

MUNICIPALITY OF ANCHORAGE ENFORCEMENT OF SPILL RESPONSE

The Municipality of Anchorage must coordinate spill prevention, containment, and response activities throughout all appropriate departments, programs, and agencies to ensure maximum water quality protection at all times. Anchorage shall:

- 1) Control through ordinance, permit, contract, order or similar means, the contribution of pollutants to the MS4 by storm water discharges associated with industrial activity and the quality of storm water discharged from sites of industrial activity;
- 2) Prohibit through ordinance, order or similar means, illicit discharges to the MS4;
- 3) Prohibit through ordinance, order or similar means the discharges to the MS4 of spills, dumping, or disposal of materials other than storm water;
- 4) Control through interagency agreements among co-permittees the contribution of pollutants from one portion of the MS4 to another portion of the MS4;
- 5) Require compliance with conditions in ordinances, permits, contracts, or orders; and
- 6) Carry out all inspections, surveillance and monitoring procedures necessary to determine compliance and noncompliance with permit conditions including the prohibition on illicit discharges to the MS4.

Participants:

- Public Works Department, Project Management and Engineering Division, Watershed Management Section; hereinafter referred to as WMS
- Public Works Department, Maintenance and Operations Division, Street Maintenance Section, hereinafter referred to as Street Maintenance
- Anchorage Fire Department; hereinafter referred to as AFD
- Planning and Development Services Department, Rights-of-Way (ROW) Enforcement; hereinafter referred to as ROW
- Emergency Operations Center /Office of Emergency Management; hereinafter referred to as EOC/OEM
- Anchorage Water and Wastewater Utility; hereinafter referred to as AWWU
- Anchorage School District, Risk Management Department; hereinafter referred to as ASD
- Parks and Recreation Department; hereinafter referred to as Parks
- Risk Management Department; hereinafter referred to as Risk Management
- Office of the Municipal Manager
- Alaska Dept. of Transportation; hereinafter referred to as ADOT
- Alaska Dept. of Environmental Conservation; hereinafter referred to as ADEC

- 1) WMS is responsible for administration of co-permittee's APDES permit. WMS is responsible for Title 21 pollution prevention and response activities on private land within the Municipality. If WMS is alerted to a spill or pollution activity on private property, they enforce cleanup by property owner or responsible party, if known. If a public property spill is reported to WMS, they alert appropriate state or municipal agencies including Street Maintenance, ROW, AFD, and ADOT, and if spill is of sufficient quantity¹, WMS notifies the Alaska Department of Environmental Conservation (ADEC) to ensure that investigation is initiated. WMS does not have crews that conduct containment or clean-up activities.
- 2) Street Maintenance is responsible for maintaining an adequate level of service and safety on Municipal roads and storm sewer systems. Street Maintenance crews respond to reported spills within Municipal ROW involving the MS4. They contain and mitigate spills that could impact the MS4 or nearby receiving systems. Street Maintenance contacts AFD for assistance with hazardous material identification and ADEC if the spill is a reportable quantity¹. Street Maintenance relies on contracted hazardous materials specialists for cleanup of most spills.
- 3) AFD is responsible for responding to emergencies including hazardous material spills. The AFD is part of a statewide hazardous materials team, and AFD has a formal Local Response Agreement with ADEC regarding the response to hazardous material spills within Municipal boundaries. AFD crews contain large and small spills and identify the hazardous materials for the purpose of cleanup. AFD crews do not provide cleanup beyond containment and mitigation of a spill.
- 4) ROW is responsible for enforcing Title 24 Streets and Rights-of-Way land use regulations including spills, on Municipal ROW (streets, alleys, and some easements). If ROW is alerted of a spill, they notify Street Maintenance. ROW does not provide containment or cleanup of spills. ROW ensures spills are cleaned up by responsible parties and, if necessary, enforces violations according to Municipal code.

¹ Any release of a hazardous substance (as defined by AS 46.03.826) must be reported as soon as the person has knowledge of the discharge. Any release of oil or other petroleum-related product to water must be reported as soon as the person has knowledge of the discharge. Any release of oil or other petroleum-related product in excess of 55 gallons discharged to land must be reported as soon as the person has knowledge of the discharge. Any release of oil or other petroleum-related product in excess of 10 gallons, but 55 gallons or less, discharged to land must be reported within 48 hours after the person has knowledge of the discharge. A person in charge of a facility or operation shall maintain, and provide to DEC on a monthly basis, a written record of any discharge of oil or petroleum-related product from 1 to 10 gallons. Any release of oil or petroleum product in excess of 55 gallons discharged to impermeable secondary containment areas must be reported within 48 hours after the person has knowledge of the discharge.

- 5) EOC/OEM is the primary coordination center for emergencies and disasters that require a multi-agency response. This facility is where agencies come together to develop and maintain a common operational picture to effectively and efficiently respond to an emergency or disaster that occurs within the Municipality of Anchorage. The OEM participates in the large catastrophic spill clean-up coordination according to written protocol for responding to a catastrophic spill. There is a multi-agency city-wide emergency response plan in place to manage disasters, which can be applied to a catastrophic spill.
- 6) AWWU is responsible for operating and maintaining the drinking water and sanitary sewage systems within their service area. AWWU responds to sewage spills involving their sewer system according to the Utility's written Sanitary Sewer Overflow Response, Cleanup, Documentation, and Notification Standard Operating Procedure O&M – 2. AWWU reports sewer overflows to ADEC and the Environmental Protection Agency (EPA). AWWU's response to a spill is determined by the potential impacts associated with the size and type of spill. A formal plan to manage spills to the sanitary sewer system while the spill is en route to the treatment plant is in development.
- 7) ASD is responsible for educating children within Municipal boundaries. The Assistant Superintendent of Support Services is responsible for operating and maintaining school district infrastructure, including schools and associated parking lots. Trained ASD crews contain small spills at ASD facilities. ASD's contractors clean up spills after they are contained.
- 8) Parks is responsible for beautifying, operating, and maintaining Parks and Recreation assets, including parks, trails, community recreation centers, and community pools. The Department is in charge of managing municipal parkland; parks and playgrounds; trails and greenbelts linking neighborhoods with surrounding natural open spaces and wildlife habitat; athletic fields; and pools and other recreation facilities. Parks' vehicles contain spill response kits for initial containment if a spill occurs. If a spill is reported to Parks, they notify ADEC and request guidance on how to proceed. If a spill occurs in a parking lot at a Parks pool facility that is associated with a school, the spill is reported to ASD, and ASD follows the procedure as written in number 7 above. If a spill is reported in a parking lot at a separate Parks facility, Parks maintenance crews contain the spill and clean up the spill if the maintenance crews have the capability. If the spill is reportable, Parks contacts ADEC. Parks hires a hazardous materials specialist for cleanup of any spill that they do not have the capability to clean up. Parks relies on contracted hazardous materials specialists for cleanup of most spills.
- 9) Risk Management handles claims regarding damage to municipal property and claims pertaining to municipal damage to third parties and/or property. Risk Management handles all workers' compensation claims for

municipal employees. Risk Management is responsible for managing Municipal liability, including concerns resulting from spills on public property, processing claims to underwriters, and recovering funds associated with damage to municipal property. Risk Management does not directly respond to spills or have a spill response plan in place.

- 10) The Office of the Municipal Manager is responsible for overseeing all Departments within the Municipality of Anchorage
- 11) The ADOT is responsible for containment and cleanup of all spills within the ADOT ROW. The ADOT Maintenance and Operations Division relies on the ADEC for response to spills within the ADOT ROW. If a spill is reported to ADOT, the Department refers it to ADEC to ensure that clean-up is initiated.
- 12) The ADEC SPAR is responsible for preventing spills of oil and hazardous substances and ensuring rapid spill response by responsible parties to protect human health and the environment within the State of Alaska. The SPAR staff notify the ADOT or WMS or Street Maintenance of any reported spills within their respective ROWs. ADEC informs responsible parties of the requirements for spills, and in cases where the responsible party is not known, or the landowner is unable to respond, the ADEC may conduct cleanup with staff and/or contractors. The ADEC records reportable spills in an electronic database; however, if a spill is below discharge notification requirements, it is not recorded. ADEC has limited spill response resources; therefore, spills are prioritized depending on the level of threat to human health of the environment.

Responsibilities

- 1) WMS will alert AFD first if a spill reported to them poses a public safety issue. WMS will notify Street Maintenance of any spill on Municipal ROW or involving the MS4, ADOT&PF and ADEC of any spill on ADOT&PF ROW or involving the MS4, ASD of any spill at ASD facilities, or AWWU of any spill associated with the sanitary sewer system. WMS will oversee the continuation of this plan as required by the APDES permit. WMS will prepare and distribute a map of Municipal and ADOT&PF ROWs, ASD Facilities, and a spill response contact list to all PARTIES. WMS will be responsible for providing information and education materials to the public on spill response and the importance of protecting the MS4 from spills.
- 2) Street Maintenance will provide first response to spills within Municipal ROW or involving the MS4 that do not appear to pose an issue to public safety. Street Maintenance will alert and request containment assistance from AFD if a spill poses a public safety issue. Street Maintenance will contain spills and take all feasible measures to ensure that spills do not flow to the MS4. Street Maintenance will contact ADEC for assistance if resources are not available to contain a spill within Municipal ROW or involving the MS4. Street Maintenance

will contact ADOT&PF if they are notified of a spill on ADOT&PF ROW, ASD if they are notified of a spill at ASD facilities, or AWWU for a spill associated with the sanitary sewer system. Street Maintenance will determine Responsible Party, if apparent, and alert ROW Code Compliance of the spill for enforcement action. If a Responsible Party cannot be determined, Street Maintenance will clean up the spill using hired contractors.

- 3) AFD will respond to and contain a spill if it poses a public safety issue or if it is associated with an emergency or accident to which they are responding. Immediately after the spill is contained and conditions are safe, AFD will characterize the contaminant and notify Street Maintenance if the spill is on a Municipal ROW, ADOT&PF and ADEC of a spill on ADOT&PF ROW, ASD for a spill at ASD facilities, or AWWU for a spill associated with AWWU property or the sanitary sewer system. AFD will not take on an active role in spill cleanup.
- 4) ROW Code Compliance will alert AFD first if a spill may pose a public safety issue. If there is not a public safety issue associated with the spill, ROW Code Compliance will notify Street Maintenance of any spill within Municipal ROW, ADOT&PF and ADEC of any spill within ADOT&PF ROW, ASD of any spill at ASD facilities, or AWWU for any spill associated with the sanitary sewer system. After containment of spills within the Municipal ROW, ROW Code Compliance will notify Risk Management and alert the responsible party of their responsibility to clean up the spill. If unknown, ROW Code Compliance will conduct an investigation to determine the responsible party. ROW Code Compliance will monitor the site to ensure that the responsible party cleans up the spill. ROW Code Compliance will keep a record of all spills and their clean up status.
- 5) AWWU will respond to all sanitary sewer overflows within their service area boundaries according to the Utility's written Sanitary Sewer Overflow Response, Cleanup, Documentation, and Notification Standard Operating Procedure O&M – 2. As per the procedure, AWWU will alert Street Maintenance if sewer overflows are at risk of entering or have entered the MS4.
- 6) The ASD will respond to and contain all spills occurring at ASD Facilities. The ASD will alert and request containment assistance from AFD if a spill poses a public safety issue. ASD will clean up all spills occurring on ASD property. The ASD will alert Street Maintenance if spill materials are at risk of entering or have entered the MS4. If public safety may be at risk, ASD will request assistance for first response from the AFD.
- 7) Parks will continue to coordinate with ADEC if spills are reported within a park or other Municipal facility. Parks will determine the Responsible Party, if apparent, and alert Code Compliance of the spill for enforcement action. If a Responsible Party cannot be determined, Parks will clean up the spill using hired contractors and alert Code Compliance of the spill.

- 8) Upon notification of a spill response/clean-up initiated by a Municipal Department, Risk Management will provide follow-up, reporting, cost-recuperation, and management of long-term liability concerns.
- 9) The Municipal Manager will provide funding to Municipal departments on an as-needed basis for retaining a spill cleanup contractor and for employee hazardous material awareness training.
- 10) If a spill is reported to ADOT, the Department confirms it is on a ADOT ROW and then refers it to ADEC to ensure that clean-up is initiated. ADEC tracks the spill if it is of a reportable quantity. ADOT tracks it for MS4 permit reporting. If a spill is reported to ADOT that is on a MOA ROW the ADOT notifies the AFD if there is a public hazard and Street Maintenance for cleanup.
- 11) The ADEC SPAR staff notify the ADOT or WMS or Street Maintenance when they receive reports of spills within their respective ROWs. ADEC informs responsible parties of the clean up requirements for spills. In cases where the spill is in the ADOT ROW the ADEC identifies the responsible party and oversees cleanup by them or, if no responsible party is identified, conducts cleanup with staff and/or contractors. The ADEC tracks reported spills in an electronic database.