



MAINE STATE POLICE GENERAL ORDER

E-69

SUBJECT: MAINE STATE POLICE POLICY REGARDING HAZARDOUS MATERIALS RESPONSE

EFFECTIVE DATE: 08.27.2021

EXPIRATION DATE: 08.27.2028

RECENT HISTORY: AMENDED (08.27.2021); AMENDED (08.01.2020); CONVERTED TO WEB FORMAT ON 06.03.2009; FORMERLY G.O. 66F

DISTRIBUTION: 2 (MAY BE PUBLICLY DISCLOSED)

APPLICABILITY CODE: S, Z

MLEAP: 8.10

SIGNATURE OF COLONEL:

A handwritten signature in blue ink, appearing to read "John Cote", is written over a light blue rectangular background.

I. PURPOSE

1. The purpose of this general order is to establish measures to ensure prompt control and removal of hazardous materials, to establish guidance for handling fire hazards and hazardous materials at accident scenes and to establish guidelines regarding training. **MLEAP 8.10**

II. POLICY

1. Because the safety of our officers and the general public is of paramount importance, the policy of the Maine State Police is:

- A. A. That the Maine State Police shall work with appropriate State, federal, county, and municipal government agencies to develop a comprehensive, coordinated “Hazardous Materials Emergency Response Plan”;
- B. That the agency shall continue to be cognizant of the responsibilities, practices and procedures of other agencies that respond to and provide technical assistance relating to fire hazards and hazardous material incidents.
 - 1. Maine State Police sworn personnel shall be kept informed of these responsibilities, practices, and procedures to ensure for the best possible coordination and delivery of services at incident scenes involving such hazards; and
- C. That the agency shall issue the most current copy of the United States Department of Transportation’s Emergency Response Guidebook (“Guidebook”) for hazardous material incidents to each officer. Reference:
<https://www.phmsa.dot.gov/hazmat/erg/emergency-response-guidebook-erg>
 - 1. Each officer shall be familiar with the Guidebook before actually needing to use it and, when necessary, shall refer to and follow the Guidebook’s recommendations for taking emergency and other actions appropriate to specific hazardous material incidents.

III. DEFINITIONS

- 1. For the purposes of this General Order, the terms included in this section are defined as follows, unless otherwise indicated in the order.
 - A. Decontamination. “Decontamination” means the physical or chemical process of reducing and preventing the spread of contamination from persons and equipment used at a hazardous material incident.
 - B. Hazardous material. “Hazardous material” means any element, compound, or combination thereof, which is flammable, corrosive, capable of being detonated, toxic, radioactive, an oxidizer, an etiological (contagious or infectious) agent, or is highly reactive and which, because of handling, storing, processing, and packaging may have a detrimental effect upon emergency response people, the public, equipment, or the environment.
 - C. Hazardous material incident. “Hazardous material incident” means any occurrence involving the exposure or potential exposure to a hazardous material.

- D. Incident Commander. “Incident Commander” means the qualified on-scene individual in command of the management of a hazardous material incident.
 - 1. The Incident Commander shall have met the training requirements established in 29 CFR Part 1910.120 or associated standards.
- E. Incident Command System. “Incident Command System” (“ICS”) means a structured management system designated to properly control field-deployed emergency response personnel and resources.
- F. Personal Protective Equipment. “Personal Protective Equipment” (“PPE”) means specialized clothing or equipment worn by a person for protection against a hazardous material.

IV. PROCEDURE

1. DISCUSSION

- A. An important responsibility of an officer responding to any incident scene is to keep the situation from becoming worse.
 - 1. The responsibility may take on added importance and complexity when an actual or potential fire hazard or hazardous material is present at a scene.
- B. Numerous hazardous materials are transported throughout the State every day.
 - 1. While many of these materials are in common use, accidents or spills present a serious threat to the health and safety of the general public, including responding officers.
 - 2. Priorities for action are likely to be affected by the extent and nature of hazards present, and it is of extreme importance for all officers to be aware of what actions should and should not be taken during emergencies involving hazardous materials.
- C. Many accidents and other emergencies involve more than one agency and require a cooperative emergency response; under such circumstances, officers may be called upon to perform certain special activities, and to coordinate activities with those personnel.
- D. The United States Congress passed the Superfund Amendments and Reauthorization Act (“SARA”) and directed the Occupational Safety and Health Administration (“OSHA”) and the Environmental

Protection Agency (EPA) to establish standards for emergency response to and operations at hazardous materials incidents.

2. MAINE STATE POLICE RESPONSIBILITIES

- A. When responding to a hazardous material incident, the responsibilities of the Maine State Police include, but are not limited to:
 - 1. Protecting the lives and safety of emergency responders and the public;
 - 2. Isolating and controlling the scene;
 - 3. Controlling traffic at the scene;
 - 4. Participating in the Incident Command System and related training;
 - 5. Assisting with evacuation;
 - 6. Investigating or assisting in the investigation of the incident; and
 - 7. Supporting and assisting police, fire, emergency medical, and public works agencies.
- B. **It is NOT the responsibility or function of the Maine State Police to handle, transport, or oversee the clean-up of a hazardous material incident, an officer shall not contact any hazardous material other than specified in this policy.**

3. TRAINING REQUIREMENTS

- A. All officers shall receive hazardous material response training.
 - 1. This training must be consistent with 29 CFR Part 1910.120, as required by current Environmental Protection Agency (“EPA”) operations level competency training requirements for law enforcement.
- B. All officers shall receive refresher training of sufficient content and duration to maintain competencies consistent with 29 CFR Part 1910.120.

4. PROCEDURES WHEN RESPONDING TO HAZARDOUS MATERIAL INCIDENTS

- A. Incident Notification – Regional Communications Center (“RCC”)
 - 1. In addition to the standard operating procedures of obtaining all pertinent information related to the hazardous materials incident, the RCC of jurisdiction shall be asked to

notify the Maine Department of Environmental Protection and the Maine Emergency Management Agency.

B. Responding Officers

1. Response to hazardous material incidents may be more life threatening than initially reported.
 - a. Therefore, officers should determine and select a safe approach based on the nature of the incident, information provided by the RCC, and observations made by the officers while approaching the scene.
 - b. **NOTE: A hazard may not be visible.**
2. Each responding officer shall:
 - a. Avoid driving through any vapor cloud or liquid spill;
 - b. Attempt to remain up-wind from the scene;
 - c. Remain in her or his vehicle to make an initial survey of the scene;
 - d. Notify the RCC of jurisdiction of any additional information or assessment of the scene;
 - e. Avoid contact with any victims at the scene until chemical containment is determined;
 - f. Depending on the incident, call for additional personnel and equipment, even if there is only a remote chance that it might be needed.

(1) It is better to return unused resources than to not have them available when needed.
3. A first responder at the scene of a hazardous material incident should seek additional and more specific information about any material in question as soon as possible.
 - a. The Emergency Response Guidebook is intended to assist first responders in the initial assessment and help to prevent the responder from becoming a part of the problem.

C. Handling Potential Fire Hazards

1. If there is potential for there to be a fire at a hazardous material incident scene, an officer shall immediately request the assistance of the fire department of jurisdiction, and then take appropriate defensive action to stabilize the conditions

by providing adequate protection to the scene, isolating the immediate area, and removing persons from the vicinity of the hazard, if possible.

2. Officers shall, to the extent possible, eliminate possible sources of ignition by avoiding the use of flares, cigarette smoking, and motor vehicle sources.
3. Depending on the extent of the fire, officers shall evacuate the surrounding area and maintain security of the area until the fire is suppressed.
4. Officers should carefully control the movement of vehicles within the vicinity of the fire or potential fire hazard, including by detouring traffic if necessary.

D. Handling Hazardous Materials

1. Upon arrival at the scene of a traffic accident involving a cargo vehicle, an officer shall – from a safe distance -- attempt to make a preliminary identification of the cargo on the basis of, as examples, visible placards, shipping papers, and bills of lading.
2. When there is any question as to whether spilled material at an accident scene may be hazardous, the officer shall avoid contacting the material and keep other persons from contacting the material.
3. The officer shall follow the procedures specified in the Emergency Response Guidebook to complete the identification of hazardous materials, take appropriate emergency action, and notify other agencies.

E. Rescue of Injured Persons

1. Safety of the first responders must take priority over the extrication of the injured.
 - a. Rescue of an injured person should only be undertaken when doing so is safe.
 - b. Proper personal protective equipment (“PPE”) and a minimum number of personnel should be used to effect a safe extrication.

F. Incident Command System (“ICS”)

1. The Incident Command System must be initiated by the on-scene Incident Commander.
2. All law enforcement activities must come under the command and control of the delegated Incident Commander.

- a. Whenever the Incident Commander is not a member of the Maine State Police, a sworn member shall serve as agency liaison to the Incident Commander.

G. Incident Commander

1. An Incident Commander will most likely not be a law enforcement officer.
 - a. Due to the training requirements of 29 CFR Part 1910.120, that individual's expertise would more than likely be in the fire service or a related field.
2. Accordingly, responding officers should expect initial on-scene instructions to possibly come from a person who is not a member of the member of the Maine State Police.

H. Decontamination & Cleaning

1. Each officer is responsible for personal and equipment decontamination and cleaning prior to leaving the scene of a hazardous material incident.
 - a. If such decontamination and cleaning cannot be accomplished prior to leaving the scene, then arrangements must be made for the decontamination and cleaning to occur at another appropriate site.

I. Medical Evaluation

1. Any employee of the Maine State Police who is exposed to any vapor or other hazardous material shall obtain a medical evaluation.
2. All medical records related to the incident must be maintained as part of the employee's permanent personnel file.

J. Post-Incident Debriefing

1. Each involved officer involved in responding to a hazardous material incident shall attend and participate in any post-incident debriefing session associated with this incident, unless previously excused by the officer's Commanding Officer or the Incident Commander.

NOTICE

THIS GENERAL ORDER IS FOR USE OF THE MAINE STATE POLICE AND NOT FOR ANY OTHER AGENCY. THE GENERAL ORDER IS NOT INTENDED TO BE RELIED UPON BY ANY OTHER INDIVIDUAL OR PRIVATE OR PUBLIC AGENCY. THE GENERAL ORDER EXPRESSLY DOES NOT CREATE, AND IS NOT INTENDED TO CREATE, A HIGHER LEGAL STANDARD OF SAFETY OR CARE IN AN EVIDENTIARY SENSE WITH RESPECT TO THIRD-PARTY CLAIMS. VIOLATIONS OF THIS ORDER ONLY MAY FORM THE BASIS FOR ADMINISTRATIVE SANCTIONS BY THE MAINE STATE POLICE.