local FBI Field Office, the SAC can request additional assistance from regional and national assets to augment existing capabilities. In a terrorist threat or incident that may involve a WMD or CBRNE material, the traditional FBI command post will transition to a JOC, which may temporarily incorporate a fourth functional entity, the Consequence Management Group (see Figure 2), in the absence of an activated JFO.

When, in the determination of the Secretary of Homeland Security, in coordination with the Attorney General, the incident becomes an Incident of National Significance and a JFO is established, the JOC becomes a section of the JFO and the FBI SAC becomes the Senior Federal Law Enforcement Official (SFLEO) in the JFO Coordination Group. In this situation, the JOC Consequence Management Group is incorporated into the appropriate components of the JFO (see NRP Base Plan, Figure 4 and Figure 7).

FIGURE 1. FBI command post



The JOC structure may also be used to coordinate law enforcement, investigative, and intelligence activities for the numerous threats or incidents that occur each year that do not escalate to Incidents of National Significance.

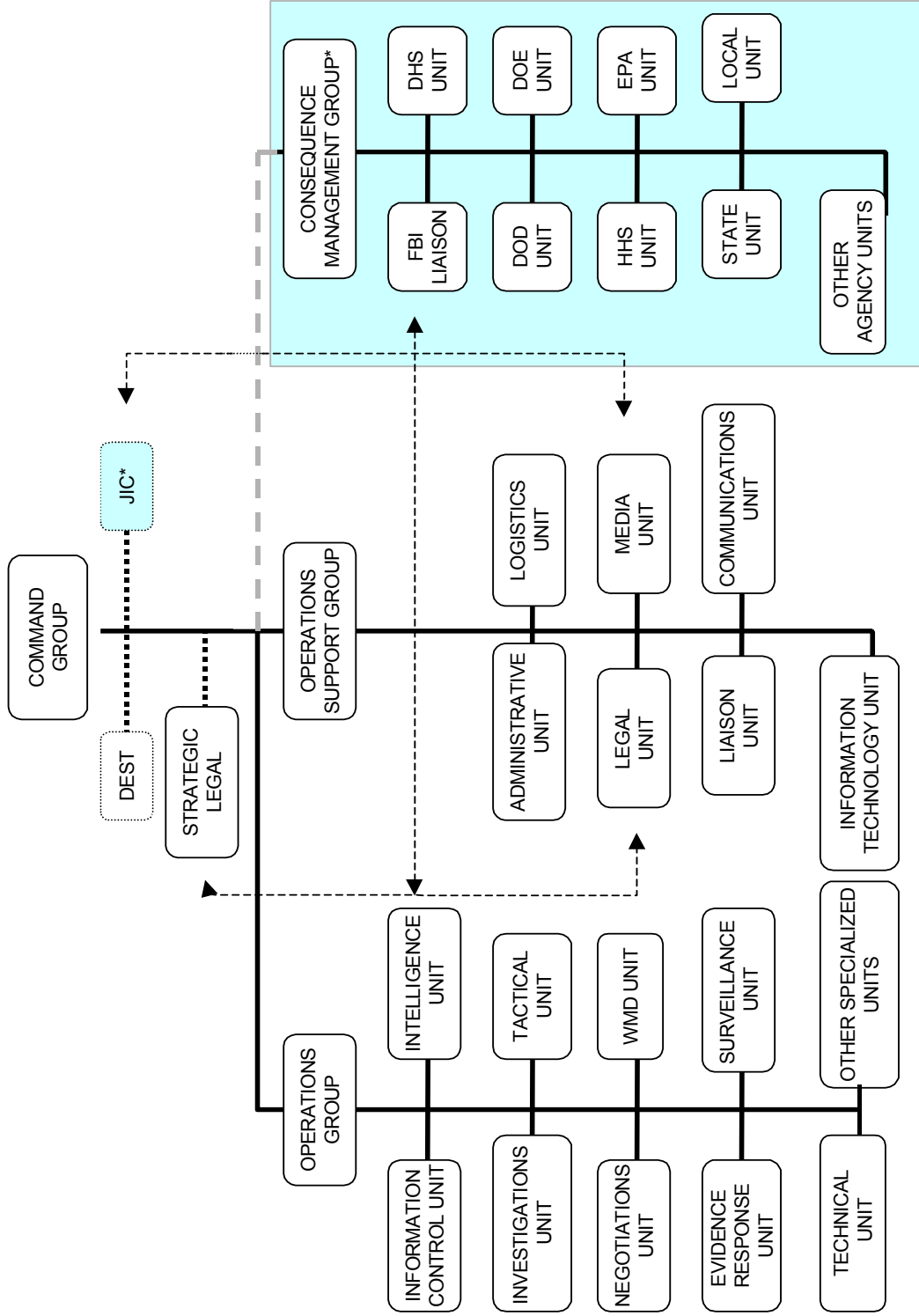
Joint Operations Center

- The JOC is an interagency command and control center for managing multiagency preparation for, and the law enforcement and investigative response to, a credible terrorist threat or incident. Similar to the Area Command concept within the ICS, the JOC also may be established to coordinate and organize multiple agencies and jurisdictions during critical incidents or special events. Following the basic principles established in the National Incident Management System (NIMS), the JOC is modular and scalable and may be tailored to meet the specific operational requirements needed to manage the threat, incident, or special event.
- A JOC may be established and staffed in a pre-incident, pre-emptive role in support of a significant special event. This “watch mode” allows for rapid expansion to full operations if a critical incident occurs during the special event. The JOC is a strategic management tool that effectively coordinates law enforcement investigative, intelligence, and operational activities at multiple sites from a single location. The JOC may be the only management structure related to a threat, critical incident, or special event, or it may integrate into other management structures in accordance with the NRP.
- Law enforcement public safety functions, such as proactive patrol and traffic control, historically are managed through the Operations Section of the ICS. Criminal investigation and the collection, analysis, and dissemination of intelligence are sensitive law enforcement operations that require a secure environment and well-defined organizational management structure. The JOC is designed to coordinate this specialized law enforcement investigative and intelligence activity. It provides mechanisms for controlling access to and dissemination of sensitive or classified information. Management of crisis information

and intelligence is recognized under the NIMS as a sixth functional area within ICS. The structure of the JOC supports this functional area and enhances the overall management of critical incidents and special events.

- The NIMS provides the framework within which the ICS and JOC structures operate for a unified approach to domestic incident management.
- The JOC is composed of four main groups: the Command Group, the Operations Group, the Operations Support Group, and the Consequence Management Group.

FIGURE 2. Joint Operations Center



* While the Operations Group and Operations Support Group remain components of the JOC when it is incorporated into the JFO, the JIC and Consequence Management Group will be merged into the appropriate JFO staff components, if established.

Command Group

- The Command Group of the JOC provides recommendations and advice to the FBI SAC regarding the development and implementation of strategic decisions to resolve the situation. It is responsible for approving the deployment and employment of law enforcement investigative and intelligence resources. The Command Group maintains its advisory role to the FBI SAC when the JOC becomes a section of the JFO for an Incident of National Significance. When a JFO is established in this situation, the FBI SAC becomes the SFLEO in the JFO Coordination Group. The Assistant SAC or an alternate senior FBI official leads the JOC Command Group once the SAC has transitioned to the JFO.
- The FBI representatives in the Command Group include the SAC, the Assistant SAC, and an executive-officer position known as the Crisis Management Coordinator (CMC). The SAC of the FBI Field Office in which the incident occurs is responsible for developing the overall strategy for managing Federal investigative law enforcement activities at the critical incident or special event and coordinating the implementation of that strategy with other agency decisionmakers and FBI Headquarters. The FBI SAC also is responsible for coordinating Federal law enforcement activities with other Federal incident management personnel during domestic critical incidents and special events. The CMC ensures that the strategy of the SAC is communicated to everyone in the JOC and that the JOC is staffed and equipped to effectively implement the strategy of the SAC. The CMC also ensures that information flows efficiently within the JOC and between the JOC and other command and control centers.
- The JOC Command Group includes senior officials with decisionmaking authority from local, State, and Federal agencies, as appropriate, based upon the circumstances of the threat or incident. Consistent with the Unified Command concept, law enforcement investigative and intelligence strategies, tactics, and priorities are determined jointly within the JOC Command Group. Federal law

enforcement investigative, intelligence, and operational decisions are made cooperatively to the extent possible, but the authority to make these decisions rests ultimately with the FBI SAC.

- Three specialized teams provide guidance and expertise directly to the Command Group. These teams are the Strategic Legal Team, the Joint Information Center Team, and the Domestic Emergency Support Team.
 - The Strategic Legal Team is composed of legal counsel from the FBI, U.S. Attorney's Office, and the District or State's Attorney's Office. This team provides legal guidance to the Command Group concerning the strategies under consideration for resolution of the crisis.
 - The Joint Information Center (JIC) Team is integrated into the JFO when established. It is composed of the public affairs (media) officers from the participating local, State, and Federal public safety agencies. It manages information released to the public through a coordinated, unified approach. A separate media unit within the JOC Operations Support Group provides FBI-specific guidance and expertise to the FBI SAC and coordinates with the JIC to ensure the media strategy is consistent with the overall investigative strategy.
 - The Domestic Emergency Support Team (DEST) is a specialized interagency team composed of subject-matter experts from the FBI, the DHS/Emergency Preparedness and Response/Federal Emergency Management Agency (DHS/EPR/FEMA), DOD, DOE, HHS, and EPA. It provides guidance to the FBI SAC concerning WMD threats and actual incidents.

Operations Group

- The Operations Group handles all investigative, intelligence, and operational functions related to the threat, critical incident, or special event.

- Each unit within the Operations Group provides expertise in a specific functional area that is important in the overall resolution of the incident.
- The units within the Operations Group are scalable and modular, and may be tailored to the specific threat, critical incident, or special event.
- The Operations Group normally consists of the Information Intake unit (formerly referred to as the Control unit), the Intelligence unit, the Investigations unit, and Field Operations units.

Information Intake (or Control)

- Information Intake is the central point for receiving all information that comes into the JOC. The purpose of Information Intake is to ensure that telephone calls, e-mail messages, fax reports, and other incoming information are assessed for relevance to the threat, critical incident, or special event. The information is checked to determine if it has been previously reported. It is prioritized and entered into the information management system. Through this filtering mechanism the Information Intake unit ensures that only current and relevant information is disseminated to the JOC.
- The Information Intake Coordinator is responsible for providing guidance and direction to all personnel within the Information Intake unit and coordinating the activities of the unit with all other units within the JOC. Personnel within the Information Intake unit are responsible for receiving incoming information, processing new information, routing followup information appropriately, and implementing procedures for tracking evidentiary material that is introduced into the command post.

Intelligence

- The Intelligence unit manages the collection, analysis, archiving, and dissemination of relevant and valid investigative and strategic intelligence. It fuses historical intelligence from

a variety of sources with new intelligence specific to the threat, critical incident, or special event. The Intelligence unit also disseminates intelligence products and situation reports to all JOC units, FBI Headquarters Strategic Information and Operations Center (SIOC), and the JFO Coordination Group. This information is shared with the DHS Homeland Security Operations Center (HSOC), the National Counterterrorism Center (NCTC), and, as appropriate, other government agencies, consistent with operational security considerations.

- The Intelligence unit usually is divided into teams based on functional responsibility. Teams manage intelligence related to the crisis site or target, build intelligence portfolios and databases on significant elements related to the investigation (subjects, vehicles, and organizations), analyze and identify trends in activities related to the investigation (predictive and strategic intelligence), conduct liaison with outside members of the Intelligence Community, and prepare periodic briefings and reports concerning the status of the crisis or investigation. The Intelligence unit is responsible for collecting and reviewing all intelligence related to the threat, crisis, or special event to enable the SAC to further develop and refine strategic objectives.

Investigations

- The Investigations unit provides oversight and direction to all investigative activity related to the threat, critical incident, or special event. The Investigations unit implements the strategy of the SAC by directing the collection and management of investigative information. It is composed of investigative personnel from the agencies with specific jurisdiction or authority for investigating crimes related to the threat, critical incident, or special event. The Investigations Unit Coordinator is usually an FBI Supervisor who has responsibility for investigating the most significant substantive law violation.

- Teams within the Investigations unit review all incoming information to determine investigative value. The Investigations unit assigns, tracks, and reviews all investigative leads and documents the investigation in the appropriate case file(s). The case agents or primary investigators within the Investigations unit manage all evidence and information, and prepare it for court presentation, if appropriate. The case agents or primary investigators are assisted by analytical personnel to ensure that all investigative information is pursued to its logical conclusion. A Records Check Team within the Investigations unit reviews case files and databases to ensure that all items of investigative value are identified and evaluated. The Investigations unit is responsible for collecting and reviewing all reports of investigative activity to enable the SAC to further develop and refine strategic objectives.
- Local, State, and Federal law enforcement specialty units assigned to assist with field operations during the threat, incident, or special event coordinate their activities with the appropriate FBI Field Operations units through the JOC. Federal Government mission-specific units are designated to help the FBI maintain their respective chains of command and coordinate their activities through representation in the JOC. The JOC manages the activities of the specialized units at a strategic level. Activities at the individual or “tactical” level are managed at the crisis site(s) through forward command structures such as the Tactical Operations Center, Negotiations Operations Center, and Evidence Response Team Operations Center.

Field Operations

- The Field Operations units are based upon the specific needs of the threat, critical incident, or special event. The personnel staffing these units are subject-matter experts in a number of specialized skill areas. Field Operations unit coordinators are responsible for ensuring the activity of the specialized units is consistent with and in support of the strategy of the SAC.
- Field Operations units may include representatives of tactical, negotiations, WMD/CBRNE, evidence response, surveillance, technical, or any other specialized unit deployed to the crisis site(s) or staged in readiness. The mission of these units is to provide the SAC with current information and specialized assistance in dealing with the threat, critical incident, or special event. Information is communicated between the JOC and the crisis site(s) through the Field Operations unit representatives in the JOC. This ensures that decisionmakers both in the JOC and in the forward areas maintain full situational awareness. The Field Operations units coordinate their activities within the JOC to ensure each is aware of the impact of their activities on the other field units.
- The Operations Support Group units designated within the JOC are based upon the specific needs of the threat, critical incident, or special event. The personnel who staff these units are subject-matter experts in a number of specialized areas. Operations Support Group unit coordinators are responsible for ensuring the activity of their units is consistent with and in support of the strategy of the SAC.
- Operations Support Group units can include administrative, logistics, legal, media, liaison, communications, and information management. The mission of these units is to support the investigative, intelligence, and operational functions of the JOC.
- The Administrative and Logistics units have responsibilities that are similar to the Finance and Logistics Sections in ICS. However, they are tasked with managing only the activities related to the law enforcement investigative, intelligence, and operational functions; they do not manage the administrative and logistics functions associated with the overall incident.

Operations Support Group

- The Legal and Media units support the investigative and intelligence operations of the JOC through the preparation of specific legal processes and management of media affairs. These units focus on specific objectives related to the investigation such as search warrants and press releases, and not the strategic overall objectives handled by the Strategic Legal Team and JIC that are attached to the Command Group.
- The Liaison unit is composed of representatives from outside agencies who assist the FBI with resolution of the threat, critical incident, or special event. The Liaison unit may include agencies without clear authority or jurisdiction over the threat, critical incident, or special event if they have a potential investigative interest. For example, law enforcement agencies that border affected jurisdictions may be represented in the JOC to maintain situational awareness of potential threats. Additional Liaison unit representatives may include fire department personnel, utility company workers, or engineering specialists.
- The Communications unit handles radio and telephone communications to support JOC operations. The Communications unit establishes communications networks within the JOC. It also establishes networks to facilitate timely and reliable information-sharing between the JOC and other command and control centers.
- The Information Technology unit is responsible for the JOC computer system operation within each unit and between units. Information technology specialists and facilitators assigned to this unit are responsible for ensuring the uninterrupted operation of the information management system used during JOC operations.

Consequence Management Group

- The JOC Consequence Management Group consists of representatives of agencies that provide consequence-focused expertise in support of law enforcement activities. The JOC does not manage consequence functions; rather, it ensures that law enforcement activities with

emergency management implications are communicated and coordinated to appropriate personnel in a complete and timely manner.

- A DHS representative coordinates the actions of the JOC Consequence Management Group, and expedites activation of a Federal incident management response should it become necessary. FBI and DHS representatives screen threat/incident intelligence for the Consequence Management Group. Representatives of the JOC Consequence Management Group monitor the law enforcement criminal investigation and may provide advice regarding decisions that impact the general public or critical infrastructure. This integration provides continuity should a Federal incident management response become necessary.
- Agencies comprising the Consequence Management Group may also have personnel assigned to other units within the JOC structure. Depending on the nature of the incident and required assets, additional teams assigned to support the FBI may be included under Other Specialized Units.
- Should the threat of a terrorist incident become imminent, the JOC Consequence Management Group may forward recommendations to the RRCC Director to initiate limited pre-deployment of assets under the Stafford Act.
- Requests for DOD assistance for law enforcement and criminal investigation during the incident come from the Attorney General to the Secretary of Defense through the DOD Executive Secretary. Once the Secretary approves the request, the order is transmitted either directly to the unit involved or through the Chairman of the Joint Chiefs of Staff. The FBI SAC informs the Principal Federal Official (PFO), if one has been designated, when requesting this additional assistance.
- The Consequence Management Group is established when a JOC is necessary but a JFO has not yet been activated, or the event has not reached the level of being considered an Incident of National Significance.

- Representatives in this group may move to appropriate positions in other sections of the JFO when one is established.

The Response

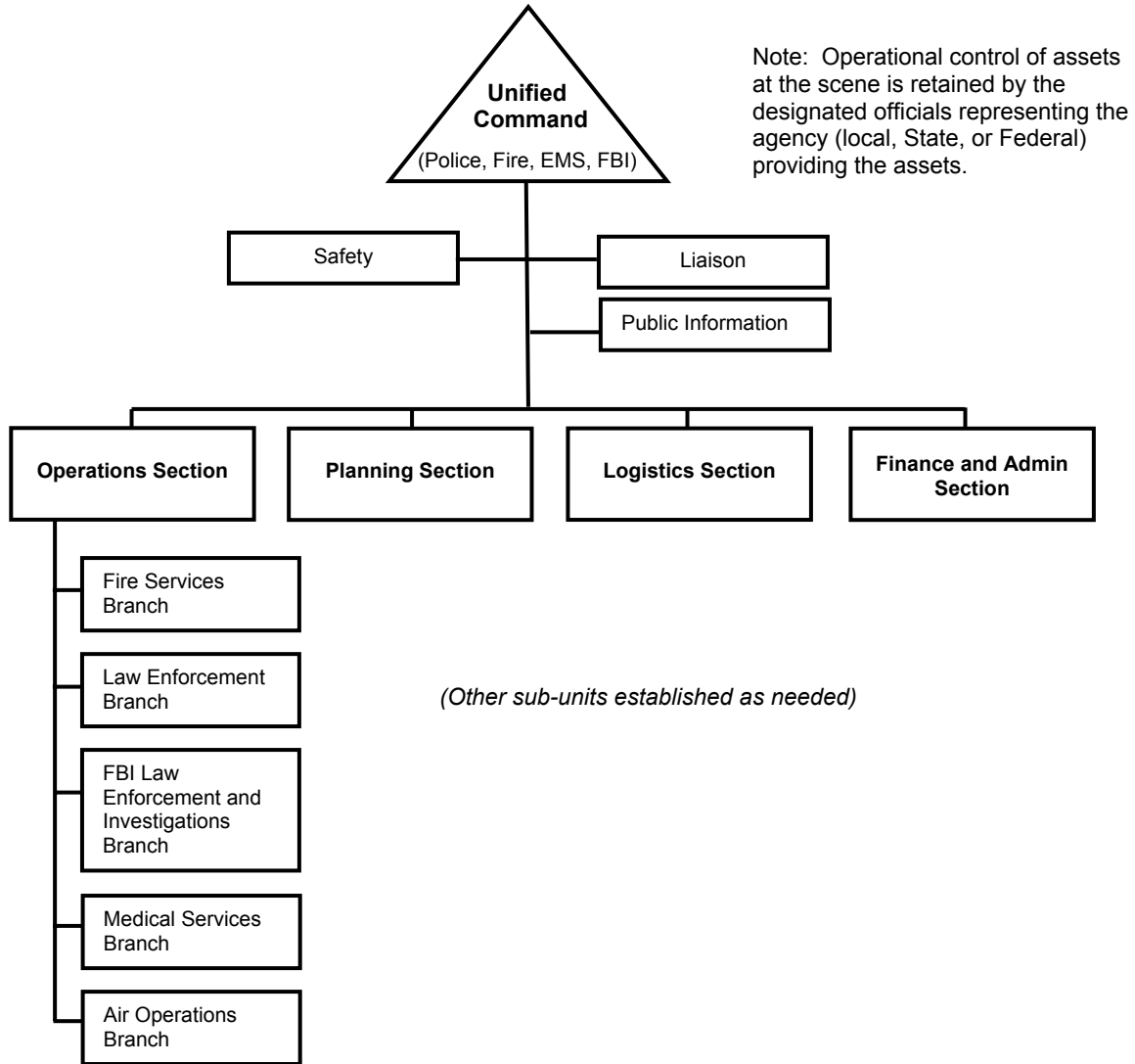
- Receipt of a terrorist threat may be through any source or medium and may be articulated or developed through intelligence sources. It is the responsibility of all local, State, and Federal agencies and departments to notify the FBI when such a threat is received. As explained below, the FBI evaluates the credibility of the terrorist threat and notifies the HSOC, NCTC, and other departments and agencies, as appropriate.
- Upon receipt of a threat of terrorism within the United States, the FBI conducts a formal threat credibility assessment in support of operations with assistance from select interagency experts. For a WMD or CBRNE threat, this assessment includes three perspectives:
 - **Technical Feasibility:** An assessment of the capacity of the threatening individual or organization to obtain or produce the material at issue;
 - **Operational Practicability:** An assessment of the feasibility of delivering or employing the material in the manner threatened; and
 - **Behavioral Resolve:** A psychological assessment of the likelihood that the subject(s) will carry out the threat, including a review of any written or verbal statement by the subject(s).
- A threat assessment is conducted to determine whether the potential threat is credible, and confirm whether WMD or CBRNE materials are involved in the developing terrorist incident. Intelligence varies with each threat and impacts the level of the Federal response. If the threat is credible, the situation requires the tailoring of response actions to use Federal resources needed to anticipate, prevent, and/or resolve the situation. The Federal response focuses on law enforcement/investigative actions taken in the interest of public safety and welfare, and is predominantly concerned with preventing and resolving the threat. In addition, contingency planning focuses on the response to potential consequences and the pre-positioning of tailored resources, as required. The threat increases in significance when the presence of a CBRNE device or WMD capable of causing a significant destructive event, prior to actual injury or loss, is confirmed or when intelligence and circumstances indicate a high probability that a device exists. In this case, the threat has developed into a WMD or CBRNE terrorist situation requiring an immediate process to identify, acquire, and plan the use of Federal resources to augment State, local, and tribal authorities in lessening or averting the potential consequence of terrorist use or employment of WMD or CBRNE material. It should be noted that a threat assessment would also be conducted if an incident occurs without warning. In this case, the assessment is focused on criminal intent, the extent of the threat, and the likelihood of secondary devices or locations.
- The FBI manages a Terrorist Threat Warning System to ensure that vital information regarding terrorism reaches those in the U.S. counterterrorism and law enforcement community responsible for countering terrorist threats. This information is coordinated with DHS and the NCTC, and is transmitted via secure teletype. Each message transmitted under this system is an alert, an advisory, or an assessment—an alert if the terrorist threat is credible and specific, an advisory if the threat is credible but general in both timing and target, or an assessment to impart facts and/or threat analysis concerning terrorism.
- Upon determination of a credible threat, FBI Headquarters activates its SIOC to coordinate and manage the national-level support to a terrorism incident. At this level, the SIOC generally mirrors the JOC structure operating in the field. The SIOC is staffed by liaison officers from other Federal agencies who coordinate with and provide assistance to the FBI. The SIOC serves as the focal point for law enforcement operations and maintains direct connectivity with the HSOC. The HSOC is notified immediately by the SIOC once a threat has been determined to be credible. In turn, this notification may result in activation of NRP components in coordination with the FBI.

- The FBI leads the criminal investigation related to the incident, and the SIOC is the focal point for all intelligence related to the investigative law enforcement response to the incident. Consistent with the NRP, affected Federal agencies operate headquarters-level emergency operations centers, as necessary. FBI Headquarters initiates appropriate liaison with other Federal agencies to activate their operations centers and provide liaison officers to the SIOC. In addition, FBI Headquarters initiates communications with the SAC of the responsible Field Office, apprising him/her of possible courses of action and discussing deployment of the DEST. The FBI SAC establishes initial operational priorities based upon the specific circumstances of the threat or incident. This information is then forwarded to FBI Headquarters to coordinate identification and deployment of appropriate resources.
- The JOC is established by the FBI under the operational control of the FBI SAC, and acts as the focal point for the field coordination of criminal investigation, law enforcement, and intelligence activities related to the threat or incident. When a PFO is designated for a terrorism incident, the FBI SAC provides full and prompt cooperation, resources, and support to the PFO, as appropriate and consistent with applicable authorities. The PFO (or an initial PFO designated by the Secretary of Homeland Security) may elect to use the JOC as an initial operating facility for strategic management and identification of State, local, and tribal requirements and priorities, and coordination of the Federal response. The FBI SAC coordinates with the PFO, including providing incident information to the PFO as requested, coordinating the public communications strategy with the PFO, and approving Federal interagency communications for release to the public through the PFO. It is recognized, however, that in some cases it may be necessary for the FBI SAC to respond directly to media/public inquiries on investigative operations and matters affecting law enforcement operations, particularly during the early stages of the emergency response.
- The local FBI Field Office activates a Crisis Management Team to establish the JOC in the affected area, possibly collocated with an existing emergency operations facility. In locating the JOC, consideration is given to the possibility that the facility may have to accommodate other Federal incident management field activities including the JFO, the JIC, and other supporting teams. Additionally, the JOC is augmented by outside agencies, including representatives from the DEST (if deployed), who provide interagency technical expertise as well as interagency continuity during the transition from an FBI command post structure to the JOC structure.
- Based upon a credible threat assessment and a request by the SAC, the FBI Director and DHS Under Secretary for Emergency Preparedness and Response, in consultation with the Attorney General and Secretary of Homeland Security, may request authorization through the National Security Council to deploy the DEST to assist the SAC in mitigating the crisis situation. The DEST is a rapidly deployable, interagency team responsible for providing expert advice and support concerning the Federal Government's capabilities in resolving the terrorist threat or incident. This includes law enforcement, criminal investigation, and emergency management assistance, technical and scientific advice, and contingency planning guidance tailored to situations involving chemical, biological, or nuclear/radiological weapons.
- Upon arrival at the FBI command post or JOC, the DEST may act as a stand-alone advisory team to the SAC providing recommended courses of action. Although it would be unusual, the DEST may be tasked to deploy before a JOC is established. The DEST may handle some of the specialized interagency functions of the JOC until the JOC is fully staffed. The DEST emergency management component merges into the Consequence Management Group in the JOC structure.

- Prior to an actual WMD or CBRNE incident, law enforcement, intelligence, and investigative activities generally have priority. When an incident results in the use of WMD or CBRNE material, rescue and life-safety activities generally have priority. Activities may overlap and/or run concurrently during the incident management, and are dependent on the threat and/or the strategies for responding to the incident.
- Upon determination that applicable law enforcement/intelligence goals and objectives are met and no further immediate threat exists, the FBI SAC may deactivate the JOC and order a return to routine law enforcement/investigative operations in accordance with pre-event protocols.
- When an incident occurs and an ICP is established on-scene, FBI personnel integrate into the ICP to enhance the ability of the FBI to carry out its mandated mission (see Figure 3). Three specific positions within an ICP are provided. The first FBI Special Agent (SA) or Joint Terrorism Task Force (JTTF) member responding receives an initial briefing from the Incident Commander or his/her designee and works closely with the Incident Commander as a member of the Unified Command. The FBI representative then informs the local Field Office of the current situation and, if necessary, requests additional assets. When a more senior FBI SA arrives on the scene, he/she assumes the role of the FBI representative in the Unified Command.
- The first arriving SA or JTTF member moves to the Operations Section as the Deputy Chief of Operations. This position is responsible for managing the deployment and coordination of Federal law enforcement and investigative assets in support of the Incident Action Plan. Additionally, an FBI SA assumes the position of Deputy Chief of Planning within the ICP. This position permits the FBI SA to remain updated on the situation and serve as a conduit for requests for additional law enforcement and investigative assets. The Agent also inputs Federal objectives into the developing incident action plan and performs other duties as appropriate. Also, FBI assets form a unit in the

Operations Section. Throughout the incident, the actions and activities of the Unified Command at the incident scene and the Command Group of the JOC (and the JFO Coordination Group if established) are continuously and completely coordinated throughout the incident.

FIGURE 3. On-scene coordination



Coordinating Agency:

Department of Defense
Department of Defense
Department of Energy
Department of Homeland Security
Environmental Protection Agency
National Aeronautics and Space
Administration
Nuclear Regulatory Commission

Cooperating 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
Department of Veterans Affairs
Environmental Protection Agency
Nuclear Regulatory Commission

INTRODUCTION

Purpose

The Nuclear/Radiological Incident Annex (NRIA) to the *National Response Framework (NRF)* describes the policies, situations, concepts of operations, and responsibilities of the Federal departments and agencies governing the immediate response and short-term recovery activities for incidents involving release of radioactive materials to address the consequences of the event. These incidents may occur on Federal-owned or -licensed facilities, privately owned property, urban centers, or other areas and may vary in severity from the small to the catastrophic. The incidents may result from inadvertent or deliberate acts. The NRIA applies to incidents where the nature and scope of the incident requires a Federal response to supplement the State, tribal, or local incident response.

The purpose of this annex is to:

- Define the roles and responsibilities of Federal agencies in responding to the unique characteristics of different categories of nuclear/radiological incidents.
- Discuss the specific authorities, capabilities, and assets the Federal Government has for responding to nuclear/radiological incidents that are not otherwise described in the NRF.
- Discuss the integration of the concept of operations with other elements of the NRF, including the unique organization, notification, and activation processes and specialized incident-related actions.
- Provide guidelines for notification, coordination, and leadership of Federal activities.

Because there are several categories of potential incidents and impacted entities, this annex identifies different Federal agencies as "coordinating agencies" and "cooperating agencies" and associated strategic concepts of operations based on the authorities, responsibilities, and capabilities of those departments or agencies. In addition, this annex describes how other Federal departments and agencies support the Department of Homeland Security (DHS) when DHS leads a large-scale multiagency Federal response.

Scope

This annex applies to two categories of nuclear and radiological incidents: (1) inadvertent or otherwise accidental releases and (2) releases related to deliberate acts. These incidents may also include potential release of radioactive material that poses an actual or perceived hazard to public health, safety, national security, and/or the environment. The category covering inadvertent releases includes: two categories of nuclear facilities (commercial or weapons production facilities), lost radioactive material sources, transportation accidents involving nuclear/radioactive material, domestic nuclear weapons accidents, and foreign accidents involving nuclear or radioactive material that impact the United States or its territories, possessions, or territorial waters. The second category includes, but is not limited to, response to the effects of deliberate attacks perpetrated with radiological dispersal devices (RDDs), nuclear weapons, or improvised nuclear devices (INDs).

This annex applies whenever a Federal response is undertaken unilaterally pursuant to Federal authorities, or when an incident exceeds or is anticipated to exceed State, tribal, or local resources. The level of Federal response to a specific incident is based on numerous factors, including, the ability of State, tribal, and local officials to respond; the type, amount, and custody of (or authority over) radioactive material involved; the extent of the impact or potential impact on the public and environment; and the size of the affected area.

If any agency or government entity becomes aware of an overt threat or act involving nuclear/radiological material/device or indications the event is not inadvertent or otherwise accidental, the Department of Justice (DOJ) should be notified through the Federal Bureau of Investigation (FBI). The Attorney General has lead responsibility for criminal investigations of terrorist acts or terrorist threats by individuals or groups inside the United States, or directed at United States citizens or institutions abroad, where such acts are within the Federal criminal jurisdiction of the United States. Generally acting through the FBI, the Attorney General, in cooperation with other Federal departments and agencies engaged in activities to protect our 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. For investigations pertaining to nuclear/radiological incidents, the coordinating agencies and cooperating agencies perform the functions delineated in this annex and provide technical support and assistance to the FBI in the performance of its law enforcement and criminal investigative mission. Further details regarding the FBI response are outlined in the Terrorism Incident Law Enforcement and Investigation Annex.

In situations resulting from a deliberate act, NRIA response actions will be coordinated with the *NRF* and the Terrorism Incident Law Enforcement and Investigation Annex and the Catastrophic Incident Annex, as appropriate.

Policies

Authorities applicable to this annex include Homeland Security Presidential Directive (HSPD) 5 ("Management of Domestic Incidents"), the National Strategy to Combat Weapons of Mass Destruction, the Homeland Security Act of 2002, the Post-Katrina Emergency Management Reform Act of 2006 (PKEMRA), and the National Strategy for Homeland Security.

The coordinating agencies may take appropriate independent emergency actions within the limits of their own statutory authority to protect the public, mitigate immediate hazards, and gather information concerning the emergency to avoid delay. Key authorities used by the coordinating agencies in carrying out their responsibilities are described in the bullets below. Some of these authorities apply to multiple coordinating agencies.

- **Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)** – CERCLA gives the Federal Government the authority to respond to releases or threatened releases of hazardous substances (including radionuclides) that may endanger public health or the environment. CERCLA also gives the Federal Government the authority to compel responsible parties to respond to releases of hazardous substances.¹ CERCLA is implemented through the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), a regulation found in 40 Code of Federal Regulation (CFR) Part 300. At the on-scene level, this response authority is implemented by Federal On-Scene Coordinators (OSCs). OSCs may assist State and local governments in responding to releases, but also have the authority to direct the response when needed to ensure protection of public health and the environment. Typical response actions include, but are not limited to: air monitoring, assessment of the extent of the contamination, stabilization of the release, decontamination, and waste treatment, storage, and disposal. Four Federal agencies have OSC authority for hazardous substance emergencies: the Environmental Protection Agency (EPA), DHS/U.S. Coast Guard (USCG), the Department of Defense (DOD), and the Department of Energy (DOE).
- **Atomic Energy Act (AEA) of 1954 (as amended)** – The AEA provides DOD and DOE responsibilities for protection of certain nuclear materials, facilities, information, and nuclear weapons under their control. The AEA (42 U.S.C. §§ 2011–2297 (2003)) and the Energy Reorganization Act of 1974 (5 U.S.C. §§ 5313–5316, 42 U.S.C. §§ 5801–5891 (2002)) provide the statutory authority for both DOE and the Nuclear Regulatory Commission (NRC), and the foundation for NRC regulation of the Nation’s civilian use of byproduct, source, and special nuclear materials to ensure adequate protection of public health and safety, to promote the common defense and security, and to protect the environment. For incidents involving NRC- or Agreement State-regulated facilities, activities, or material, the NRC has the authority to perform an independent assessment of the safety of the facility or material; evaluate licensee protective action recommendations; perform oversight of the licensee (monitoring, advising, assisting, and/or directing); and report information, as appropriate, to media and public entities. The AEA also charges EPA with additional responsibilities regarding radiation matters that directly or indirectly affect public health.
- **Executive Order 12656 of November 18, 1988** – This Executive order directs the Secretary of Energy to “manage all emergency planning and response activities pertaining to Department of Energy nuclear facilities.”
- **Title 50, U.S. Code, War and National Defense** – Title 50, U.S.C. § 797 makes it a crime to willfully violate a regulation or order promulgated by the Secretary of Defense, or by a military commander designated by the Secretary of Defense, for the protection or security of military equipment or other property or places subject to the jurisdiction, administration, or custody of DOD. As it applies to nuclear/radiological accidents or incidents, this statute provides a military commander the authority to establish a temporary National Defense Area (NDA) around an accident/incident site to protect nuclear weapons and materials in DOD custody. This statute is executed within the Department by DOD Instruction 5200.08, “Security of DOD Installations and Resources.” DODI 5200.08 is the natural, legal extension of statutory authority found in 50 U.S.C. § 797.
- **Public Health Service Act (PHSA)** – The PHSA directs EPA to support State and local authorities in their preparedness and response activities regarding public health emergencies. This support could include providing training, technical advice, and direct assistance. The PHSA created the Environmental Health Service, whose mission included radiological health. This mission was carried out by the Bureau of Radiological Health

¹ The definition of “release” under CERCLA excludes releases of source, byproduct, or special nuclear material from a nuclear incident at certain facilities licensed by the Nuclear Regulatory Commission.

(BRH). Reorganization Plan Number 3 of 1970, which created EPA, transferred certain radiological health functions of the BRH to the EPA.

The *NRF*, like its predecessor, the *National Response Plan (NRP)*, supersedes the *Federal Radiological Emergency Response Plan (FRERP)* dated May 1, 1996.

DHS/Federal Emergency Management Agency (FEMA) is responsible for maintaining and updating this annex. DHS/FEMA accomplishes this responsibility through the Federal Radiological Preparedness Coordinating Committee (FRPCC).

When DHS initiates the response mechanisms of the *NRF*, including the Emergency Support Functions (ESFs), appropriate *NRF* Support Annexes, and this annex, existing interagency plans that address nuclear/radiological incident management (e.g., the National Oil and Hazardous Substances Pollution Contingency Plan (NCP)) are incorporated as supporting plans and/or operational supplements to the *NRF*.

For incidents not led by DHS, other Federal agency response plans provide the primary Federal response protocols. In these cases, the Federal agency that is coordinating the Federal response may use the procedures outlined in the *NRF* and in appropriate *NRF* annexes to coordinate the delivery of Federal resources to State, tribal, and local governments, and to coordinate assistance among Federal agencies for incidents requiring Federal coordination.

Certain Federal agencies are authorized to respond directly to specific nuclear/radiological incidents. Nothing in this annex alters or impedes the ability of Federal departments and agencies to carry out their specific authorities and perform their responsibilities under law. This annex does not create any new authorities nor change any existing ones.

Federal response actions will be carried out commensurate with the appropriate health and safety laws and guidelines. For example, if the area is contaminated by radioactive material, and appropriate personal protective equipment and capabilities are not available, response actions may be delayed until the material has dissipated to a safe level for emergency response personnel or until appropriate personal protective equipment and capabilities arrive.

The Federal Government has established protective action guidance (PAGs) for radiological incidents. Specific PAGs have also been established for RDD/INDs.

Federal coordination centers and agency teams provide their own logistical support consistent with agreed-upon interagency execution plans. State, tribal, and local governments are encouraged to coordinate their efforts with the Federal effort, but maintain their own logistical support, consistent with applicable authorities and requirements.

The Federal response to any nuclear/radiological incident shall be coordinated with the State, tribal, and local government or the Federal agencies having jurisdiction over the area affected by the incident. Response to nuclear/radiological incidents affecting land owned by the Federal Government is coordinated with the agency responsible for managing that land to ensure that incident management activities are consistent with Federal statutes governing use and occupancy. In the case of tribal lands, tribal governments have a special relationship with the U.S. Government, and Federal, State, and local governments may have limited or no authority on specific tribal reservations. Further guidance is provided in the Tribal Relations Support Annex.

Headquarters Planning and Preparedness

Under existing regulations, the FRPCC provides a national-level forum for the development and coordination of radiological planning and preparedness policies and procedures. It also provides policy guidance for Federal radiological incident management activities in support of State, tribal, and local government radiological emergency planning and preparedness activities. The FRPCC is an interagency body consisting of the coordinating and cooperating agencies discussed in this annex, chaired by DHS/FEMA.

The FRPCC also coordinates research-study efforts of its member agencies related to State, tribal, and local government radiological emergency preparedness to ensure minimum duplication and maximum benefits to State and local governments. The FRPCC coordinates planning and validating requirements of each agency, reviewing integration requirements and incorporating agency-specific plans, procedures, and equipment into the response system.

As part of their preparedness for nuclear/radiological emergencies, Federal agencies participate in exercises to test and evaluate response plans.

Regional Planning and Preparedness

Coordinating agencies may have regional offices or field structures that provide a forum for information-sharing, consultation, and coordination of Federal agency regional awareness, prevention, preparedness, response, and recovery activities for radiological incidents. These regional offices may also assist in providing technical assistance to State and local governments and evaluating radiological plans and exercises.

Regional Assistance Committees (RACs) in the DHS/FEMA regions serve as the primary coordinating structures at the Federal regional level. RAC membership mirrors that of the FRPCC, and RACs are chaired by a DHS/FEMA regional representative. Additionally, States send representatives to RAC meetings and participate in regional exercise and training activities. The RACs provide a forum for information-sharing, consultation, and coordination of Federal regional awareness, prevention, preparedness, response, and recovery activities. The RACs also assist in providing technical assistance to State and local governments in evaluating radiological plans and exercises.

SITUATION

A nuclear/radiological incident may result from a deliberate act, an accident, or general mismanagement, and may center around different materials or industrial practices, including:

- Commercial nuclear facilities.
- Federal nuclear weapons facilities.
- Radioactive material sources, industrial uses, or technologically enhanced, naturally occurring radioactive material.
- Transportation incidents involving nuclear/radioactive material.
- Domestic nuclear weapons accidents.
- Foreign incidents involving nuclear or radioactive materials.

- Terrorism involving facilities or nuclear/radiological materials, including use of RDDs or INDs.

The most common nuclear/radiological incidents have to do with the loss, theft, or mismanagement of relatively small radioactive material sources, or technologically enhanced, naturally occurring radioactive material, where some exposure of individuals or dispersal into the environment occurs. These are handled at the local level with occasional Federal assistance. Generally, greater regulatory control, safeguards, and security accompany larger quantities of radioactive materials, which pose a greater potential threat to human health and the environment.

Virtually any facility or industrial practice (including transportation of materials) may be vulnerable to a deliberate act, such as terrorism, or an accident of some sort that could release radioactive material, including a fire. Major fixed facilities, such as Federal nuclear weapons facilities, commercial nuclear fuel cycle facilities (uranium enrichment, fuel fabrication, power reactors, and disposal), and some non-fuel cycle industries (such as radiation source and radiopharmaceutical manufacturers) pose a risk of accidents and could also be breached in a deliberate act, such as terrorism.

A radiological dispersal device is any device used to spread radioactive material into the environment with malicious intent. The harm caused by an RDD is principally contamination, and denial of use of the contaminated area, perhaps for many years. The costs to the Nation associated with an effective RDD could be very significant. Of greatest concern to U.S. security is the potential for a terrorist attack using a nuclear weapon. A nuclear device could originate directly from a nuclear state, be modified from preexisting weapons components, or be fashioned by terrorists from the basic fissile nuclear materials (uranium-235 or plutonium-239). Even a small nuclear detonation in an urban area could result in over 100,000 fatalities (and many more injured), massive infrastructure damage, and thousands of square kilometers of contaminated land.

PLANNING ASSUMPTIONS

Radiological incidents may not be immediately recognized as such until the radioactive material is detected or the health effects of radiation exposure are manifested in the population and identified by the public health community.

An act of nuclear or radiological terrorism, particularly an act directed against a large population center within the United States, can have major consequences that can overwhelm the capabilities of many local, tribal, and/or State governments to respond, and may seriously challenge existing Federal response capabilities.

An act or threat of nuclear or radiological terrorism will trigger concurrent activation of the Terrorism Law Enforcement and Investigation Annex.

A nuclear or radiological incident may require concurrent implementation of the NCP to address radiological, as well as chemical or biological, releases into the environment.

An incident involving the potential release of radioactivity may require implementation of protective measures, such as evacuation and shelter-in-place. State, tribal, and local governments have primary responsibility for implementing protective measures for the public.

An expeditious Federal response is required to mitigate the consequences of a nuclear/radiological incident. The Federal Government response to nuclear or radiological terrorist threats/incidents includes, but is not limited to, the following assumptions:

- The response to a radiological threat or actual incident requires an integrated Federal Government response.
- In the case of a nuclear terrorist attack, the plume may be dispersed over a large area over time, requiring response operations to be conducted over a multijurisdictional and/or multistate region.
- A terrorist attack may involve multiple incidents, and each location may require an incident response and a crime scene investigation simultaneously.

RESPONSIBILITIES

General

Incidents will be managed at the lowest possible level; as incidents change in size, scope, and complexity, the response will adapt to meet requirements, as described in the *NRF*. In accordance with HSPD--5, "the Secretary of Homeland Security is the principal Federal official for domestic incident management. The Secretary is responsible for coordinating Federal operations within the United States to prepare for, respond to, and recover from terrorist attacks, major disasters, and other emergencies. The Secretary shall coordinate the Federal Government's resources utilized in response to or recovery from terrorist attacks, major disasters, or other emergencies . . ." Domestic incident management includes preventing, preparing for, responding to, and recovering from terrorist attacks (except for those law enforcement coordination activities assigned to the Attorney General and generally delegated to the Director of the FBI set forth in HSPD-5, paragraph 8. When exercising this role, the Secretary is supported by other coordinating agencies and cooperating agencies. For incidents wherein the Secretary is not fulfilling domestic incident management responsibilities, the coordinating agency will be the responsible agency for domestic incident management as defined by their authorities. Such incidents include, but are not limited to, loss of radiography sources, discovery of orphan radiological sources, and incidents/emergencies at nuclear facilities below the classification of General Emergency, as defined by the cognizant coordinating agency.

- For this annex, coordinating agencies provide the leadership, expertise, and authorities to implement critical and specific nuclear/radiological aspects of the response, and facilitate nuclear/radiological aspects of the response in accordance with those authorities and capabilities. The coordinating agencies are those Federal agencies that own, have custody of, authorize, regulate, or are otherwise assigned responsibility for the nuclear/radioactive material, facility, or activity involved in the incident. These Federal agencies have nuclear/radiological authorities, technical expertise, and/or assets for responding to the unique characteristics of nuclear/radiological incidents that are not otherwise described in the *NRF*. Coordinating agencies are listed in Table 1. The specific role of each coordinating agency will be determined by the scope of their particular authorities over relevant aspects of the incident, as described in more detail in this annex.
- Cooperating agencies include other Federal agencies that provide additional technical and resource support specific to nuclear/radiological incidents to DHS and the coordinating agencies. The capabilities provided by cooperating agencies are described in Table 5 at the end of this annex.
- Other Federal agencies may also provide support to DHS and the coordinating agency in accordance with the ESF and Support Annexes.

Coordinating Agencies

For nuclear/radiological incidents, the coordinating agencies include the following Federal agencies:

- Department of Defense (DOD) or Department of Energy (DOE), as appropriate, for incidents involving nuclear/radiological materials or facilities owned or operated by DOD or DOE.
- DOD or DOE, as appropriate, for incidents involving a nuclear weapon, special nuclear material, and/or classified components under DOD or DOE custody.
- National Aeronautics and Space Administration (NASA) for nuclear material under NASA custody.
- The NRC, for incidents involving materials or facilities licensed by the NRC or Agreement States.
- DHS, generally through Customs and Border Protection (CBP), for incidents involving the inadvertent import of radioactive materials as well as any other incidents where radioactive material is detected at borders.
- EPA or DHS/USCG, as appropriate, for environmental response and cleanup for incidents not otherwise covered above.
- DHS for all deliberate attacks involving nuclear/radiological facilities or materials, including RDDs and INDs.

Table 1 provides an overview of the coordinating agencies and the types of nuclear/radiological incidents in which they will be involved. The specific responsibilities of coordinating agencies are further described in Table 2.

Table 1: Coordinating Agencies for Nuclear/Radiological Incidents

NOTE: When exercising domestic incident management responsibilities, the Secretary of Homeland Security is supported by other coordinating agencies and cooperating agencies. For incidents wherein the Secretary is not fulfilling domestic incident management responsibilities, the coordinating agency will be the responsible agency for domestic incident management as defined by their authorities.

Nuclear/Radiological Facilities or Materials Involved in Incident	Coordinating Agency
<p>Nuclear facilities:</p> <ul style="list-style-type: none"> (1) Owned or operated by DOD or DOE (2) Licensed by NRC or Agreement State (3) Not licensed, owned, or operated by a Federal agency or an Agreement State, or currently or formerly licensed facilities for which the owner/operator is not financially viable or is otherwise unable to respond 	<ul style="list-style-type: none"> (1) DOD or DOE (2) NRC (3) EPA
<p>Radioactive materials being transported:</p> <ul style="list-style-type: none"> (1) Materials shipped by or for DOD or DOE² (2) Shipment of NRC or Agreement State-licensed materials (3) Shipment of materials in certain areas of the coastal zone that are not licensed or owned by a Federal agency or Agreement State (see DHS/USCG list of responsibilities for further explanation of "certain areas") (4) All others 	<ul style="list-style-type: none"> (1) DOD or DOE (2) NRC (3) DHS/USCG (4) EPA
<p>Radioactive materials in space vehicles impacting within the United States:</p> <ul style="list-style-type: none"> (1) Managed by NASA or DOD (2) Not managed by DOD or NASA and impacting certain areas of the coastal zone (3) All others 	<ul style="list-style-type: none"> (1) NASA or DOD (2) DHS/USCG (3) EPA
<p>Foreign, unknown, or unlicensed material:³</p> <ul style="list-style-type: none"> (1) Incidents involving inadvertent import of radioactive materials (2) Incidents involving foreign or unknown sources of radioactive material in certain areas of the coastal zone (3) All others 	<ul style="list-style-type: none"> (1) DHS/CBP (2) DHS/USCG (3) EPA
<p>Nuclear weapons</p>	<p>DOD or DOE (based on custody at time of incident)</p>
<p>All deliberate attacks involving nuclear/radiological facilities or materials, including RDDs or INDs^{4,5}</p>	<p>DHS</p>

² The coordinating agency is either DOD or DOE, depending on which of these agencies has custody of the material at the time of the incident.

³ The DHS Domestic Nuclear Detection Office (DNDO) coordinates the adjudication of unresolved radiation detection alarms (see Table 5 for additional information).

⁴ For deliberate attacks, DHS assumes its domestic incident management responsibilities under HSPD-5, paragraph 4, and is also the coordinating agency for implementing the activities in this annex with respect to deliberate attacks.

⁵ For deliberate attacks, DOJ assumes those law enforcement coordination activities under HSPD-5, paragraph 8.

Table 2 below presents the specific responsibilities of each coordinating agency, as specified by statutory authorities or other mandating doctrine.

Table 2: Coordinating Agency-Specific Key Responsibilities for a Nuclear/Radiological Incident

Agency	Description
<p>Department of Defense</p>	<p>As indicated in Table 1, DOD is the coordinating agency for Federal actions related to radiological incidents involving: nuclear weapons in DOD custody; DOD facilities, including U.S. nuclear-powered ships; or material otherwise under DOD jurisdiction (e.g., transportation of material shipped by or for DOD).</p> <p>Under CERCLA, Executive Order 12580, and the NCP, DOD is responsible for hazardous substance responses to releases on or from DOD facilities or vessels under the jurisdiction, custody, or control of DOD, including transportation-related incidents. For responses under these circumstances, DOD provides a Federal OSC responsible for taking all CERCLA response actions, which includes on-site and off-site response actions (40 CFR 300.120(c) and 40 CFR 300.175(b)(4)).</p> <p>For incidents where the incident is on, or where the sole source of the nuclear/radiological release is from, any facility or vessel under DOD jurisdiction, custody, or control, DOD is responsible for:</p> <ul style="list-style-type: none"> • Mitigating the consequences of an incident. • Providing notification and appropriate protective action recommendations to State, tribal, and/or local government officials. • Minimizing the radiological hazard to the public. <p>For radiological incidents involving a nuclear weapon, special nuclear material, and/or classified components that are in DOD custody, DOD may establish a National Defense Area. DOD will coordinate with State and local officials to ensure appropriate public health and safety actions are taken outside the NDA. DOD will lead the overall response to safeguard national security information and/or restricted data, or equipment and material. DOD may also include lands normally not under DOD control as part of the established NDA for the duration of the incident.</p> <p>DOD coordinates the Federal response for incidents involving the release of nuclear/radioactive materials from DOD space vehicles or joint space vehicles with significant DOD involvement. A joint venture is an activity in which the U.S. Government has provided extensive design/financial input; has provided and maintains ownership of instruments, spacecraft, or the launch vehicle; or is intimately involved in mission operations. A joint venture with a foreign nation is not created by simply selling or supplying material to a foreign country for use in its spacecraft.</p> <p>In the event that DHS assumes overall management of the Federal response under HSPD-5 to an accidental or inadvertent incident involving DOD facilities or materials, DOD will support DHS under the <i>NRF</i> and the <i>National Incident Management System (NIMS)</i>, including acting as the coordinating agency for this annex. DOD will manage the response within the boundaries of the DOD facility or NDA.</p>

Agency	Description
<p>Department of Energy</p>	<p>As indicated in Table 1, DOE is the coordinating agency for the Federal response to a nuclear/radiological release at a DOE facility or involving DOE materials (e.g., during the use, storage, and shipment of a variety of radioactive materials; the shipment of spent reactor fuel; the production, assembly, and shipment of nuclear weapons and special nuclear materials; the production and shipment of radioactive sources for space ventures; and the storage and shipment of radioactive and mixed waste).</p> <p>Under CERCLA, Executive Order 12580, and the NCP, DOE is responsible for hazardous substance responses to releases on or from DOE facilities or vessels under the jurisdiction, custody, or control of DOE, including transportation-related incidents. For responses under these circumstances, DOE provides a Federal OSC responsible for taking all CERCLA response actions, which includes on-site and off-site response actions (40 CFR 300.120(c) and 40 CFR 300.175(b)(5)).</p> <p>For incidents at nuclear/radiological facilities that it owns or operates, or incidents involving transportation of DOE nuclear/radiological materials, DOE is responsible for:</p> <ul style="list-style-type: none"> • Mitigating the consequences of an incident. • Providing notification and appropriate protective action recommendations to State, tribal, and/or local government officials. • Minimizing the radiological hazard to the public. <p>For radiological incidents involving a nuclear weapon, special nuclear material, and/or classified components that are in DOE custody, DOE may establish a National Security Area (NSA). DOE will coordinate with State and local officials to ensure appropriate public health and safety actions are taken outside the NSA. DOE will lead the overall response to safeguard national security information and/or restricted data, or equipment and material. DOE may also include lands normally not under DOE control as part of the established NSA for the duration of the incident.</p> <p>DOE Accident Response Group (ARG) teams will deploy to mitigate the consequences of a nuclear weapon accident in conjunction with specialized assets from DOD, regardless of whether DOE or DOD has custody of the weapon or special nuclear material.</p> <p>In the event that DHS assumes overall management of the Federal response under HSPD-5 to an accidental or inadvertent incident involving DOE facilities or materials, DOE will support DHS under the <i>NRF</i> and <i>NIMS</i>, including acting as the coordinating agency for this annex. DOE will manage the response within the boundaries of the DOE facility or NSA.</p>

Agency	Description
<p>Department of Homeland Security</p>	<p>The Secretary of Homeland Security is the principal Federal official for domestic incident management. Domestic incident management includes preventing, preparing for, responding to, and recovering from terrorist attacks (except for those law enforcement coordination activities assigned to the Attorney General and generally delegated to the Director of the FBI), major disasters, or other emergencies.</p> <p>For deliberate attacks, DHS assumes its domestic incident management responsibilities under HSPD-5, paragraph 4, and is also the coordinating agency for implementing the activities in this annex with respect to deliberate attacks.</p> <p>Under the Homeland Security Act, DHS has control of the Nuclear Incident Response Team (NIRT).</p> <p>DHS/CBP coordinates the Federal response for incidents involving the inadvertent import of radioactive material.</p> <p>For incidents at the border, DHS/CBP maintains radiation detection equipment and nonintrusive inspection technology at ports of entry and Border Patrol checkpoints to detect the presence of radiological substances transported by persons, cargo, mail, or conveyance arriving from foreign countries.</p>
<p>DHS/U.S. Coast Guard</p>	<p>As indicated in Table 1, DHS/USCG is the coordinating agency for the Federal response to incidents involving the release of nuclear/radioactive materials that occur in certain areas of the coastal zone, including:</p> <ul style="list-style-type: none"> • Release from transportation incidents involving the release of nuclear/radioactive materials that are not licensed or owned by a Federal agency or Agreement State. • Incidents involving space vehicles not managed by DOD or NASA that impact certain areas of the coastal zone. • Incidents involving foreign or unknown sources of radioactive material. <p>“Certain areas” of the coastal zone, for the purposes of this document, means the following areas of the coastal zone (“coastal zone” as defined by the NCP):</p> <ul style="list-style-type: none"> • Vessels, as defined in 33 CFR 160. • Areas seaward of the shoreline to the outer edge of the Economic Exclusion Zone. • Within the boundaries of the following waterfront facilities subject to the jurisdiction of DHS/USCG: those regulated by 33 CFR 126 (Dangerous cargo handling), 127 (LPG/LNG), 128 (Passenger terminals), 140 (Outer continental shelf activities), 154-156 (Waterfront portions of oil and hazmat bulk transfer facilities – delineated as per the NCP), 105 (Maritime security – facilities). <p>For incidents that have cross-boundary impacts, there will be only one OSC during the course of a response incident and the agencies involved should reference the NCP [40 CFR 300.140(b)] to determine which agency will assume the lead. DHS/USCG will give prime consideration to the area vulnerable to the greatest threat in determining whether to transition to another coordinating agency.</p> <p>DHS/USCG coordinates agency response for these incidents during the prevention and emergency response phase, and transfers responsibility for later response phases to the appropriate agency.</p>

Agency	Description
<p>Environmental Protection Agency</p>	<p>As indicated in Table 1, EPA is the coordinating agency for the Federal environmental response to incidents that occur at facilities not licensed, owned, or operated by a Federal agency or an Agreement State, or currently or formerly licensed facilities for which the owner/operator is not financially viable or is otherwise unable to respond.</p> <p>EPA is also the coordinating agency for the Federal environmental response to incidents involving the release of nuclear/radioactive materials that occur in the inland zone and in areas of the coastal zone not addressed by DHS/USCG, including:</p> <ul style="list-style-type: none"> • Transportation incidents involving the release of nuclear/radioactive materials that are not licensed or owned by a Federal agency or Agreement State. • Incidents involving space vehicles not managed by DOD or NASA or addressed by DHS/USCG. • Incidents involving foreign, unknown, or unlicensed radiological sources that have actual, potential, or perceived radiological consequences in the United States or its territories, possessions, or territorial waters, and that are not addressed by DHS/CBP or DHS/USCG. <p>When acting as the coordinating agency, EPA coordinates the Federal environmental response. For a DHS-led Federal response, EPA will generally be providing that response coordination support to DHS through this annex and ESF #10 – Oil and Hazardous Materials Response. For an EPA-led Federal response, EPA will generally be responding under the NCP (which is an operational supplement to the <i>NRF</i>). For some incidents, EPA may also be relying upon its Public Health Service Act authorities.</p>
<p>National Aeronautics and Space Administration</p>	<p>As indicated in Table 1, NASA is the coordinating agency for the Federal response to incidents involving the release of nuclear/radioactive materials from NASA space vehicles or joint space vehicles with significant NASA involvement. For radiological incidents involving nuclear material in NASA custody, NASA may establish an NSA, and will coordinate with State and local officials to ensure appropriate public health and safety actions are taken outside the NSA.</p> <p>In the event that DHS assumes overall management of the Federal response under HSPD-5 to an accidental or inadvertent incident involving NASA space vehicles, NASA will support DHS under the <i>NRF</i> and <i>NIMS</i>, including acting as the coordinating agency for this annex. NASA will manage the response within the boundaries of the NSA.</p>

Agency	Description
<p>Nuclear Regulatory Commission</p>	<p>As indicated in Table 1, the NRC is the coordinating agency for incidents at or caused by a facility or an activity that is licensed by the NRC or an Agreement State. These facilities include, but are not limited to, commercial nuclear power plants, fuel cycle facilities, DOE-owned gaseous diffusion facilities operating under NRC regulatory oversight, independent spent fuel storage installations, radiopharmaceutical manufacturers, and research reactors.</p> <p>The NRC licensee primarily is responsible for taking action to mitigate the consequences of an incident and providing appropriate protective action recommendations to State, local, and/or tribal government officials.</p> <p>The NRC:</p> <ul style="list-style-type: none"> • Performs an independent assessment of the incident and potential off-site consequences and, as appropriate, provides recommendations concerning any protective measures. • Performs oversight of the licensee, to include monitoring, evaluation of protective action recommendations, advice, assistance, and, as appropriate, direction. • Dispatches, if appropriate, an NRC site team of technical experts to the licensee's facility. <p>Under certain extraordinary situations involving public health/safety or national defense/security, the NRC may order the transfer of special nuclear materials and/or the operation of certain facilities regulated by the NRC.</p> <p>The NRC closely coordinates its actions with State and local government officials during an incident by providing advice, guidance, and support as needed.</p> <p>In the event that DHS assumes overall management of the Federal response under HSPD-5 to an accidental or inadvertent incident involving an NRC-regulated facility, the NRC will support DHS under the <i>NRF</i> and <i>NIMS</i>, including acting as the coordinating agency for this annex.</p>

KEY FEDERAL RADIOLOGICAL RESOURCES/ASSETS

In carrying out their responsibilities, DHS and the coordinating agencies may request specialized assets for nuclear/radiological response. Some of the assets are provided by individual cooperating agencies (through ESF activations or their own authorities), while others may be interagency. Key specialized Federal nuclear/radiological assets and teams are described below, while the procedures for activating these resources are described in the Concept of Operations section of this annex.

- **Federal Radiological Monitoring and Assessment Center (FRMAC)** – The FRMAC is responsible for coordinating all environmental radiological monitoring, sampling, and assessment activities for the response. The FRMAC is a DOE-led interagency asset that is available on request to respond to nuclear/radiological incidents. DOE leads the FRMAC for the initial response, then transitions FRMAC leadership to EPA for site cleanup. The FRMAC is established at or near the incident location in coordination with DHS, the coordinating agency, other Federal agencies, and State, tribal, and local authorities.

A FRMAC normally includes representation from DOE, EPA, the Department of Commerce, the DHS National Communications System, the U.S. Army Corps of Engineers (USACE), and other Federal agencies as needed. Regardless of who is designated as the coordinating agency, when the FRMAC is activated, DOE, through the FRMAC or DOE Consequence Management Home Team (CMHT), coordinates all Federal environmental and agricultural

radiological monitoring and assessment activities for the initial phases of the response. When the FRMAC is transferred to EPA, EPA assumes responsibility for coordination of radiological monitoring and assessment activities. (See the Recovery section of this annex for information on the FRMAC transfer.)

Some participating Federal agencies have radiological planning and emergency responsibilities as part of their statutory authority. The monitoring and assessment activity coordinated by the FRMAC does not alter these responsibilities but complements them by providing for coordination of the Federal radiological monitoring and assessment response activities.

- **DOE Aerial Measuring System (AMS)** – The DOE AMS characterizes ground-deposited radiation from aerial platforms. These platforms include fixed-wing and rotary-wing aircraft with radiological measuring equipment, computer analysis of aerial measurements, and equipment to locate lost radioactive sources, conduct aerial surveys, or map large areas of contamination.
- **DOE Accident Response Group (ARG)** – The DOE ARG response element comprises scientists, technical specialists, crisis managers, and equipment ready to respond to the scene of a U.S. nuclear weapon accident to make the weapon safe for shipment.
- **DOE National Atmospheric Release Advisory Center (NARAC)** – The DOE NARAC provides a computer-based emergency preparedness and response predictive modeling capability. The NARAC is an off-site resource that supports the incident response remotely. NARAC provides real-time computer predictions of the atmospheric transport of material from radioactive releases and of the downwind effects on health and safety. When measurement data become available, they are used to improve model predictions.
- **DOE Radiation Emergency Assistance Center/Training Site (REAC/TS)** – The DOE REAC/TS provides medical advice, specialized training, and on-site assistance for the treatment of all types of radiation exposure accidents. Additionally, through the Cytogenetic Biodosimetry Laboratory (CBL), REAC/TS provides for postexposure evaluation of radiation dose received.
- **DOE Radiological Assistance Program (RAP) Team** – DOE RAP teams are located at various DOE Operations Offices, Site Offices, and National Laboratories. They can be dispatched to a radiological incident from Regional DOE Offices in response to a radiological incident. RAP teams provide first-responder radiological assistance to protect the health and safety of the general public, responders, and the environment and to assist in the detection, identification and analysis, and response to events involving radiological/nuclear material. Deployed RAP teams provide traditional field monitoring and assessment support as well as a search capability.
- **Nuclear Incident Response Team (NIRT)** – The NIRT consists of (1) the DOE resources described above and (2) EPA entities that perform such support functions (including radiological emergency response functions) and related functions. Under the Homeland Security Act of 2002, DHS has the authority to activate NIRT assets. When activated, the NIRT operates under DHS direction, authority, and control. When not operating as part of the NIRT, these assets remain under the control of the parent agency.
- **The Interagency Modeling and Atmospheric Assessment Center (IMAAC)** – The IMAAC is an interagency center responsible for production, coordination, and dissemination of the Federal consequence predictions for an airborne hazardous material release. Through a partnership of the Departments of Homeland Security, Energy, Defense, and Commerce (through the National Oceanic and Atmospheric Administration (NOAA)), EPA, NASA, and

NRC, the IMAAC provides the single Federal atmospheric prediction of hazardous material concentration to all levels of the Incident Command. The IMAAC is an off-site resource that supports the incident response remotely. The NARAC is the interim IMAAC.

- **Advisory Team for Environment, Food, and Health** – The Advisory Team includes representatives from EPA, the Department of Agriculture (USDA), the Food and Drug Administration (FDA), the Centers for Disease Control and Prevention (CDC), and other Federal agencies. The Advisory Team develops coordinated advice and recommendations on environmental, food, health, and animal health matters for the Incident Command/Unified Command (IC/UC), DHS, the Joint Federal Office (JFO) Unified Coordination Group, the coordinating agency, and/or State, tribal, and local governments, as appropriate. The Advisory Team uses information provided by the IMAAC, FRMAC, and other relevant sources. The Advisory Team provides Federal advice in matters related to the following:
 - Environmental assessments (field monitoring) required for developing recommendations with advice from State, tribal, and local governments and/or the FRMAC.
 - Protective Action Guides (PAGs) and their application to the emergency.
 - Protective Action Recommendations (PARs) using data and assessment from the FRMAC.
 - Protective actions to prevent or minimize contamination of milk, food, and water, and to prevent or minimize exposure through ingestion.
 - Recommendations for minimizing losses of agricultural resources from radiation effects.
 - Availability of food, animal feed, and water supply inspection programs to ensure wholesomeness.
 - Relocation, reentry, and other radiation protection measures prior to recovery.
 - Recommendations for recovery, return, and cleanup issues.
 - Health and safety advice or information for the public and for workers.
 - Estimated effects of radioactive releases on human health and the environment.
 - Other matters, as requested by the IC or coordinating agency.
- **EPA Radiological Emergency Response Team (RERT)** – The EPA RERT provides resources, including personnel, specialized equipment, technical expertise, and laboratory services to aid coordinating and cooperating agencies and State, tribal, and local response organizations in protecting the public and the environment from unnecessary exposure to ionizing radiation from radiological incidents. The RERT is a designated Special Team under the NCP. It may become part of the FRMAC if one is established. The RERT provides the following:
 - Monitoring, sampling, laboratory analyses, and data assessments using field emergency response assets.
 - Technical advice and assistance for containment, cleanup, restoration, and recovery following a radiological incident.
 - Assistance in the development and implementation of a long-term monitoring plan and long-term recovery plans.
 - Coordination with fixed laboratory assets for indepth analysis and evaluation of large numbers of site-specific emergency response samples.
- **EPA RadNet** – The EPA RadNet comprises a system of fixed and deployable radiation monitoring stations. The RadNet fixed monitoring stations provide a nationwide environmental monitoring network for assessment of nationwide impacts from a radiological incident. The deployable component can provide site-specific emergency monitoring for further assessment of localized impacts during radiological emergencies.

Although there are other assets that are capable of being used in nuclear/radiological incidents, their primary function is addressed elsewhere in the *NRF* or the annexes.

CONCEPT OF OPERATIONS

This concept of operations is applicable to potential and actual radiological/nuclear incidents requiring Federal coordination as delineated in this annex.

General

The owner/operator of a nuclear/radiological facility or materials (e.g., DOE, DOD, or NRC licensee) primarily is responsible for mitigating the consequences of an incident; providing notification and appropriate protective action recommendations to State, local, and/or tribal government officials; and minimizing the radiological hazard to the public. For incidents involving fixed facilities, the owner/operator has primary responsibility for actions within the facility boundary and may also have responsibilities for response and recovery activities outside the facility boundary under applicable legal obligations (e.g., contractual; licensee; CERCLA). For areas surrounding a nuclear/radiological incident location, State, tribal, and local governments have primary responsibility for protecting life, property, and the environment. This does not, however, relieve nuclear/radiological facility or material owners/operators from applicable legal obligations.

State, tribal, and local governments and owners/operators of nuclear/radiological facilities or activities should request assistance through established regulatory communication and response protocols. However, they may request assistance directly from DHS, other Federal agencies, and/or State governments with which they have preexisting arrangements or relationships, providing that the agency with regulatory authority is also notified.

State, tribal, and local governments are encouraged to integrate their radiological monitoring and assessment activities with the FRMAC.

Notification

The owner/operator of a nuclear/radiological facility or owner/transporter of nuclear/radiological material is generally the first to become aware of an incident and notifies State, tribal, and local authorities and the coordinating agency.

Federal, State, tribal, and local governments that become aware of a radiological incident should notify the coordinating agency and the DHS National Operations Center (NOC) at 202-282-8101 and comply with other appropriate statutory requirements for notification. For example, releases of reportable quantities of any listed hazardous materials as described within 40 CFR Part 302 must be reported to the National Response Center at 1-800-424-8802. Further, State, tribal, and local law enforcement agencies should continue to contact the local FBI/Joint Terrorism Task Force regarding ongoing terrorist activities, events, instances, or investigations. The coordinating agency provides notification of a radiological incident to the NOC and other Federal agencies, as appropriate. If a State requests radiological assistance directly from a Federal agency for a nuclear/radiological incident that falls under the jurisdiction of another coordinating agency, that Federal agency shall notify the coordinating agency of the request.

Activation

Once notified, the coordinating agency initiates response in accordance with its authorities. DHS reviews the situation and determines whether to assume Federal leadership for the overall response in accordance with the *NRF*.

Coordinating agencies and cooperating agencies provide representatives to the *NRF* elements (e.g., JFO, NOC, etc.) when appropriate. For Stafford Act incidents, DHS/FEMA may issue mission assignments to Federal agencies to support such activities.

If DHS does not assume Federal leadership for the response, a coordinating agency may request that DHS activate *NRF* elements to support the response. The coordinating agency may request assistance from other Federal agencies.

The coordinating agency also will be represented in appropriate positions within the Command Staff in the IC/UC structure (as defined by *NIMS*), and coordinates Federal radiological response activities at appropriate field facilities.⁶ Coordinating agencies and cooperating agencies provide personnel to other sections of the IC/UC as needed.

For any nuclear/radiological incident, the coordinating and cooperating agencies may establish a field facility; assist State, tribal, and local response organizations; monitor and support owner/operator activities (when there is an owner or operator); provide technical support to the owner/operator, if requested; and serve as a Federal source of information about incident conditions.

Table 3 below summarizes the activation process for some of the key Federal radiological/nuclear assets.

Table 3: Activation of Key Assets for Nuclear/Radiological Incidents

Asset	Activation Process
IMAAC	DHS, coordinating agencies, and the authorized IMAAC requestors (as designated in the IMAAC Standard Operating Procedures) may request IMAAC activation directly from the IMAAC or from the NOC Watch at 202-282-8101. The NOC Watch ensures that Federal agencies are notified when the IMAAC has been activated for the purpose of generating the single and interagency coordinated Federal prediction of atmospheric dispersions and their consequences.
Advisory Team	DHS, coordinating agencies, and State, tribal, and local governments may request support from the Advisory Team by contacting the CDC Director's Emergency Operations Center (EOC) at 770-488-7100. DOE will request activation of the Advisory Team whenever the FRMAC is activated.
FRMAC and DOE Assets (AMS, ARG, RAP, REAC/TS, NARAC, CMHT)	Coordinating agencies and State, tribal, and local governments may request a FRMAC or other support from DOE or DHS. The FRMAC and all other DOE National Nuclear Security Administration (NNSA) assets may be requested through the DOE 24-hour Watch Office at 202-586-8100. Requests for RAP teams may also be directed to the appropriate Regional DOE Office. DOE may respond to a request for assistance by initially dispatching a RAP team. If the situation requires more assistance than a RAP team can provide, DOE alerts or activates additional resources.
NIRT	The NIRT is activated when DHS, in consultation with EPA and DOE, determines that the severity of an incident warrants the NIRT assets. The NOC will notify EPA and DOE when the NIRT is activated.
RERT	DHS and coordinating agencies may request support from the EPA RERT by contacting the National Response Center at 1-800-424-8802.

⁶ Appropriate field facilities may include an Incident/Area Command Post, Emergency Operations Center, Emergency Operations Facility, Emergency Control Center, etc.

ICS Implementation

The initial response to domestic incidents is typically handled at the local level. Local responders are responsible for implementing an Incident Command System (ICS) to manage the incident response. Federal agencies will integrate into the Incident Command (IC) in support of the local jurisdictions. Most incidents under this annex will be multiagency/multijurisdictional responses and the ICS Command function will be managed by a Unified Command (UC).

The coordinating agency is expected to participate in the IC/UC at the highest level (e.g., at the Area Command level if established). Other agencies may also participate in the IC/UC when consistent with ICS principles.

The key Federal radiological assets will integrate into the IC/UC as appropriate. Specifically, the RAP team incorporates into the Operations Section of the IC/UC.

Because the primary function of the FRMAC is to provide information for planning incident response operations, planning for FRMAC activities is expected to incorporate into IC/UC in the Planning Section, consistent with ICS principles. FRMAC personnel will work within the ICS to develop the Monitoring and Sampling Plan and ensure that it is reflected in and consistent with the Incident Action Plan (IAP). The AMS normally reports to the FRMAC and operates in accordance with the IAP. The FRMAC structure will remain flexible and will be tailored to specific incident requirements.

During the initial phases of the incident, when DOE is responsible for the FRMAC, it will be established organizationally as a discrete unit within the IC/UC structure to coordinate all radiological monitoring and assessment activities in support of State, tribal, and local authorities, the coordinating agency, and DHS.

The Advisory Team is expected to integrate into the Planning Section to provide technical expertise to the IC/UC and coordinating agency. The Advisory Team may also provide liaisons to and/or coordinate with the JFO and State, tribal, and local government EOCs, as needed.

RESPONSE ACTIVITIES

Table 4 presents the specific capabilities and responsibilities carried out by coordinating agencies and cooperating agencies to support State, tribal, and local activities during the response.

Table 4: Nuclear/Radiological Incident Response Activities

Response Activity	Federal Agency Capabilities/Responsibilities
Incident Security	<ul style="list-style-type: none"> • DOD, DOE, or NASA may establish NDAs or NSAs for special nuclear materials under their control, to safeguard classified information and/or restricted data, or equipment and material, and place non-Federal lands under Federal control for the duration of the incident. DOD, DOE, or NASA, as appropriate, coordinates security in and around these locations, as necessary. • For incidents at other Federal or private facilities, the owner/operator provides security within the facility boundaries. If a release of radioactive material occurs beyond the facility boundaries, State, tribal, or local governments provide security for the release area. • State, tribal, and local governments provide security for radiological incidents occurring on public lands (e.g., a transportation incident) other than within NDAs or NSAs. • ESF #13 – Public Safety and Security may be activated to provide additional security resources and capabilities (e.g., for an RDD/IND).
Unknown Material Identification	<p>The DHS Domestic Nuclear Detection Office (DNDO) Joint Analysis Center (JAC) may respond to a State, tribal, local, or coordinating agency request for assistance in identifying an unknown nuclear/radiological material. The DNDO coordinates the technical adjudication of a radiation detection alarm and recommends technical Federal asset responses as required.</p>
Atmospheric Plume Modeling	<ul style="list-style-type: none"> • When DHS coordinates the overall Federal response, the IMAAC generates the single and interagency coordinated Federal prediction of atmospheric dispersions and their consequences. The IMAAC predictions are used for risk management decisions, public information, and operational response. The IMAAC may also generate predictions for other incidents requiring Federal coordination. • Plume models are initially generated using default assumptions and then are refined over time as actual data from on-scene responders become available. • The coordinating agency is responsible for ensuring the outputs from the IMAAC are shared with all appropriate response organizations.

Response Activity	Federal Agency Capabilities/Responsibilities
<p>Environmental Monitoring and Sampling for Characterization and Reentry</p>	<ul style="list-style-type: none"> • Federal responders may provide radiological monitoring and assessment data directly to State, tribal, and local governments as requested in support of protective action decisionmaking. • If the FRMAC is not stood up, the coordinating agency assumes responsibility for coordinating the Federal monitoring and assessment activities with State, tribal, and local governments. Support may be provided to the coordinating agency by ESF #10 when appropriate. • When a FRMAC is established, the FRMAC assumes responsibility for coordinating Federal monitoring and assessment activities. DOE will provide a mechanism for transmitting data to and from the FRMAC within NIMS/ICS protocols. Until the FRMAC is operational, Federal first responders continue to provide data directly to State, tribal, and local governments, and coordinate radiological monitoring and assessment data with the DOE Consequence Management Home Team (CMHT) or the Consequence Management Response Team (CMRT). • When requested, DOE and other Federal agencies may provide radiation safety support for reentry to critical infrastructure and for other critical activities. • The coordinating agency is responsible for ensuring that all outputs from the FRMAC are shared with all appropriate response organizations. • DOE initially has the FRMAC lead, but the FRMAC lead will transition to EPA for recovery/remediation. • For incidents involving terrorism, any participating Federal agency may raise issues regarding the sharing of sensitive data for responder and public safety that cannot be resolved at the Incident Command level to the Unified Coordination Group for resolution.
<p>Emergency Worker Monitoring</p>	<ul style="list-style-type: none"> • Each response agency has the responsibility to monitor the safety of its own workers. • The Occupational Safety and Health Administration provides support and regulatory oversight, as necessary, through the Worker Safety and Health Support Annex.
<p>Protective Action Recommendations</p>	<ul style="list-style-type: none"> • Federal PARs may include advice and assistance on measures to avoid or reduce exposure of the public to radiation from a release of radioactive material. This includes advice on emergency actions such as sheltering, evacuation, prophylactic use of potassium iodide, and administration of other pharmaceutical countermeasures. It also includes advice on long-term measures, such as food restrictions, temporary relocation, or permanent resettlement, to avoid or minimize exposure to residual radiation or exposure through the ingestion pathway. • Data in support of health and safety will be shared among response agencies prior to development of formal PARs. Incident-specific Federal PARs are developed by the Advisory Team and are largely based on EPA's PAGs for radiological incidents. • Federal PARs are coordinated through the IC/UC (which includes the coordinating agency) and multiagency coordination groups. The coordinating agency is responsible for ensuring that all outputs from the Advisory Team are shared with appropriate response organizations. • State, tribal, and local governments are responsible for implementing protective actions as they deem appropriate.

Response Activity	Federal Agency Capabilities/Responsibilities
Population Monitoring	<ul style="list-style-type: none"> • The Department of Health and Human Services (HHS), through ESF #8 – Public Health and Medical Services and in consultation with the coordinating agency, coordinates Federal support for external monitoring of people. • HHS assists local and State health departments in establishing a registry of potentially exposed individuals, performing dose reconstruction, and conducting long-term monitoring of this population for potential long-term health effects.
Laboratory Analysis	Federal agencies provide laboratory capabilities for certain types of analyses. Examples of capabilities include FDA (HHS) for food and agriculture analysis; CDC (HHS) for bioassays; and EPA and DOE for environmental samples.
Environmental Monitoring and Sampling for Cleanup Verification	<ul style="list-style-type: none"> • Responsibility for this activity is defined by applicable laws and regulations, and is typically the responsibility of nuclear/radiological facility and material owners and operators. • EPA may provide support under ESF #10 when appropriate.
Release of Public Information	For incidents in which DHS leads the overall Federal response (under HSPD-5), DHS/ESF #15 – External Affairs coordinates the release of Federal public information regarding the incident. Otherwise, the coordinating agency is responsible for the release of Federal public information.
Population Decontamination	<ul style="list-style-type: none"> • Decontamination of possibly affected victims is accomplished locally and is the responsibility of State, tribal, and local governments. • Federal resources are provided at the request of, and in support of, the affected State(s). HHS, through ESF #8 and in consultation with the coordinating agency, coordinates Federal support for population decontamination. • HHS assists and supports State, tribal, and local governments in performing monitoring for internal contamination and administering available pharmaceuticals for internal decontamination, as deemed necessary by State health officials.
Emergency Worker Decontamination	<ul style="list-style-type: none"> • The FRMAC provides support for decontamination of Federal, State, and local emergency responders integrating into the FRMAC. • Agencies are responsible for decontamination of their own workers not integrated in the FRMAC.
Response Equipment Decontamination	<ul style="list-style-type: none"> • The FRMAC provides support for decontamination of Federal, State, and local equipment integrating into the FRMAC. • Agencies are responsible for decontamination of their own equipment that is not integrated in the FRMAC.
Fatality Management	Fatality management is primarily a State responsibility. HHS coordinates the Federal support to the States.
Contaminated Animal Management	<ul style="list-style-type: none"> • USDA provides support for assessment, control, and decontamination of contaminated animals, including companion animals, livestock, poultry, and wildlife. • USDA provides support for stabilization and disposition of contaminated animal carcasses, with additional support from ESF #3 – Public Works and Engineering and ESF #10.

Response Activity	Federal Agency Capabilities/Responsibilities
Contaminated Agricultural Product Management	USDA provides support under ESF #11 – Agriculture and Natural Resources, with additional support from ESF #3 and ESF #10 for the assessment, stabilization, and disposal of contaminated animal products and plant materials including food, feed, fiber, and crops.
Radioactive Waste Storage and Disposal	<ul style="list-style-type: none"> • Responsibility for this activity is defined by applicable laws and regulations, and is typically the responsibility of nuclear/radiological facility and material owners and operators. • EPA may provide support under ESF #10 when appropriate. • DOD/USACE and other Federal agencies may provide additional support as needed for RDD/IND incidents.
Contaminated Debris Removal	<ul style="list-style-type: none"> • Responsibility for this activity is defined by applicable laws and regulations, and is typically the responsibility of nuclear/radiological facility and material owners and operators. • Support is provided as a joint effort between ESF #3 (DOD/USACE) and ESF #10 (EPA).
Environmental Remediation	<ul style="list-style-type: none"> • Responsibility for this activity is defined by applicable laws and regulations, and is typically the responsibility of nuclear/radiological facility and material owners and operators. • EPA may provide support under ESF #10 when appropriate. • DOD/USACE and other Federal agencies may provide additional support as needed for RDD/IND incidents.

RECOVERY

When DHS is coordinating the Federal response, it coordinates, in concert with cognizant State, tribal, and local governments, overall Federal recovery pursuant to the *NRF*. The coordinating agency maintains responsibility for managing the Federal technical radiological cleanup activities in accordance with its statutory authorities, responsibilities and *NRF* mechanisms.

For all other radiological incidents, the coordinating agency coordinates environmental remediation/cleanup in concert with cognizant State, tribal, and local governments, and owners/operators, as applicable. While retaining technical lead for these activities, the coordinating agency may request support from a cooperating agency that has cleanup/recovery experience and capabilities (e.g., EPA, USACE).

State, tribal, and local governments primarily are responsible for planning the recovery of the affected area. (The term “recovery,” as used here, encompasses any action dedicated to the continued protection of the public and resumption of normal activities in the affected area.) Recovery planning generally does not take place until the initiating conditions of the incident have stabilized and immediate actions to protect public health, safety, and property are accomplished. Upon request, the Federal Government assists State, tribal, and local governments with developing and executing recovery plans.

Private owners/operators have primary responsibility for recovery planning activities and eventual cleanup within their facility boundaries and may have responsibilities for recovery activities outside their facility under applicable legal obligations (e.g., contractual, licensee, CERCLA).

The DOE FRMAC Director works closely with the FRMAC’s Senior EPA representative to facilitate a smooth transition of the Federal radiological monitoring and assessment coordination

responsibility to EPA at a mutually agreeable time, and after consultation with DHS, the Unified Coordination Group, and State, tribal, and local governments. The following conditions are intended to be met prior to transfer:

- The immediate emergency condition is stabilized;
- Off-site releases of radioactive material have ceased, and there is little or no potential for further unintentional off-site releases;
- The off-site radiological conditions are evaluated and the immediate consequences are assessed;
- An initial long-range monitoring plan has been developed in conjunction with the affected State, tribal, and local governments and appropriate Federal agencies; and
- EPA has received adequate assurances from the other Federal agencies that they are committing the required resources, personnel, and funds for the duration of the Federal response.

Radiological monitoring and assessment activities are normally terminated when the coordinating agency, in consultation with other participating agencies and State, tribal, and local governments, determines that:

- There is no longer a threat to public health and safety or the environment;
- State, tribal, and local resources are adequate for the situation; and
- There is mutual agreement among the agencies involved to terminate monitoring and assessment.

FEDERAL CAPABILITIES AND ASSETS

In addition to leading specific portions of a response, coordinating agencies, along with other Federal agencies, may bring specific expertise pertinent to nuclear/radiological incidents. Table 5 below identifies the specific support that these agencies may provide.

Table 5: Additional Federal Agency Capabilities for a Nuclear/Radiological Incident

Agency	Capabilities
Department of Agriculture	<p>(See the ESF #11 Annex and the Food and Agriculture Incident Annex for additional USDA responsibilities.)</p> <ul style="list-style-type: none">• Assists in the planning and collection of agricultural samples within the Ingestion Exposure Pathway Emergency Planning Zone.• Assesses damage to crops, soil, livestock, poultry, and processing facilities and incorporates the findings in a damage assessment report.• Assists in the evaluation and assessment of data to determine the impact of the incident on agriculture.• Provides support and advice on screening and decontamination of pets and farm animals that may have been exposed to radiation or contaminated with radioactive materials.

Agency	Capabilities
<p>Department of Agriculture (Continued)</p>	<ul style="list-style-type: none"> • Assists in the planning and operational aspects of animal carcasses disposal. • Inspects and assists in the collection of samples of crops, meat and meat products, poultry and poultry products, and egg products to ensure that they are safe for human consumption. • Assists, in conjunction with HHS, in monitoring the production, processing, storage, and distribution of food through the wholesale level to eliminate contaminated product and to ensure that the levels of contamination in the product are safe and below the derived intervention levels (DILs).
<p>Department of Commerce</p>	<ul style="list-style-type: none"> • Provides near or on-scene weather observations upon request. • Prepares forecasts tailored to support emergency incident management activities. • Participates in the IMAAC by providing atmospheric transport and dispersion (plume) modeling assessment and forecasts, surface weather observations, and weather forecasts to the IMAAC, when activated. • When the IMAAC is not activated, provides atmospheric transport and dispersion (plume) modeling assessment and forecasts to the coordinating agency, in accordance with established procedures. • Maintains and further develops the HYSPLIT transport and dispersion model. • Archives, as a special collection, the meteorological data from national observing and numerical weather analysis and prediction systems applicable to the monitoring and assessment of the response. • Provides assistance and reference material for calibrating radiological instruments. • Provides support in the testing and evaluation of radiation shielding materials. • In the event of materials potentially crossing international boundaries, provides atmospheric transport and dispersion products to international hydrometeorological services and associated agencies through the mechanisms afforded by the World Meteorological Organization. • Provides radioanalytical measurement support and instrumentation. • Provides assistance for collection and monitoring for marine and estuary contamination assessment. • Advises and provides assistance on building operations (e.g., HVAC) for contamination control and decontamination processes. • Provides laboratory support for analysis of materials and environmental samples.

Agency	Capabilities
<p>Department of Defense</p>	<ul style="list-style-type: none"> • 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, the obligation of DOD resources to support requests for assistance is subject to the approval of the Secretary of Defense. Under certain critical circumstances, the President or Secretary of Defense may direct DSCA activities without a specific request. Details regarding DSCA and immediate response are provided in the <i>NRF Core Document</i>. • 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, the obligation of DOD resources to support requests for assistance is subject to the approval of the Secretary of Defense. Under certain critical circumstances, the President or Secretary of Defense may direct DSCA activities without a specific request. Details regarding DSCA and immediate response are provided in the <i>NRF Core Document</i>. • May provide DOD and DOD-funded assets for the response to radiological incidents, to include: <ul style="list-style-type: none"> • Weapons of Mass Destruction Civil Support Teams (WMD CSTs) – National Guard teams that assess a suspected WMD attack, advise civilian responders on appropriate actions through on-site testing and expert reachback, and facilitate the arrival of additional State and Federal military forces. Each team consists of 22 personnel and is equipped with personal protective equipment for operating in unknown hazardous environments, NBC (nuclear, biological, and chemical) detectors, sampling/analytical systems, a decontamination system, and communications equipment used to reach back to experts via satellite. These are State assets that can be federalized. There is nominally one CST per State, as well as one each in Guam, Puerto Rico, the Virgin Islands, and the District of Columbia. • CBRN (chemical, biological, radiological, and nuclear) Enhanced Response Force Packages (CERFPs) – National Guard elements that provide an immediate response capability to a Governor. The CERFPs are capable of searching an incident site (including damaged buildings), rescuing any casualties, decontaminating them, and performing medical triage and initial treatment to stabilize them for transport to a medical facility. This includes extracting anyone trapped in the rubble. The CERFP is composed of four elements staffed by personnel from already established National Guard units. The elements are search and extraction, decontamination, medical, and security. The CERFP command and control team directs the overall activities of the CERFP and coordinates with the Joint Task Force – State and the Incident Commander. There is at least one CERFP in each FEMA region. • CBRNE (chemical, biological, radiological, nuclear, and high-yield explosive) Consequence Management Response Forces (CCMRF) – Multiservice (active and reserve component military) follow-on assets designed to augment the CSTs and CERFPs, if necessary. Specific CCMRF capabilities include, but are not limited to, robust command and control, technical search and rescue, explosive ordnance disposal, aviation evacuation, specialized medical response teams, and enhanced chemical, biological, and nuclear detection/decontamination.

Agency	Capabilities
<p>Department of Defense (Continued)</p>	<ul style="list-style-type: none"> • DOD advisory teams – Various teams that may deploy, either independently or as part of the CCMRFs, that provide guidance and advice to the Incident Commander on potential health hazards, radiation injury treatment, survey data evaluations, population monitoring, etc. These include the Consequence Management Advisory Team (CMAT), U.S. Air Force Radiation Assessment Team (AFRAT), the U.S. Army's Radiological Advisory Medical Team (RAMT), and the Armed Forces Radiobiology Research Institute's Medical Radiobiological Advisory Team (MRAT). • Provides immediate assistance under Immediate Response Authority for any civil emergency that may require immediate action to save lives, prevent human suffering, or mitigate great property damage. When such conditions exist and time does not permit prior approval from higher headquarters, local military commanders and responsible officials from DOD components and agencies are authorized by DOD directive, subject to any supplemental direction that may be provided by their DOD component, to take necessary action to respond to requests of civil authorities. All such necessary action is referred to as "Immediate Response."
<p>Department of Defense/U.S. Army Corps of Engineers</p>	<p>(See the ESF #3 – Public Works and Engineering Annex for additional information.)</p> <ul style="list-style-type: none"> • For RDD/IND incidents, provides response and cleanup support as a cooperating agency. • Integrates and coordinates with other agencies, as requested, to perform any or all of the following: <ul style="list-style-type: none"> • Radiological survey functions. • Gross decontamination. • Site characterization. • Contaminated water and debris management. • Site remediation.
<p>Department of Energy</p>	<ul style="list-style-type: none"> • Develops and maintains FRMAC policies and procedures, determines FRMAC composition, and maintains FRMAC operational readiness. • Coordinates Federal radiological environmental monitoring and assessment activities as lead technical organization in the FRMAC (emergency phase), regardless of who is designated the coordinating agency. • Maintains technical liaison with State and local agencies with monitoring and assessment responsibilities. • Maintains a common set of all radiological monitoring data in an accountable, secure, and retrievable form and ensures the technical integrity of FRMAC data. • Provides monitoring data and interpretations, including exposure rate contours, dose projections, and any other requested radiological assessments, to the coordinating agency and to the States. • Provides, in cooperation with other Federal agencies, the personnel and equipment to perform radiological monitoring and assessment activities, and provides on-scene analytical capability supporting assessments. • Requests supplemental assistance and technical support from other Federal agencies as needed.

Agency	Capabilities
<p>Department of Energy (Continued)</p>	<ul style="list-style-type: none"> • Arranges consultation and support services through appropriate Federal agencies to all other entities (e.g., private contractors) with radiological monitoring functions and capabilities and technical and medical expertise for handling radiological contamination and population monitoring. • Works closely with the Senior EPA representative to facilitate a smooth transition of the Federal radiological monitoring and assessment coordination responsibility to EPA at a mutually agreeable time and after consultation with the States and coordinating agency. • Provides, in cooperation with other Federal and State agencies, personnel and equipment, including portal monitors, to support initial external screening and provides advice and assistance to State and local personnel conducting screening/decontamination of persons leaving a contaminated zone. • Provides plume trajectories and deposition projections from NARAC for emergency response. • Provides source term estimates to the IMAAC and/or coordinating agency when limited or no information is available, based on DOE's unique experience in developing source terms for INDs and RDDs. • Upgrades, maintains, coordinates, and publishes documentation needed for the administration, implementation, operation, and standardization of the FRMAC. • Maintains and improves the ability to provide wide-area radiation monitoring now resident in the AMS. • Maintains and improves the ability to provide medical assistance, advisory teams, and training related to nuclear/radiological accidents and incidents now resident in the REAC/TS. • Maintains and improves the ability to provide predictive modeling of airborne hazards and to correct modeled results through integration of actual radiation measurements obtained from both airborne and ground sources, resident in the FRMAC. The NARAC maintains and improves their ability to model the direct results (blast, thermal, radiation, EMP) of a nuclear detonation. • Maintains and improves the first-response ability to assess an emergency situation and to advise decisionmakers on what further steps can be taken to evaluate and minimize the hazards of a radiological emergency resident in the RAP. • Maintains and improves the ability to respond to an emergency involving U.S. nuclear weapons resident in the ARG. • Maintains and improves the ability of CMHTs and CMRTs to provide initial planning, coordination, and data collection and assessment prior to or in lieu of establishment of a FRMAC. • Maintains and improves the ability of the DOE Nuclear/Radiological Advisory Team to provide advice and limited technical assistance, including search, diagnostics, and effects prediction, as part of a Domestic Emergency Support Team. • Maintains and improves the ability of Radiological Triage to determine, through remote analysis of nuclear spectra collected on-scene, if a radioactive object contains special nuclear materials. • Assigns a Senior Energy Official (SEO) for any response involving the deployment of the DOE/NNSA emergency response assets. The SEO will integrate into an appropriate position in the IC/UC and is responsible for the coordination and employment of these assets at the scene of a radiological event. The deployed assets will work in support of and under the direction of the SEO.

Agency	Capabilities
<p>Department of Health and Human Services</p>	<p>(See the ESF #8 Annex for additional information.)</p> <ul style="list-style-type: none"> • Conducts epidemiological surveillance and provides guidance on methods to detect symptoms consistent with exposure to radioactive materials. • Collects samples of agricultural products to monitor and assess the extent of contamination as a basis for recommending or implementing protective actions (through the FRMAC). • Provides advice on proper medical treatment of the general population and response workers exposed to or contaminated by radioactive materials. • Provides available medical countermeasures through deployment of the Strategic National Stockpile. • Provides assessment and treatment teams for those exposed to or contaminated by radiation. • Provides advice and guidance in assessing the impact of the effects of radiological incidents on the health of persons in the affected area. • Manages long-term public monitoring and supports follow-on personal data collection, collecting and processing of blood samples and bodily fluids/matter samples, and advice concerning medical assessment and triage of victims. Tracks patient treatment and long-term health effects.
<p>Department of Homeland Security/Customs and Border Protection</p>	<ul style="list-style-type: none"> • For incidents at the border, maintains radiation detection equipment and nonintrusive inspection technology at ports of entry and Border Patrol checkpoints to detect the presence of radiological substances transported by persons, cargo, mail, or conveyance arriving from foreign countries. • Through its National Targeting Center, provides extensive analytical and targeting capabilities to identify and interdict suspect nuclear/radiological materials. • Through the CBP Weapons of Mass Destruction Teleforensic Center, provides 24/7 support to DHS/CBP and other Federal law enforcement personnel in the identification of interdicted suspect hazardous material as well as providing a link for coordination with and triage to other Federal agencies as appropriate for the type of incident. • Through the CBP Laboratories and Scientific Services (LSS), staffs WMD Response Teams in strategic locations nationwide to screen and identify potential radiological threat materials as well as reduce the hazards that may exist by establishing temporary containment parameters.
<p>Department of Homeland Security/Domestic Nuclear Detection Office (DNDO)</p>	<ul style="list-style-type: none"> • Supports the deployment of an enhanced global nuclear detection system to detect and report on attempts to import, possess, store, transport, develop, or use an unauthorized nuclear explosive device, fissile material, or radiological material in the United States. • Through the DNDO Joint Analysis Center, provides a coordinated technical adjudication of a nuclear/radiation detection alarm, and recommends technical Federal asset responses as required.
<p>Department of Homeland Security/Federal Emergency Management Agency</p>	<p>Serves as the annex coordinator for this annex.</p>

Agency	Capabilities
Department of Homeland Security/U.S. Coast Guard	<ul style="list-style-type: none"> • Because of its unique maritime jurisdiction and capabilities, is prepared to provide appropriate security, command and control, transportation, and support to other agencies that need to operate in the maritime domain. • Maintains the National Response Center, which is staffed by Coast Guard personnel who maintain a 24-hour-a-day, 365-day-a-year telephone watch.
Department of the Interior (DOI)	<ul style="list-style-type: none"> • Provides resources, including personnel, equipment, and laboratory support, to advise and assist in evaluating processes affecting radioisotopes in soils. • Provides resources, including personnel and equipment, to advise and assist in the development of geographic information systems databases to be used in the analysis and assessment of contaminated areas. • Provides liaison between federally recognized tribal governments and Federal, State, and local agencies for coordination of response activities. Additionally, DOI advises and assists DHS on economic, social, and political matters in the U.S. insular areas should a radiological incident occur in these areas.
Department of Justice/Federal Bureau of Investigation	<ul style="list-style-type: none"> • Has lead 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. • Manages, leads, and coordinates all law enforcement and investigative activities with regard to the response to terrorist acts or threats, including tactical operations, crime scene investigation, crisis negotiation, and intelligence gathering and dissemination. • Coordinates the activities of the law enforcement community to detect, prevent, preempt, and disrupt terrorist attacks against the United States. <p>Further details regarding the FBI response are outlined in the Terrorism Incident Law Enforcement and Investigation Annex.</p>
Department of Labor/Occupational Safety and Health Administration	<ul style="list-style-type: none"> • Provides advice and technical assistance to DHS, the coordinating agency, and State, tribal, and local governments concerning the health and safety of response workers implementing the policies and concepts in this annex. • Provides assistance with developing site health and safety plans. • Provides monitoring for emergency response workers through the Worker Safety and Health Support Annex. • Provides technical assistance with emergency worker decontamination.
Department of State	<ul style="list-style-type: none"> • Serves as the U.S. Government lead in notification of the International Atomic Energy Agency (IAEA) in accordance with the Convention on Early Notification of a Nuclear Accident. • Serves as the U.S. Government lead in notification to foreign governments. Will immediately notify Canada and Mexico to negotiate cooperative and collaborative cross-border activities. • Serves as the U.S. Government lead in requesting or accepting assistance in accordance with the IAEA Convention on Assistance in Case of a Nuclear Accident or Radiological Emergency.
Department of Transportation	<p>(See the ESF #1 – Transportation Annex for further information.)</p> <p>Provides technical advice and assistance on the transportation of radiological materials and the impact of the incident on the transportation infrastructure.</p>

Agency	Capabilities
<p>Department of Veterans Affairs</p>	<p>Provides medical assistance using the Medical Emergency Radiological Response Team, which provides direct patient treatment, assists and trains local health care providers in managing, handling, and treatment of radiation-exposed and -contaminated casualties, assesses the impact on human health, and provides consultation and technical advice to local, State, and Federal authorities.</p>
<p>Environmental Protection Agency</p>	<p>(See the ESF #10 Annex for additional information.)</p> <ul style="list-style-type: none"> • Provides resources, including personnel, equipment, and laboratory support (including mobile laboratories) to assist DOE in monitoring radioactivity levels in the environment. • Assists in the development and implementation of a long-term monitoring plan and long-term recovery plan. • Provides nationwide environmental monitoring data from the RadNet for assessing the national impact of the incident. • Develops PAG manuals in coordination with the FRPCC. • Recommends acceptable emergency levels of radioactivity and radiation in the environment. • Prepares health and safety advice and information for the public. • Estimates effects of radioactive releases on human health and the environment. • Provides, in cooperation with other Federal agencies, the law enforcement personnel and equipment to conduct law enforcement operations and investigations for nuclear/radiological incidents involving criminal activity that are not terrorism related.
<p>National Aeronautics and Space Administration</p>	<ul style="list-style-type: none"> • Partners with DOE when preparing for the launch of spacecraft involving significant quantities of DOE-owned nuclear material by providing additional specialized radiological monitoring equipment and radiological accident response personnel. However, NASA Centers maintain limited quantities of radiological monitoring equipment that could be utilized in response to radiological incidents. • In conjunction with EPA and NOAA, may task certain NASA orbiting assets to provide supplemental data to monitor incidents occurring in Earth's atmosphere.
<p>Nuclear Regulatory Commission</p>	<ul style="list-style-type: none"> • Provides technical assistance to include source term estimation, plume dispersion, and dose assessment calculations. • Provides assistance in Federal radiological monitoring and assessment activities.

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Coordinating Agency:

Department of Health and Human Services

Cooperating Agencies:

Department of Agriculture
Department of Commerce
Department of Defense
Department of Energy
Department of Homeland Security
Department of the Interior
Department of Justice
Department of Labor
Department of State
Department of Transportation
Department of Veterans Affairs
Environmental Protection Agency
General Services Administration
U.S. Agency for International Development
U.S. Postal Service
American Red Cross

INTRODUCTION

Purpose

The purpose of the Biological Incident Annex is to outline the actions, roles, and responsibilities associated with response to a human disease outbreak of known or unknown origin requiring Federal assistance. In this document, a biological incident includes naturally occurring biological diseases (communicable and noncommunicable) in humans as well as terrorist events. This definition also includes those biological agents found in the environment, or diagnosed in animals, that have the potential for transmission to humans (zoonosis). Incidents that are restricted to animal, plant, or food health or safety are reviewed in other annexes. Actions described in this annex take place with or without a Presidential Stafford Act declaration or a public health emergency declaration by the Secretary of Health and Human Services (HHS). This annex outlines biological incident response actions including threat assessment notification procedures, laboratory testing, joint investigative/response procedures, and activities related to recovery.

Scope

The objectives of the Federal Government's response to a biological terrorism event or to a naturally occurring disease outbreak with a known or novel pathogen are to:

- Detect the event through disease surveillance and environmental monitoring.
- Identify and protect the population(s) at risk.
- Determine the source of the disease.
- Assess the public health, law enforcement, and international implications.
- Control and contain any possible epidemic (including providing guidance to State, tribal, territorial, and local public health authorities).
- Augment and surge public health and medical services.

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- Identify the cause and prevent the recurrence of any potential resurgence, additional outbreaks, or further spread of disease.
- Assess the extent of residual biological contamination and conduct response, restoration, and recovery actions as necessary.

The unique attributes of this response require separate planning considerations that are tailored to specific health concerns and effects of the disease (e.g., terrorism versus natural outbreaks, communicable versus noncommunicable, etc.).

Specific operational guidelines, developed by respective organizations to address the unique aspects of a particular biological agent or planning consideration, will supplement this annex and are intended as guidance to assist Federal, State, tribal, territorial, and local public health and medical planners.

Special Considerations

Detection of a bioterrorism act against the civilian population may occur in several different ways and involve several different modalities:

- An attack may be surreptitious, in which case the first evidence of dissemination of an agent may be the presentation of disease in humans or animals. This could manifest either in clinical case reports to domestic or international public health authorities or in unusual patterns of symptoms or encounters within domestic or international health surveillance systems.
- A terrorist-induced infectious disease outbreak initially may be indistinguishable from a naturally occurring outbreak; moreover, depending upon the particular agent and associated symptoms, several days could pass before public health and medical authorities even suspect that terrorism may be the cause. In such a case, criminal intent may not be apparent until some time after illnesses are recognized.
- Environmental surveillance systems, such as the BioWatch system, may detect the presence of a biological agent in the environment and trigger directed environmental sampling and intensified clinical surveillance to rule out or confirm an incident. If confirmed, the utilization of environmental surveillance systems may allow for mobilization of a public health, medical, and law enforcement response in advance of the appearance of the first clinical cases or a rapid response after the first clinical cases are identified.
- Other cooperating departments and agencies listed in this annex may detect acts of bioterrorism or biological incidents through their normal operations and surveillance efforts. Should this occur, notifications should be made according to approved interagency response protocols, consistent with the health and law enforcement assessment process described in this annex.

Policies

This annex supports policies and procedures outlined in the *National Response Framework*, Emergency Support Function (ESF) #8 – Public Health and Medical Services Annex, ESF #10 – Oil and Hazardous Materials Response Annex, ESF #11 – Agriculture and Natural Resources Annex, ESF #15 – External Affairs Annex, the Terrorism Incident Law Enforcement and Investigation Annex, and the International Coordination Support Annex.

HHS serves as the Federal Government's primary agency for the public health and medical preparation and planning for and response to a biological terrorism attack or naturally occurring

outbreak that results from either a known or novel pathogen, including an emerging infectious disease.

The Department of Agriculture (USDA) serves as the Government's primary agency for outbreaks and/or attacks that may occur in animals used in the commercial production of food. USDA may also serve as the Government's primary agency for attacks on food processing/slaughtering facilities under its regulatory purview. In the event of a food or animal event, HHS may provide additional public health and veterinary epidemiological assistance to USDA. Wildlife events will be placed under the purview of the Department of the Interior (DOI), while those involving marine animals will be managed and monitored by the Department of Commerce.

The Secretary of Homeland Security is the principal Federal official for domestic incident management. Pursuant to the Homeland Security Act of 2002, the Secretary is responsible for coordinating Federal operations within the United States to prepare for, respond to, and recover from terrorist attacks, major disasters, and other emergencies, including biological incidents.

State, tribal, territorial, and local governments are primarily responsible for detecting and responding to disease outbreaks and implementing measures to minimize the health, social, and economic consequences of such an outbreak.

The Attorney General has lead 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. Generally acting through the Federal Bureau of Investigation (FBI), the Attorney General, in cooperation with other Federal departments and agencies engaged in activities to protect our 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. If any agency or government entity becomes aware of an overt threat involving biological agents or indications that instances of disease may not be the result of natural causes, the Department of Justice (DOJ) must be notified through the FBI's Weapons of Mass Destruction Operations Unit (WMDOU).

If the threat is deemed credible by the FBI in coordination with HHS or USDA, the FBI, in turn, immediately notifies the National Operations Center (NOC) and the National Counterterrorism Center (NCTC). The Laboratory Response Network (LRN) is used to test samples for the presence of biological threat agents. Any agency or organization that identifies an unusual or suspicious test result should contact the FBI to ensure coordination of appropriate testing at an LRN laboratory. Decisions on where to perform additional tests on samples are made by the FBI, in coordination with HHS or USDA. All relevant threat and public health assessments should be provided to the NOC. Test results on human samples from non-LRN facilities are considered a "first pass" or "screening" test.

Once notified of a credible threat or disease outbreak, HHS convenes a meeting of ESF #8 partners to assess the situation and determine appropriate public health and medical actions. The Department of Homeland Security (DHS) coordinates overall nonmedical support and response actions across all Federal departments and agencies. HHS leads public health and medical emergency response efforts across all Federal departments and agencies.

The FBI coordinates the investigation of criminal activities if such activities are suspected.

HHS provides guidance to State, tribal, territorial, and local authorities and collaborates closely with the FBI in the proper handling of any materials that may have evidentiary implications (e.g., LRN samples, etc.) associated with disease outbreaks suspected of being terrorist or criminal in nature. If evidentiary materials are shared with or procured from foreign

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governments, HHS and the FBI will coordinate and share information with the Department of State (DOS) as appropriate.

HHS will be supported by other Federal agencies as appropriate during the various states of a biological incident response in the preparation, planning, and/or response processes and will perform the roles described in this annex in coordination with DHS and State partners. If the incident response progresses such that it requires multiagency participation, DHS will serve as the Incident Coordinator. HHS will serve as the coordinating agency for public health issues as will other agencies for their area of technical expertise.

If there is potential for environmental contamination, HHS collaborates with the Environmental Protection Agency (EPA) in developing and implementing sampling strategies and sharing results.

In the event of an outbreak of an agriculturally significant zoonotic disease or human foodborne pathogen, HHS collaborates with USDA during the preparation, planning, and/or response processes.

Given the dynamic nature of a biological incident, HHS, in collaboration with other departments and agencies, determines the thresholds for a comprehensive Federal Government public health and medical response. These thresholds are based on specific event information rather than predetermined risk levels.

Federal public announcements, statements, or press releases related to a threat or actual bioterrorism event will be coordinated with the DHS Office of Public Affairs consistent with ESF #15, if activated.

Planning Assumptions

In a biological incident, Federal, State, tribal, territorial, and local officials require a highly coordinated response to public health and medical emergencies. The biological incident also may affect other countries, or be of international concern, and therefore involve extensive coordination with DOS and the international health community (e.g., notification to the World Health Organization (WHO) and other international health organizations under the International Health Regulations (IHR)).

Disease transmission may occur from direct contact with an infected individual or animal, an environmental reservoir (includes contaminated surface or atmospheric dispersion), an insect vector, or contaminated food and water. Indirect contact transmission may also occur where contaminated inanimate objects (fomites) serve as the vehicle for transmission of the agent. Hands may also play a role in indirect transmission.

A biological incident may be distributed across multiple jurisdictions simultaneously. This could require the simultaneous management of multiple "incident sites" from national and regional headquarters locations in coordination with multiple State, tribal, territorial, and local jurisdictions.

A response to contagious and noncontagious public health emergencies may require different planning assumptions or factors.

The introduction of biological agents, both natural and deliberate, is often first detected through clinical or hospital presentation. However, there are other methods of detection, including environmental surveillance technologies such as BioWatch, and medical and syndromic surveillance systems. Early detection of biological agents offers an opportunity to take proactive measures to mitigate the consequences of disease outbreak.

Routine fish and wildlife health and disease surveillance, including investigation of wildlife mortality events conducted on public lands and in public laboratories, provides the opportunity for early detection of biological agents and acts of bioterrorism. Animal health surveillance in the agriculture sector provides similar opportunities.

No single entity possesses the authority, expertise, and resources to act unilaterally on the many complex issues that may arise in response to a nonroutine disease outbreak and loss of containment affecting a multijurisdictional area. The national response requires close coordination between numerous agencies at all levels of government and with the private sector.

The Federal Government supports affected State, tribal, territorial, and local health jurisdictions as requested or required. The response by HHS and other Federal agencies is flexible and adapts as necessary as the outbreak evolves.

The LRN provides analytical support to inform public health assessment of the potential for human illness associated with exposure and the scope of this kind of risk. The LRN also provides for definitive testing of both environmental and clinical samples, as well as limited supporting analysis of food samples that may be implicated as part of epidemiological investigations associated with incident response to cases of human illness. Early HHS, FBI, USDA, EPA, and DHS coordination enhances the likelihood of successful preventative and investigative activities necessary to neutralize threats and attribute the source of the outbreak. (The Food Emergency Response Network (FERN) is a complementary system that integrates the Nation's food-testing laboratories at the local, State, and Federal levels into a network that is able to respond to emergencies involving biological, chemical, or radiological contamination of food. The FERN structure is organized to ensure Federal and State interagency participation and cooperation in the formation, development, and operation of the network.)

Response to disease outbreaks suspected of being deliberate in origin requires consideration of special law enforcement and homeland security requirements as well as international legal obligations and requirements.

An investigation into intentional biological threats or incidents will likely require the initiation of a joint criminal and epidemiological investigation. The FBI would coordinate criminal investigative activities with appropriate State/local and Federal partner agencies, such as DHS, HHS, and USDA.

CONCEPT OF OPERATIONS

Biological Agent Response

The key elements of an effective biological response include (in nonsequential order):

- Rapid detection of the outbreak or introduction of a biological agent into the environment.
- Rapid dissemination of key safety information, appropriate personal protective equipment, and necessary medical precautions.
- Swift agent identification and confirmation.
- Identification of the population at risk (to include animals, marine life, and plants).
- Determination of how the agent is transmitted, including an assessment of the efficiency of transmission.

- Determination of susceptibility to prophylaxis and treatment.
- Definition of the public health and medical services, human services, and mental health implications.
- Control and containment of the epidemic when possible, and use of mitigation strategies when containment is not possible (e.g., in the event of an influenza pandemic).
- Identification of the law enforcement implications/assessment of the threat.
- Augmentation and surging of local health and medical resources.
- Protection of the population through appropriate public health and medical actions.
- Dissemination of information to enlist public support and provide risk communication assistance to responsible authorities.
- Assessment of environmental contamination and cleanup/decontamination/proper disposal of bioagents that persist in the environment, and provision of consultation on the safety of drinking water and food products that may be derived from directly or environmentally exposed animals, crops, plants and trees, or marine life.
- Tracking and preventing secondary or additional disease outbreak.
- Administration of countermeasures when appropriate.

Primary Federal functions include supporting State, tribal, territorial, and local public health and medical capacities according to the policies and procedures detailed in the *National Response Framework* and its annexes (e.g., ESF #8).

Outbreak Detection

Determination of a Disease Outbreak

The initial indication of a biological incident may be the recognition by public health and medical authorities that a significantly increased number of people are becoming ill and presenting to local healthcare providers.

One tool to support this process is the National Biosurveillance Integration System (NBIS). NBIS leverages the individual capabilities of multiple surveillance systems by integrating and analyzing domestic and international surveillance and monitoring data collected from human health, animal health, plant health, and food and water monitoring systems. This integrated cross-domain analysis allows for enhanced situational awareness and potentially reduced detection time, thus enabling more rapid and effective biological incident response decisionmaking.

As a result of the nature in which a disease outbreak may be recognized, critical decisionmaking support requires integrated surveillance information, identification of the causative biological agent, a determination of whether the observations are related to a naturally occurring or deliberate outbreak, and identification of the population(s) at risk.

Laboratory Confirmation

During the evaluation of a suspected disease outbreak, laboratory samples are distributed to appropriate laboratories. During a suspected terrorist incident, sample information is provided

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to the FBI for investigative use and to public health and emergency response authorities for epidemiological use and agent characterization to facilitate and ensure timely public health and medical interventions, as well as environmental cleanup. If the incident begins as an epidemic of unknown origin detected through Federal, State, tribal, territorial, or local health surveillance systems or networks, laboratory analysis is initiated through the routine public health or animal health laboratory systems.

Identification (Analysis and Confirmation)

The samples collected and the analyses conducted must be sufficient to characterize the causative agent of the outbreak. LRN and FERN laboratories fulfill the Federal responsibility for rapid analysis of biological agents. In a suspected terrorism incident, sample collection activities and testing are coordinated with the FBI and LRN member(s).

Suspicious Substances

Since there is no definitive/reliable field test for biological agents of concern, all potential bioterrorism samples are transported to an LRN laboratory, where expert analysis is conducted using established Federal protocols/reagents. A major component of this process is to establish and maintain the law enforcement chain of custody and arrange for transport.

The following actions occur if a positive result is obtained by an LRN on an environmental sample submitted by the FBI or other designated law enforcement personnel:

- The LRN immediately notifies the local FBI of the positive test result and informs the appropriate public health officials.
- The local FBI Field Office makes local notifications and contacts the FBI Headquarters WMDOU.
- FBI Headquarters convenes an initial threat assessment conference call with the local FBI, HHS, and appropriate Federal, State, tribal, territorial, and local response officials to review the results, assess the preliminary information and test results, and arrange for additional testing.
- FBI Headquarters immediately notifies DHS of the situation. Situational updates will be provided, as appropriate.
- Original samples may be sent to HHS/Centers for Disease Control and Prevention for confirmation of LRN analyses. As appropriate, the FBI will direct additional forensic examination of biological materials and/or evidence.
- HHS provides guidance on protective measures such as prophylaxis, treatment, continued facility operation, and use of personal protective equipment.
- HHS, EPA, and cooperating agencies support the determination of the contaminated area. EPA will provide data to support the determination of the contaminated area and to assist with decisions regarding whether to shelter-in-place. EPA will also play a role in the decontamination of facilities and outdoor areas.

Notification

Any disease outbreak suspected or identified by an agency within HHS or through a Federal, State, tribal, territorial, or local public health partner as having public health implications is

brought to the immediate attention of HHS (as detailed in the ESF #8 Annex), in addition to the notification requirements contained in the *National Response Framework*.

Any potentially significant biological agent, disease outbreak, or suspected bioterrorism act affecting or involving animals, plant health, or wildlife should involve notifications to USDA (animals and plant health) and DOI (wildlife).

Following these initial notifications, the procedures detailed in the ESF #8 Annex are followed. Instances of disease that raise the "index of suspicion" of terrorist or criminal involvement, as determined by HHS or USDA (for animal and plant diseases), are reported to FBI Headquarters. In these instances, FBI Headquarters, in conjunction with HHS and/or USDA, examines available law enforcement and intelligence information, as well as the technical characteristics and epidemiology of the disease, to determine if there is a possibility of criminal intent. If the FBI, in conjunction with HHS or USDA, determines that the information represents a potential credible terrorist threat, the FBI communicates the situation immediately to the NCTC and NOC, which notifies the White House, as appropriate. If warranted, the FBI, HHS, and/or USDA and respective State, tribal, territorial, and/or local health officials will conduct a joint law enforcement and epidemiological investigation to determine the causative agent of the disease outbreak, the extent of the threat to public health and public safety, and the individual(s) responsible.

In the event of an environmental detection of a biological threat agent above established agency-specific thresholds, the responsible agency should contact HHS, the FBI, and the NOC within 2 hours of laboratory confirmation. The FBI and HHS, in conjunction with DHS, will convene an initial threat assessment conference call with appropriate Federal, State, tribal, territorial, and local officials to examine the potential threat and public health risk posed by the detection. Coordination of assessment and response activities will involve officials from the impacted State, tribal, territorial, and local jurisdiction(s).

Activation

Once notified of a threat or disease outbreak that requires or potentially requires significant Federal public health and medical assistance, HHS requests activation of ESF #8 from FEMA and convenes a meeting of its internal components and the ESF #8 partner organizations to assess the situation and determine the appropriate public health and medical actions. DHS coordinates all nonmedical support, discussions, and response actions.

The immediate task following any notification is to identify the affected and vulnerable population and the geographic scope of the incident. The initial public health and medical response includes some or all of the following actions:

- Targeted epidemiological investigation (e.g., contact tracing).
- Dissemination of key safety information and necessary medical precautions.
- Intensified surveillance within healthcare settings for patients with certain clinical signs and symptoms.
- Intensified collection and review of potentially related information (e.g., contacts with nurse call lines, laboratory test orders, school absences, over-the-counter pharmacy sales, unusual increase in sick animals, wildlife deaths, decreased commercial fish yields).
- Organization and potential deployment of Federal public health and medical response assets (in conjunction with State, tribal, territorial, and local officials) to include personnel, medical

and veterinary supplies, and materiel (e.g., the Strategic National Stockpile (SNS) and the National Veterinary Stockpile (NVS)).

If there is suspicion that the outbreak may be deliberate, the FBI may establish a Joint Operations Center (JOC), which may be integrated into the Joint Field Office structure, if established, to coordinate investigative and intelligence activities among Federal, State, tribal, territorial, and local authorities. Within the JOC structure locally, and the FBI's Strategic Information and Operations Center in Washington, DC, responsible public health officials would be integrated into the established structures to coordinate the interaction between law enforcement and public health investigations.

ACTIONS

Controlling the Epidemic

The following steps are required to contain and control an epidemic affecting large populations:

- HHS assists State, tribal, territorial, and local public health and medical authorities with epidemic surveillance and coordination.
- HHS assesses the need for increased surveillance in State, tribal, territorial, and local entities not initially involved in the outbreak and notifies the appropriate State, tribal, territorial, and local public health officials with surveillance recommendations should increased surveillance in these localities be needed.
- DHS coordinates with HHS and State, tribal, territorial, and local officials on the messages released to the public to ensure that communications are timely, consistent, accurate, and actionable. Messages should address anxieties, alleviate any unwarranted concerns or distress, and enlist cooperation with necessary control measures. Public health and medical messages to the public should be communicated by a recognized health authority (e.g., the U.S. Surgeon General). (See the Public Affairs Support Annex.)
- Consistent with the IHR, if the outbreak first arises within the United States, HHS, in coordination with DOS, immediately notifies and coordinates with appropriate international health agencies. Given the nature of many disease outbreaks, this notification and coordination may have occurred earlier in the process according to internal operating procedures. HHS advises the NOC when notifications are made to international health agencies.
- The public health system, starting at the local level, is required to initiate appropriate protective and responsive measures for the affected population, including first responders and other workers engaged in incident-related activities. These measures may include mass vaccination or prophylaxis for populations at risk and populations not already exposed, but who are at risk of exposure from secondary transmission or the environment.
- HHS evaluates the incident with its partner organizations and makes recommendations to the appropriate public health and medical authorities regarding the need for isolation, quarantine, or shelter-in-place to prevent the spread of disease.
- The Governor of an affected State or territory implements isolation and/or social-distancing requirements using State/local legal authorities. The tribal leader of a recognized tribe may also order a curfew, isolation, social distancing, and quarantine under tribal legal authorities. In order to prevent the import or interstate spread of disease, HHS may take appropriate Federal actions using the authorities granted by title 42 of the U.S. Code, 42 CFR parts 70 and 71, and 21 CFR part 1240. These measures may include State, tribal,

territorial, and local assistance with the implementation and enforcement of isolation and/or quarantine actions if Federal authorities are invoked.

- Where the source of the disease outbreak has been identified as originating outside the United States, whether the result of terrorism or a natural outbreak, HHS works in a coordinated effort with DHS and other supporting agencies to identify and isolate persons, cargo, mail, or conveyances entering the United States that may be contaminated.
- The scope of the disease outbreak may require mass isolation or quarantine of affected or potentially affected persons. Depending on the type of event, food, animals, and other agricultural products may need to be quarantined to prevent further spread of disease. In addition, livestock or poultry may need to be vaccinated or depopulated, and the movement of animals and equipment on and off affected premises may be restricted. In this instance HHS and USDA will work with State, tribal, territorial, and local health and legal authorities to recommend the most feasible, effective, and legally enforceable methods of isolation and quarantine. If interstate travel restrictions, including restrictions on arriving international travelers, are determined to be necessary, HHS will work closely with DOS, DHS, the Department of Transportation, and State, tribal, territorial, and local authorities to implement any recommended measures. In the event that foreign nationals are subject to isolation and/or quarantine, HHS will work through DOS to notify affected foreign governments.

Decontamination

For certain types of biological incidents (e.g., anthrax), it may be necessary to assess the extent of contamination and decontaminate victims, responders, animals, equipment, transportation conveyances, buildings, critical infrastructure, and large outdoor areas. Such decontamination and related activities take place consistent with the roles and responsibilities, resources and capabilities, and procedures contained in the ESF #8, ESF #10, ESF #11, and ESF #14 – Long-Term Community Recovery Annexes, the Terrorism Incident Law Enforcement and Investigation Annex, and the Catastrophic Incident Annex. (Note: Chemicals used for biological decontamination (e.g., for inactivating highly infectious biological agents such as *Bacillus anthracis* spores) must be registered for that purpose by EPA under the Federal Insecticide, Fungicide, and Rodenticide Act. If, during an emergency, a response entity wants to use a chemical that has not been registered for inactivating the specific biological agent(s) of concern, a request for an emergency exemption from registration must be submitted to and granted by EPA.)

Special Issues

International Notification/Implications

A biological incident may involve internationally prescribed reportable diseases. In addition to case reporting, biological incidents with global public health significance must also be reported to international public health authorities. A biological incident may also have implications under the Biological Weapons Convention if it can be attributed to actions of a foreign party; DOS would manage the diplomatic aspects of any such case.

Per the IHR, once a positive determination is made of a biological incident determined to be of sufficient concern and to be a “public health event of international consequence,” HHS, working with DOS and DHS, notifies WHO through the appropriate regional office, the Pan American Health Organization. HHS, in coordination with DOS, notifies other international health agencies as appropriate.

Allocation and Rationing

If critical resources for protecting human life are insufficient to meet all domestic needs, the Secretary of Health and Human Services makes recommendations to the Secretary of Homeland Security regarding the allocation of scarce Federal public health and medical resources.

RESPONSIBILITIES

The procedures in this annex are built on the core coordinating structures of the *National Response Framework*. The specific responsibilities of each department and agency are described in the respective ESF and Incident Annexes.

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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

Purpose

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

Scope

ESF #10 provides for a coordinated Federal response to actual or potential oil and hazardous materials incidents. Response to oil and hazardous materials incidents is generally carried out in accordance with the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR Part 300. For purposes of this annex, “hazardous materials” is a general term intended to mean hazardous substances, pollutants, and contaminants as defined in the NCP. Hazardous materials include chemical, biological, and radiological substances, whether accidentally or intentionally released.

The scope of ESF #10 includes the appropriate actions to prepare for, respond to, and recover from a threat to public health, welfare, or the environment caused by actual or potential oil and hazardous materials incidents. Appropriate general actions can include, but are not limited to: actions to prevent, minimize, or mitigate a release; efforts to detect and assess the extent of contamination (including sampling and analysis and environmental monitoring); actions to stabilize the release and prevent the spread of contamination; analysis of options for environmental cleanup and waste disposition; implementation of environmental cleanup; and storage, treatment, and disposal of oil and hazardous materials. Examples of specific actions may include: sampling a drinking water supply to determine if there has been intentional contamination; stabilizing the release through the use of berms, dikes, or impoundments; capping of contaminated soils or sludge; use of chemicals and other materials to contain or retard the spread of the release or mitigate its effects; decontaminating buildings and structures; using drainage controls, fences, warning signs, or other security or site-control precautions; removing highly contaminated soils from drainage areas; removing drums, barrels, tanks, or other bulk containers that contain oil or hazardous materials; and other measures as deemed necessary.

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

In addition, ESF #10 may be used under appropriate authorities to respond to actual or threatened releases of materials not typically responded to under the NCP but that pose a threat to public health or welfare or to the environment. Appropriate ESF #10 response activities to such incidents include, but are not limited to, household hazardous waste collection, monitoring of debris disposal, water quality monitoring and protection, air quality sampling and monitoring, and protection of natural resources.

ESF #10 is applicable to all Federal departments and agencies with responsibilities and assets to support State, tribal, and local response to actual or potential oil or hazardous materials incidents.

Policies

The NCP is an operational supplement to the *National Response Framework (NRF)*. It provides more detailed information regarding the roles and responsibilities, organizational structures, and procedures described in ESF #10.

The NCP is authorized by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Federal Water Pollution Control Act (FWPCA) as amended by section 311 of the Clean Water Act and the Oil Pollution Act of 1990 (OPA 90).

As described in the *NRF* core document, some Federal responses do not require coordination by the Department of Homeland Security (DHS) and are undertaken by other Federal departments and agencies consistent with their authorities. Federal responses to oil and hazardous materials incidents under the authorities of CERCLA and the FWPCA that do not warrant DHS coordination are conducted under the NCP. The Environmental Protection Agency (EPA) or DHS/U.S. Coast Guard (USCG) may also request DHS to activate other *NRF* elements for such incidents, if needed, while still retaining overall leadership for the Federal response.

ESF #10 may be activated by DHS for incidents requiring a more robust coordinated Federal response, such as:

- A major disaster or emergency under the Stafford Act;
- A Federal-to-Federal support request (e.g., a Federal agency, such as the Department of Health and Human Services or Department of Agriculture (USDA), requests support from ESF #10 and provides funding for the response through the mechanisms described in the Financial Management Support Annex); or
- An actual or potential oil discharge or hazardous materials release to which EPA and/or DHS/USCG respond under CERCLA and/or FWPCA authorities and funding, for which DHS determines it should lead the Federal response.

During a Stafford Act incident, Stafford Act funding will be used to address oil and hazardous materials incidents that are not at pre-existing sites under CERCLA or FWPCA, for which Federal assistance is requested.

When ESF #10 is activated, the NCP typically serves as the basis for actions taken in support of the *NRF*. NCP structures and response mechanisms, discussed further below, remain in place when ESF #10 is activated, but coordinate with *NRF* mechanisms as described in the Concept of Operations section. During Stafford Act responses, some procedures in the NCP may be streamlined or may not apply. 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.

The NCP describes the National Response System (NRS), which is an organized network of agencies, programs, and resources with authorities and responsibilities in oil and hazardous materials response. Key components of the NRS include the National Response Center, National Response Team (NRT), Regional Response Teams (RRTs), Federal On-Scene Coordinators (OSCs), Regional and Area Contingency Plans, and State and local plans. States and tribes participate in the NRS at the regional and local levels.

The NCP requires that oil and hazardous materials releases be reported to the National Response Center. (See 40 CFR 300.125.) The National Response Center provides notifications of such reports to the National Operations Center (NOC) to promote situational awareness.

The NRT is the national-level organization for coordinating Federal interagency activities under the NCP. The NRT is comprised of national representatives of the primary and support agencies for ESF #10. The NRT carries out national preparedness and response planning for oil and hazardous materials incidents and works in coordination with the ESF Leaders Group regarding ESF #10 preparedness with other *NRF* elements. On a day-to-day basis, EPA serves as Chair and DHS/USCG as Vice Chair of the NRT. For an incident-specific NRT activation, the NRT Chair would be the agency providing the Federal OSC. The NRT provides support, assistance, and advice to the Federal OSC and RRT as requested. (Precise jurisdictional boundaries between EPA and DHS/USCG have been determined by EPA-DHS/USCG agreements and are described in the NCP and in greater detail in Regional and Area Contingency Plans. In general, EPA is the lead for incidents in the inland zone and DHS/USCG is the lead for incidents in the coastal zone.)

Thirteen RRTs coordinate NCP interagency activities at the Federal regional level. The RRTs are comprised of regional representatives of the primary and support agencies for ESF #10 as well as a representative from each State within the region. The RRTs are co-chaired by EPA and DHS/USCG on a day-to-day basis. The RRTs serve as planning and preparedness bodies before a response. For an incident-specific RRT activation, the RRT Chair would be the agency providing the Federal OSC. The RRTs are coordinating bodies. As needed during a response, RRTs convene to address interagency response issues and provide assistance and advice to the Federal OSC(s), including resource acquisition support as requested.

At the tactical, on-scene Incident Command Post (ICP) level, the Federal OSC carries out his/her responsibilities under the NCP to coordinate, integrate, and manage overall oil and hazardous materials response efforts in accordance with existing delegations of authority. For oil discharges, depending on the location, the agency providing the Federal OSC is either EPA or DHS/USCG. For hazardous substance emergencies, the agency providing the OSC may be EPA, DHS/USCG, the Department of Energy (DOE), or the Department of Defense (DOD), depending on the location and source of the release. DOE and DOD are generally responsible for hazardous substance emergencies involving their facilities, vessels, materials, and weapons, including transportation-related incidents. Under 40 CFR 300.120, for those hazardous substance emergencies for which DOE or DOD provides the OSC, the OSC is responsible for taking all response actions (both onsite and offsite). Other Federal agencies provide OSCs for hazardous substance removal actions that are not emergencies.

Federal OSCs have independent authority under the NCP to respond to an oil or hazardous materials incident. Some oil and hazardous materials incident responses (including assessments), therefore, may be initiated under the NCP and CERCLA and/or OPA 90 funding, then transition to ESF #10 and Stafford Act funding or funding from another Federal agency under the *NRF* Federal-to-Federal support provisions when ESF #10 is activated under those authorities.

The NCP provides that EPA or DHS/USCG may classify an oil discharge as a Spill of National Significance (SONS). (See 40 CFR 300.323 for a description of a SONS.) For a SONS, EPA or DHS/USCG may name a “senior Agency official” (EPA) or National Incident Commander (DHS/USCG) who assists the OSC, or assumes certain functions of the OSC, respectively (e.g., communicating with the affected parties and public, coordinating resources at the national level). Under the *NRF*, EPA and DHS/USCG maintain authority for classifying a discharge as a SONS for purposes of the NCP. DHS may or may not decide that it should coordinate the Federal response to a SONS. If not, EPA or DHS/USCG lead the Federal response in accordance with the NCP. For a SONS for which DHS coordinates the overall Federal response, ESF #10 is activated and the EPA senior Agency official or DHS/USCG National Incident Commander may also assume a role within the Joint Field Office (JFO) Unified Coordination Group.

Primary Agency Determination: EPA or DHS/USCG serves as the primary agency for ESF #10 actions, depending upon whether the incident affects the inland or 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.

Support Agencies: To the extent possible, support agency representatives to ESF #10 should be those personnel also assigned to the NRT or RRT(s). Where such dual assignments are not possible, each ESF representative is to maintain close coordination with the agency’s NRT/RRT representative.

Multiple Response Actions: When more than one Federal OSC is involved in implementing a response due to multiple response actions, ESF #10 is the mechanism through which close coordination is maintained among all agencies and OSCs.

The primary agency ensures ESF #10 response actions are properly coordinated and carried out. In cases where DHS/USCG is the primary agency and more than one DHS/USCG district falls within a region, DHS/USCG Headquarters selects the regional lead for ESF #10 and may establish an Area Command. In cases where EPA is the primary agency and multiple incident sites or multiple regions are involved, EPA may establish an Area Command. Where multiple EPA regions are involved, if there is a need for EPA to identify a lead region for the ESF #10 response, EPA Headquarters will designate a lead in consultation with the affected regions.

Relationship to Terrorism Incident Law Enforcement and Investigation Annex: For a terrorist incident involving oil or hazardous materials (such as a weapons of mass destruction (WMD) incident), ESF #10 provides assistance, investigative support, and intelligence analysis for the oil/hazardous materials response in coordination with the law enforcement and criminal investigation activities addressed in the Terrorism Incident Law Enforcement and Investigation Annex. For an incident involving oil or hazardous materials and ESF #10 activation that is determined to be an intentional criminal act but not an act of terrorism, the Federal agency with jurisdiction (EPA or DHS/USCG) assumes primary Federal responsibility for the Federal criminal investigation in accordance with its authorities and applicable laws and regulations. Where necessary, EPA or DHS/USCG assigns an official as the Senior Federal Law Enforcement Official in the JFO.

Relationship to Biological and Nuclear/Radiological Incident Annexes: Hazardous materials addressed under the NCP include certain biological and radiological substances. The Biological and Nuclear/Radiological Incident Annexes may therefore be activated simultaneously with ESF #10. The Biological and Nuclear/Radiological Incident Annexes describe additional procedures and Federal agency responsibilities for biological and radiological/nuclear incidents that are not addressed in ESF #10, and are used in conjunction with ESF #10 when applicable.

CONCEPT OF OPERATIONS

General

In conjunction with the affected State(s), ESF #10 coordinates the provision of support to and the overall management of the various response sites to ensure actions are taken to mitigate, clean up, and dispose of oil and hazardous materials and minimize the impact of the incidents. ESF #10 promotes close coordination with Federal, State, tribal, and local officials, as well as the private sector, to establish priorities for response support.

ESF #10 requires documentation of all response activities to support after-action requirements and justify actions taken by primary and support agencies. This includes documentation to support financial transfers between primary and support agencies that are necessary to conduct ESF #10 activities.

ORGANIZATION

Headquarters-Level Response Support Structure

For incidents where EPA is a primary agency, the Director, Office of Emergency Management, Office of Solid Waste and Emergency Response, EPA, serves as the lead for ESF #10. For incidents where DHS/USCG is the primary agency, the Chief, Office of Incident Management and Preparedness, DHS/USCG, serves as the lead for ESF #10.

The primary agency represents ESF #10 and provides ESF #10 representatives, as needed, to the headquarters components of the *NRF*, including the following:

- Domestic Readiness Group (DRG)
- National Response Coordination Center (NRCC)
- National Operations Center (NOC)

The primary agency may request support for these functions from the other ESF #10 partner agencies as appropriate. The primary agency provides administrative support to ESF #10 as appropriate.

Following an initial situation assessment, the primary agency determines which support agencies are required to continue to provide representatives to ESF #10 on a 24-hour basis (either by telephone or in person) during the emergency response period. ESF #10 support agencies have representatives available immediately by telephone on a 24-hour basis.

The primary agency may establish management objectives for ESF #10, consistent with the broader management objectives from the NRCC.

ESF #10 operates from the headquarters of the primary agency:

- EPA coordinates ESF #10 from the EPA Headquarters emergency operations center (EOC).
- DHS/USCG coordinates ESF #10 from the DHS/USCG Headquarters Office of Incident Management and Preparedness.

While incident situation reports generally flow to the NOC from the JFO, the primary agency EOC also keeps the NOC apprised of incident management efforts.

The ESF #10 NRCC representative provides national-level coordination and liaison among ESFs and provides accurate ESF technical information to the NRCC Planning Section and the Incident Management Planning Team (IMPT). The NRCC ESF #10 representative is in direct contact with the ESF #10 EPA and/or DHS/USCG Headquarters EOC as appropriate. The primary agency provides guidance and direction to its regional response elements as necessary on issues such as interregional resource use, allocation, and mobilization.

The primary agency consults the NRT for advice and assistance in carrying out activities under ESF #10. In addition, the primary agency works with DHS during the incident to establish appropriate mechanisms for coordination between the NRT and DRG and/or IMPT, depending on the needs of the incident. The NRT may be called upon to provide subject-matter expertise in oil/hazardous materials responses to the DRG and/or IMPT. The NRT may also be called upon to provide input to the Homeland Security Council or other White House entities through the DRG.

Regional-Level Response Support Structure

Either the EPA or DHS/USCG Co-Chair of the RRT serves as the regional lead for the ESF, depending upon which agency is the primary agency. For incidents affecting both the inland and coastal zone, EPA is the regional lead and DHS/USCG is the deputy. The regional lead may be transferred from one agency to the other during a response if circumstances dictate. (Note: Although the term “regional” is generally used for purposes of this annex, EPA has regional offices and DHS/USCG has district offices.)

The regional-level ESF #10 is composed of regional or other representatives of those Federal agencies listed in the “Responsibilities” section of this annex. The primary agency represents ESF #10 and provides ESF #10 representatives, as needed, to the regional and on-scene components of the *NRF*, including the following:

- Regional Response Coordination Center (RRCC)
- Joint Field Office (JFO)
- Joint Information Center (JIC)
- Incident Command Post (ICP)

The primary agency may request support for these functions from the other ESF #10 partner agencies as appropriate.

At the JFO level, ESF #10 typically provides a representative(s) to coordinate ESF #10 mission assignments and provide information to the JFO on ESF #10 on-scene activities. In addition, for a chemical, biological, or radiological WMD incident, ESF #10 may also provide, as needed, a Technical Specialist(s) to provide scientific and technical expertise and to coordinate scientific and technical issues with other responding agencies and with other ESF #10 headquarters, regional, and on-scene response elements. For incidents in which ESF #10 plays a major role, the primary agency may also provide a senior official to participate in the JFO Unified Coordination Group.

The regional lead for ESF #10, in coordination with the OSC, consults the RRT for support, advice, or assistance, and establishes appropriate mechanisms for the RRT to coordinate with the JFO during an incident as needed.

If the agency(ies) providing the OSCs joins or establishes an Area Command (or Unified Area Command), the ESF #10 regional lead ensures coordination between the JFO and Area Command, as needed, on matters relating to ESF #10 activities.

During a multistate incident, DHS may establish multiple JFOs. In this case, the primary agency designates an ESF #10 representative for each JFO.

During an NCP SONS, DHS/USCG may establish an Area Command structure, known as a National Incident Command (NIC). If DHS activates a JFO for a SONS in support of the NIC, it coordinates its activities with the JFO, and the JFO would likely collocate with the NIC.

The regional lead for ESF #10 ensures ESF #10 response activities are fully coordinated with the Federal Bureau of Investigation (FBI) Joint Operations Center (JOC), when established for terrorist events, and provides ESF #10 representatives to the JOC as needed.

The regional ESF #10 lead supports Federal OSCs and coordinates their activities. The regional lead also ensures that ESF #10 activities are integrated and coordinated with other Federal, State, tribal, and local response activities to make the best use of response resources and to avoid gaps or overlaps in response actions.

The Federal OSC generally joins an ICP already established by local authorities or establishes an ICP at the site in accordance with the local Area or Regional Contingency Plan, and conducts activities from that ICP under a Unified Command. The agency providing the OSC provides additional representatives to the ICP as appropriate. The OSC, however, maintains the NCP authority to direct oil and hazardous materials response efforts and coordinate all other efforts at the scene of a discharge or release, in accordance with existing delegations of authority.

All OSCs involved in implementing ESF #10 actions maintain close coordination with the regional ESF #10 lead to ensure the response is consistent with national and ESF #10 priorities.

Public communications generally are coordinated through ESF #15 – External Affairs in consultation with the JFO and the JIC. It is recognized, however, that in some cases it may be necessary for responding 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.

Incident-Related Actions

The primary agency convenes appropriate agency representatives as soon as possible, and within 2 hours of notification, if possible, to develop a plan for providing the support required. This can be conducted via emergency conference call or by physically locating at the primary agency EOC as appropriate. At the headquarters level, ESF #10 focuses initially on the following actions:

- Confirm that members of national and regional ESF #10 staffs are notified.
- Ensure that the primary agency headquarters EOC is ready to support Federal response activities and to coordinate with the NOC.
- Establish communications with the affected regional ESF #10 elements.
- Coordinate with other national-level ESFs, as appropriate.

At the regional-level, ESF #10 becomes operational upon notification from the RRCC. Initial actions coordinated under the regional ESF #10 may include:

- Alert members of the regional ESF #10.

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- Ensure that the primary agency regional EOC is ready to support Federal response activities and to coordinate with the primary agency headquarters EOC and/or ESF #10 at the NRCC as needed.
- Deploy representatives to response teams.
- Establish communications with the RRCC and/or State EOC (according to regional plans) to obtain initial damage estimates.
- Identify initial resource requirements for all OSCs (both EPA and DHS/USCG) when appropriate.
- As appropriate, coordinate with ESF #10 elements in nonimpacted regions/districts to obtain personnel, equipment, and other backup support.
- Assess the situation, including the nature, amount, and locations of actual or potential releases of oil and hazardous materials; pathways to human and environmental exposure; probable direction and time of travel of the materials (e.g., trajectory and analysis); potential impact on human health, welfare, safety, and the environment; types, availability, and location of response resources, technical support, decontamination, and cleanup services; and priorities for protecting human health and welfare and the environment through appropriate response actions.

Upon identification of actual or potential releases of oil and hazardous materials, the regional lead for ESF #10 closely coordinates with the OSC(s) and the RRT (if convened) to develop and implement a response strategy.

Upon becoming fully operational and throughout the response period, the ESF #10 support agency representatives (headquarters and regional) coordinate with their agencies to meet ESF #10 needs and carry out ESF actions. Headquarters ESF #10 actions may include communicating management objectives to regional ESF #10 elements. The regional ESF #10 actions may include:

- Receiving damage information from reconnaissance teams, other ESFs, and Federal, State, tribal, and local agencies.
- Identifying ESF support needs and establishing response priorities in coordination with Federal, State, tribal, and local agencies.
- Validating priorities and identifying the resources required to meet the needs.
- Working with State, tribal, and local governments, other Federal agencies, and the private sector to maximize use of available regional assets and identify resources required from outside the region.
- Initiating actions to locate and move resources into the incident area.
- Maintaining close coordination with the JFO to share information and ensure effective response to requests for assistance.
- Continuing to coordinate on-scene response operations at the ICP as described under "Policies" above.

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Because of the potential need for ESF #10 to respond to numerous simultaneous events, including terrorism incidents, OSCs, as time permits, coordinate all significant actions with the ESF #10 regional lead. Significant actions are considered those that relate to competition for and commitment of key interagency resources not under the OSC's control, recommendations to State officials as to protective actions, or actions that could impact other regional or national response activities or priorities.

RESPONSIBILITIES

ESF Coordinator

The Director of EPA's Office of Emergency Management serves as the ESF coordinator and, in partnership with DHS/USCG, conducts ESF #10 planning and preparedness activities in coordination with the NRT (as Chair) and through the NRS.

Primary Agencies

Agency	Functions
Environmental Protection Agency	<p>For incidents for which EPA is the primary agency:</p> <ul style="list-style-type: none">• Maintains close coordination between EPA Headquarters and the affected regional office(s), DHS/USCG (as appropriate), the DRG, the NRCC, other ESFs, and the NRT.• Provides damage reports, assessments, and situation reports to support ESF #5 – Emergency Management.• Facilitates resolution of conflicting demands for hazardous materials response resources and ensures coordination between NRT and DRG/IMPT activities, and RRT and JFO activities, as appropriate. Coordinates (through headquarters) the provision of backup support from other regions to the affected area.• Provides technical, coordination, and administrative support and personnel, facilities, and communications for ESF #10.• Coordinates, integrates, and manages the overall Federal effort to detect, identify, contain, decontaminate, clean up, dispose or minimize discharges of oil or releases of hazardous materials, or prevent, mitigate, or minimize the threat of potential releases.• Provides OSCs for incidents within its jurisdiction. <p>In general:</p> <ul style="list-style-type: none">• Provides expertise on the environmental effects of oil discharges or releases of hazardous materials and environmental pollution control techniques.• Provides Chair for NRT and Co-Chairs for RRTs.• Manages EPA special teams under the NCP, including the Environmental Response Team, National Decontamination Team, and Radiological Emergency Response Team, which provide specialized technical advice and assistance to responders.• Coordinates, integrates, and provides investigative support, intelligence analysis, and legal expertise on environmental statutes related to oil and hazardous materials incidents, including regarding criminal cases, in support of responders.• Manages the National Counter-Terrorism Evidence Response Team, composed of investigative and scientific personnel to provide investigative, scientific, and forensic technical advice, assistance, and other threat assessment in support of responders.

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

SUPPORT AGENCIES

Agency	Functions
<p>Department of Agriculture</p>	<ul style="list-style-type: none"> • Measures, evaluates, and monitors the impact of the emergency incident on natural resources under USDA's jurisdiction, primarily the national forests. • Assists in developing protective measures and damage assessments. • Provides technical assistance in the disposition of livestock and poultry contaminated with hazardous materials. (ESF #11 – Agriculture and Natural Resources maintains the lead for disposition of disease-contaminated livestock and poultry (e.g., avian flu, naturally occurring anthrax, foot-and-mouth disease).) • If available, provides technical assistance and logistical support. Resources will be assigned commensurate with each unit's level of training and the adequacy and availability of equipment. USDA/Forest Service support is obtained through ESF #4 – Firefighting. Other USDA agency support is obtained through contacting ESF #11.
<p>Department of Commerce</p>	<p>National Oceanic and Atmospheric Administration (NOAA)</p> <ul style="list-style-type: none"> • Provides operational weather data and prepares forecasts tailored to support the response, through the Interagency Modeling and Atmospheric Assessment Center (IMAAC) when activated. • Provides expertise on natural resources and coastal habitat, the environmental effects of oil and hazardous materials, and appropriate cleanup and restoration alternatives. • Coordinates NOAA scientific support for responses in coastal and marine areas, including assessments of the hazards that may be involved. • Predicts pollutant fate, effects, and transport as a function of time. • Provides information on meteorological, hydrological, ice, and oceanographic conditions for marine, coastal, and inland waters. • Provides charts and maps for coastal and territorial waters and the Great Lakes. • Conducts emergency hydrographic surveys, search and recovery, and obstruction location to assist safe vessel movement.
<p>Department of Defense</p>	<p>Provides OSC and directs response actions for releases of hazardous materials from its vessels, facilities, vehicles, munitions, and weapons.</p> <p>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, the obligation of DOD resources to support requests for assistance is subject to the approval of the Secretary of Defense. Details regarding DSCA and Immediate Response Authority are provided in the <i>NRF</i> core document.</p> <p>U.S. Army Corps of Engineers: Provides response and recovery assistance to incidents involving contaminated debris, including chemical, biological, radiological, and nuclear contamination. The scope of actions may include waste sampling, classification, packaging, transportation, treatment, demolition, and disposal.</p> <p>Navy Supervisor of Salvage: 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.</p>

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

Agency	Functions
<p>Department of Energy</p>	<ul style="list-style-type: none"> • Provides an OSC and directs response actions for releases of hazardous materials from its vessels, facilities, and vehicles. • Provides advice in identifying the source and extent of radioactive releases relevant to the NCP, and in the removal and disposal of radioactive contamination. • Provides additional assistance for radiological incidents pursuant to, or in coordination with, ESF #8 – Public Health and Medical Services DOE activities. • DOE radiological support provided to local, State, and other Federal agencies is provided primarily by the DOE/National Nuclear Security Administration (NNSA). DOE actions to respond to releases from its own facilities or materials may be provided by DOE/NNSA or another DOE component.
<p>Department of Health and Human Services</p>	<p>Centers for Disease Control and Prevention/Agency for Toxic Substances and Disease Registry</p> <ul style="list-style-type: none"> • Provides assistance on all matters related to the assessment of health hazards at a response and protection of response workers and the public health. • Determines whether illnesses, diseases, or complaints may be attributable to exposure to a hazardous material. • Establishes disease/exposure registries and conducts appropriate clinical testing. • Develops, maintains, and provides information on the health effects of toxic substances. <p>Food and Drug Administration: Works in cooperation with EPA and USDA to ensure the proper disposal of contaminated food or animal feed.</p>
<p>Department of Homeland Security</p>	<p>Customs and Border Protection (CBP): 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.</p> <p>Federal Emergency Management Agency: Provides coordination support during ESF activations, as well as recovery and mitigation assistance during federally declared disasters or emergencies.</p> <p>Office of Infrastructure Protection</p> <ul style="list-style-type: none"> • Designates an Infrastructure Liaison to address all issues regarding the recovery and restoration of critical infrastructure affected by a release of oil or hazardous materials. • Maintains database of sites with hazardous materials, provides detailed knowledge of various hazardous material sites as a result of site visits and vulnerability assessments, and works to reduce the vulnerabilities and risks from terrorist attack at hazardous material sites. • Chemical Security Compliance Division inspects high-risk chemical facilities at regular intervals, and may inspect a facility at any time, with 24 hours notice, based on new information or security concerns. <p>Science and Technology Directorate</p> <ul style="list-style-type: none"> • Provides coordination of Federal science and technology resources. • Through the IMAAC, provides predictions of hazards associated with atmospheric releases for use in emergency response when activated for incidents requiring a coordinated Federal response.

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<p>Department of the Interior</p>	<ul style="list-style-type: none"> • 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 townsites; wildlife and associated habitats, including threatened and endangered species and migratory birds; and national monuments. • Provides scientific expertise and assistance in mapping, biological resources, geology, and hydrology; earthquakes and other natural hazards; minerals; and identification of hazards. • Provides expertise in and information on offshore drilling and production practices and facilities and offshore minerals. • Maintains computer models for oil spill trajectory analysis and calculation of pipeline oil discharge volumes. • Provides information from response research. • For spills involving Outer Continental Shelf facilities, assists in source identification, oversees spill abatement, and approves resumption of operations.
<p>Department of Justice</p>	<p>Provides expert advice on complex legal issues, particularly regarding potential criminal cases.</p> <p>The Attorney General has lead 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. 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.</p>
<p>Department of Labor (DOL)</p>	<p>Mine Safety and Health Administration: Provides mobile laboratory equipment and technical expertise for gas sampling and analysis.</p> <p>Occupational Safety and Health Administration (DOL/OSHA): Provides technical support to EPA, DHS/USCG, and other NRT/RRT agencies, as well as to the OSC, regarding hazards to workers engaged in response activities. Worker safety and health resources under the Worker Safety and Health Support Annex are activated through ESF #5. This assistance may include 24/7 site safety monitoring, airborne worker exposure sampling and analysis, critical incident stress monitoring, development and oversight of the site-specific safety and health plan, personal protective equipment selection and distribution and training, and respirator fit-testing. The Worker Safety and Health Support Annex 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.</p>
<p>Department of State</p>	<p>Facilitates an integrated response between nations when a discharge or release crosses or threatens to cross international boundaries or involves foreign flag vessels.</p>
<p>Department of Transportation</p>	<ul style="list-style-type: none"> • Provides expertise on all modes of transporting oil and hazardous materials, including information on the requirements for packaging, handling, and transporting regulated hazardous materials. • Issues Special Permits to facilitate movement of hazardous materials, hazardous waste, and hazardous debris in support of response and recovery efforts.
<p>General Services Administration</p>	<p>Provides resource support for ESF #10 requirements as requested to meet the needs of the affected population.</p>

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Agency	Functions
Nuclear Regulatory Commission (NRC)	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; or provides support to DHS as the coordinating agency for incidents requiring a coordinated Federal response, in accordance with the Nuclear/Radiological Incident Annex. 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.