



**pennsylvania**  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Field Operations



# DEP is on the Scene – This Agency's Role in Emergency Response



# Emergency Response Program

## Program Staff:

- Eight emergency response team members\*
- Four duty officers\*
- One manager

\*Part time positions

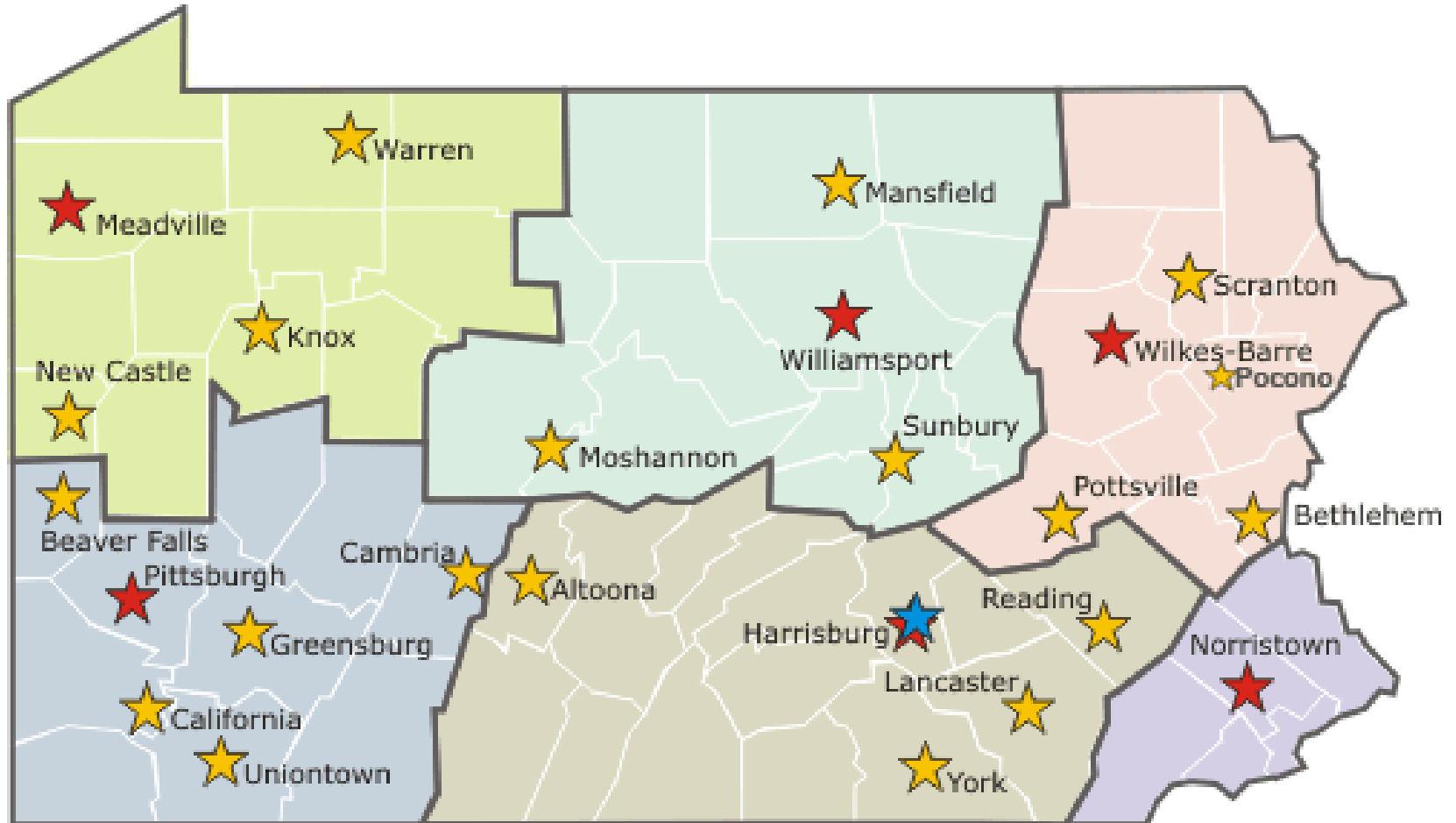
# What Do We Do?

- Manage a 24 hour emergency response hotline
- Respond to environmental emergencies
- Coordinate with PEMA, Fish and Boat, County EMA's and other state agencies
- Develop health and safety plans
- Assist all DEP programs with emergency incident response coordination

# What Do We Do?

- Procure emergency contract services for the commonwealth
- Conduct elemental mercury collection
- Abandoned drum characterization and unknown material identification
- Assists Bureau of Investigation in serving search warrants

# Where Do We Cover?



# When Do We Get Involved?

- In response to calls received on the 24 hour hotline
  - Citizens, spill companies, fire chiefs, police, etc...
- When counties request our help through PEMA
- When DEP programs such as Air Quality, Waste Management, Clean Water or Safe Drinking Water request assistance

# Why Do We Get Involved?

- We're requested to (PEMA, County, private citizen)
- To support our essential functions within the State Emergency Operations Plan
- There is an urgent need for DEP oversight in the field to protect the environment or the interests of the Commonwealth or the Department

# How Do We Help?

- Provide limited cleanup supplies/absorbents
- We can provide technical/operational assistance
- Provide a knowledge of area and nearby facilities which may be impacted such as water supply intakes
- “Encourage” responsible parties to ensure prompt clean-up



# How Do We Help?

- Dispatch an ER team member to document site and coordinate work between local responders, clean up contractors and responsible parties
- Ensure that clean up operations are completed
- Provide information of emergency operations to other DEP programs for regulated facilities

# Common Misconceptions

- DEP is onsite and will take care of it
  - Not necessarily
- DEP will send a hazmat team to contain or manage the spill
- DEP has emergency funding to pay for spill cleanup/response
  - “Very” limited circumstances
- DEP will send an ER team member for every phone call or incident.
  - Not always

# MS4 Program

- Municipal Separate Storm Sewer Program
  - Goal is to reduce water pollution from urban areas
  - MS4 program requires municipalities and other entities to obtain permits for the discharge of storm water from their storm sewer systems.
  - Under the permit the permittee is responsible to ensure that no pollutants enter the MS4
  - Program requires:
    - 6 Minimum Control Measures
    - PRP/TMDL/PCM Requirements
    - Ordinance Requirement

# Minimum Control Measures

- Public Education and Outreach on Stormwater Impacts
- Public Involvement/Participation
- Illicit Discharge Detection and Elimination (IDD&E)
- Construction Site Runoff Control
- Post-Construction Stormwater Management
- Pollution Prevention/Good Housekeeping (Municipal Operations)

# PRP, TMDL, PCM Requirements

- Pollution Reduction Plans (PRP)
  - Reduce pollutants through BMPs
- Total Maximum Daily Load (TMDL)
  - Approved by US EPA to address local impairments
  - Only required when impairment is the result of sediment and/or nutrients
- Pollutant Control Measures (PCM)
  - Address impairments for pH/Bacteria/Priority Organics

# MS4 Ordinance

- MS4 Permittees must enact ordinance which:
  - Is consistent with DEPs 2013 or 2022 Model Ordinance
  - Is from an Act 167 plan that was approved by DEP in 2005 or later, **or**
  - Meets the requirements in DEP's Stormwater Management Ordinance Checklist

# MS4 Ordinance

- Ordinance allows municipalities to enforce the MS4 Program

## Section 805. Penalties

- A. Anyone violating the provisions of this Ordinance shall be guilty of a summary offense, and upon conviction, shall be subject to a fine of not more than \$\_\_\_\_\_ for each violation, recoverable with costs. Each day that the violation continues shall be a separate offense and penalties shall be cumulative.
- B. In addition, the municipality may institute injunctive, mandamus, or any other appropriate action or proceeding at law or in equity for the enforcement of this Ordinance. Any court of competent jurisdiction shall have the right to issue restraining orders, temporary or permanent injunctions, mandamus, or other appropriate forms of remedy or relief.

**\*\*taken from DEP's 2022 model ordinance\*\***

# MS4 Before an Emergency

- Discuss MS4 obligations with responders in your jurisdiction
- Distribute maps of your MS4 system to your responders
  - Make it quicker to track and stop a release
- Provide emergency personnel with the contact information for you MS4 coordinator
- Plan for a cleanup!



# MS4 During Emergencies

- Any release to the MS4 is a violation of the municipalities permit
- Ultimate cleanup responsibility lays with the responsible party (the person who caused the spill)
- IF the RP does not mitigate the release, the municipality is responsible for maintaining compliance with the permit
- Municipality may use the ordinance to enforce cleanup and recover costs

# MS4 After the Emergency

- Municipality will have to seek cost recovery for the cleanup against the responsible party
  - Documentation during the incident will allow easier and more accurate cost recovery

# Who Performs Cleanup Work?

- Pennsylvania does not have certified cleanup companies
- Cleanup can be done by
  - Tow Company
  - Fire Company
  - Public Works
  - Cleanup Contractor
  - Responsible Party

# Questions?





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