

TRANSPORTATION RESPONSIBILITIES

I. SHIPPER, CARRIER, LICENSEE

The shipper, carrier, and licensee must be in compliance with all federal, state, and local laws. They are responsible for notifying the appropriate state authorities of an incident; providing expertise and shipping information to federal, state, and local emergency response personnel; providing equipment and personnel for cleanup of the incident site; and reimbursing state and local emergency response agencies as appropriate.

II. RESPONSIBLE POLITICAL SUB-DIVISION (LOCAL GOVERNMENT)

- A. The responsible political sub-division is defined as that local government which authorizes, regulates, or is otherwise deemed responsible for the health, welfare, and protection of citizens and the property of citizens within the geographical boundaries in which a radioactive materials transportation accident has occurred.
- B. Responsible political sub-division authorities have primary responsibility in performing emergency response functions in their respective jurisdictions. Local emergency management directors/coordinators, sheriffs/police chiefs, and fire marshals/chiefs will provide their usual range of emergency services for a transportation accident involving radioactive materials. This includes the responsibility for having trained radiological monitors, maintaining current rosters of trained personnel and adequate radiological instruments and equipment.
- C. In many cases, shippers/carriers/licensees may be unable to exercise their responsibilities quickly enough to protect the public from the consequences of a radiological accident. The responsible political sub-division authorities must be prepared to effectively initiate life-saving and protective measures. In functional terms related to transportation accidents involving radioactive materials, this includes:
 - 1. Emergency planning
 - 2. Information gathering and exchange
 - 3. Situation analysis
 - 4. Evacuation and shelter of persons threatened
 - 5. Rescue and medical care
 - 6. Supporting radiological monitoring activities

7. Fire fighting
8. Area security
9. Movement control
10. Public information
11. Direct protective countermeasures and decontamination when recommended by appropriate technical authorities
12. Coordination of emergency operational resources
13. Alerting the Nebraska Emergency Management Agency (NEMA) and other government agencies
14. Alerting volunteer and charitable organizations and requesting additional resources from the state as required.

III. STATE GOVERNMENT

A. Governor

As required by the Nebraska Emergency Management Act of 1996, the governor is responsible "for meeting the dangers to the state and people caused by disasters, emergencies and civil defense emergencies". In the event of a transportation accident involving radioactive materials which is beyond the control of the responsible political sub-division, the governor may assume direct operational control over part or all of the emergency management functions. The governor may issue disaster proclamations and make, amend, and rescind orders, rules and regulations to accomplish the objectives of the Emergency Management Act.

B. Nebraska Adjutant General

As required by the Emergency Management Act of 1996, the Nebraska adjutant general is the director of the Nebraska Emergency Management Agency (NEMA). The NEMA director is designated by the governor to act as the governor's authorized representative (GAR). Under the direction of the adjutant general, NEMA is responsible for:

1. Coordinating state agency disaster response in support of responsible political sub-division authorities
2. Implementing programs for disaster prevention, preparation, response, and recovery, including the establishment of emergency response teams.

3. Coordinating with appropriate federal agencies.
4. Assisting responsible political sub-division authorities in emergency planning activities
5. Coordinating disaster operation support functions to include provisions to ensure continuity of resources.

C. Nebraska Emergency Management Agency (NEMA)

NEMA shall have primary responsibility for the planning and response coordination of transportation accidents involving radioactive materials. NEMA will maintain a roster of other Nebraska state agencies which have capabilities and assets to assist in the implementation of this plan. Should additional assistance from other states be required, NEMA will use the Emergency Management Assistance Compact (EMAC) in coordinating any supplementary support from other States. In addition, NEMA:

1. Gathers information to evaluate emergency situations and then reports to the governor and passes the information on to the Department of Health and Human Services, Regulation and Licensure (DHHS - R&L). Assists the governor in the preparation of proclamations and requests for federal assistance, notifies state, volunteer and private agencies and coordinates assistance.
2. Coordinates damage assessment teams. Supports evacuation, shelter and re-entry activities. Assists responsible political sub-division authorities in carrying out emergency response and recovery actions.
3. Coordinates area emergency management radiological monitoring activities, if required, to support the Department of Health and Human Services, Regulation and Licensure (DHHS - R&L).
4. Coordinates communications support for the incident command post (ICP). At the direction of the governor, coordinates and disseminates warnings.

D. Department of Health and Human Services, Regulation and Licensure (DHHS - R&L)

DHHS - R&L under the authority of Reissue Revised Statutes of Nebraska (R.R.S.) 71-3513, issues regulations and recommends actions to be taken to respond to radiological emergencies. In addition, DHHS - R&L responsibilities include:

1. Evaluating health hazards present in a radiological incident.
2. Recommending levels of response to be initiated by the state and responsible political sub-division authorities.

3. Recommending protective actions to be established for both the public and emergency workers.
4. Providing field teams to accomplish radiological monitoring. Contacts the State Emergency Operations Center (SEOC) if additional monitoring support is required.
5. Collection and maintenance status on all state radiological monitoring activities.
6. Maintaining a record of actual exposure for all agency personnel and estimated exposure for all persons evacuated from radiation hazard areas.
7. After consultation with other appropriate agencies, making recommendations as to decontamination of land and other property.
8. Prior to re-entry of evacuated persons, making a radiological survey and determining if the area is safe for resumed occupancy. Maintaining a monitoring and surveillance program until no further hazard exists.
9. Coordinating with appropriate federal agencies and with health agency personnel of adjacent states.
10. Issuing individual protection information to the public in coordination with the Nebraska Emergency Management Agency (NEMA).
11. Providing 24-hour dosimetry for the state incident command post (ICP) personnel.
12. Establishing procedures for detecting contamination and dose calculation for products in the food chain. If necessary, requesting assistance from agricultural agencies for field operations.
13. Issuing protective action measures to be used for the food chain to include criteria for deciding whether dairy animals and other livestock should be put on protected (stored) feed and water. Coordinates implementation of protective measures with appropriate agricultural agencies.

E. Nebraska State Patrol (NSP)

The Nebraska State Patrol (NSP) is responsible for:

1. Maintaining order and public safety
2. Providing traffic control and area security in the incident area.
3. When required for area security control, implementing the NSP pass system.

4. When required, supporting ground radiological monitoring activities.
 5. When required, providing aircraft to support aerial missions calling for specialized police capabilities.
 6. Supporting evacuation activities. Staffing traffic control points and assisting other State agencies securing evacuated areas. Assisting responsible political sub-division authorities in the notification and implementation of evacuation plans.
 7. As necessary support those NSP troopers directly working at a radiological incident/accident site with primary communications through the use of the NSP Mobile Command Post, and provide secondary or back-up communications support to other state agencies, local governmental agencies, and federal agencies as needed.
 8. Providing back-up law enforcement support for radiological emergency response operations in the affected areas.
- F. Nebraska Department of Environment Quality (DEQ)
1. Provides technical assistance in analyzing immediate and long-term effects of radioactive pollution on the environment.
 2. Provides technical assistance and advice on disposal of radioactive debris.
 3. Alerts downstream users and recommends protective actions in the event of an incident affecting surface or ground water.
- G. Nebraska Department of Roads (NDOR)
1. Provides manpower and equipment to support operations in the disaster area.
 2. Supports route control during evacuation operations.
 3. As required, provides field radio communications support.
 4. Organizes and coordinates increased readiness measures directed against the seasonal impassability of roads.
- H. Other State Agencies
- As directed by the governor, other Nebraska state governmental agencies shall provide assistance as required by responsible political sub-division authorities in transportation accidents involving radioactive materials.

IV. FEDERAL GOVERNMENT

- A. The Nuclear/Radiological Incident Annex of the National Response Plan (NRP) covers any radiological emergency that has actual, potential, or perceived radiological consequences within the U.S. that could require a response by the federal government. The level of the federal response to a specific emergency will be based on the type of incident, the amount of radioactive material involved, the location of the emergency, the impact on people and the environment, and the size of the affected area.
- B. The Department of Homeland Security (DHS), as the overall incident manager for Incidents of National Significance, is supported by the coordinating agency and cooperating agencies. The coordinating agency has the primary responsibility for federal activities related to the nuclear/radiological aspects of the incident. The cooperating agencies include other federal agencies that provide technical and resource support to DHS and the coordinating agency. The coordinating agency is determined by the type of emergency. See Table 1.

TABLE 1 IDENTIFICATION OF THE “COORDINATING AGENCY FOR NUCLEAR/RADIOLOGICAL INCIDENTS	
Type of Incident	“Coordinating Agency”
a. Radiological terrorism incidents (e.g., RDD/IND or radiological exposure device): <ul style="list-style-type: none"> 1. Material or facilities owned or operated by DOD or DOE 2. Material or facilities licensed by NRC or Agreement State 3. All Others 	(1) DOD or DOE (2) NRC (3) DOE
b. Nuclear facilities: <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 no financially viable or is otherwise unable to respond. 	(1) DOD or DOE (2) NRC (3) DOE
c. Transportation of radioactive materials: <ul style="list-style-type: none"> 1. Materials shipped by or for DOD or DOE 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 USCG list of responsibilities for 	(1) DOD or DOE (2) NRC (3) DHS/USCG

<p>further explanation of "certain areas". 4. All Others</p>	<p>(4) EPA</p>
<p>d. Space vehicles containing radioactive materials: 1. Managed by NASA or DOD 2. Not managed by DOD or NASA impacting certain areas of the coastal zone. 3. All Others</p>	<p>(1) NASA (2) DOD (3) DHS/USCG (4) EPA</p>
<p>e. Foreign, unknown or unlicensed material: 1. Incidents involving foreign or unknown sources of radioactive material in certain areas of the coastal zone. 2. All Others</p>	<p>(1) DHS/USCG (2) EPA</p>
<p>f. Nuclear weapon accident/incident (based on custody at time of event:</p>	<p>DOD or DOE</p>
<p>g. Other types of incidents not otherwise addressed above.</p>	<p>DHS designates</p>

C. As can be observed in the table, the coordinating agency is that federal agency which owns, has custody of, authorizes, regulates, or is otherwise deemed responsible for the radiological facility or activity involved in the incident. The following paragraphs identify the coordinating agency for a variety of radiological incidents.

1. Radiological Terrorism Incidents:

- a. The coordinating agency provides technical support to the Department of Homeland Security (DHS), which has overall responsibility for domestic incident management, and to the Federal Bureau of Investigation (FBI) which has the lead responsibility for criminal investigations of terrorist acts or terrorist threats. The FBI also is responsible for coordinating activities of other members of the law enforcement community to detect, prevent, preempt, investigate, and disrupt terrorist attacks against the United States, including incidents involving nuclear/radioactive materials (e.g., radiological dispersal device (RDD)/improvised nuclear device (IND) incidents).

- b. For radiological terrorism incidents involving material or facilities owned or operated by the Department of Defense (DOD) or the Department of Energy (DOE), DOD or DOE is the coordinating agency.
 - c. For radiological terrorism incidents involving material or facilities licensed by the Nuclear Regulatory Commission (NRC) or agreement states, the NRC is the coordinating agency.
 - d. For all other radiological terrorist incidents, DOE is the coordinating agency. The coordinating agency role transitions from DOE to the Environmental Protection Agency (EPA) for environmental cleanup and site restoration at a mutually agreeable time, and after consultation with state, local and tribal governments, the cooperating agencies, and the Joint Field Office (JFO) Coordination Group.
2. Nuclear Facilities:
- a. The NRC is the coordinating agency for incidents that occur at fixed facilities or activities licensed by the NRC or an agreement state. These include, but are not limited to, commercial nuclear power stations, fuel cycle facilities, DOE-owned gaseous diffusion facilities operating under NRC regulatory oversight, independent spent fuel storage installations, radiopharmaceutical manufacturers, and research reactors.
 - b. DOD or DOE is the coordinating agency for incidents that occur at facilities or vessels under their jurisdiction, custody, or control. These incidents may involve reactor operations, nuclear material, weapons production, radioactive material from nuclear weapons or munitions, or other radiological activities.
 - c. EPA is the coordinating agency for 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.
3. Transportation of Radiological Materials:
- a. Either DOD or DOE is the coordinating agency for transportation incidents involving DOD or DOE materials, depending on which of these agencies has custody of the material at the time of the incident.
 - b. The NRC is the coordinating agency for transportation incidents that involve radiological material licensed by the NRC or an agreement state.
 - c. DHS/U.S. Coast Guard (USCG) is the coordinating agency for the shipment of materials in certain areas of the coastal zone that are not licensed or owned by a federal agency or an agreement state.

- d. EPA is the coordinating agency for shipment of materials in other areas of the coastal zone and in the inland zone that are not licensed or owned by a federal agency or an agreement state.

4. Space Vehicles Containing Radioactive Materials:

- a. The National Aeronautics and Space Administration (NASA) is the coordinating agency for missions involving NSAS space vehicles or joint space vehicles with significant NASA involvement. DOD is the coordination agency for missions involving 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 is not created by simply selling or supplying material to a foreign country for use in its spacecraft.
- b. DHS/USCG is the coordinating agency for space vehicles not managed by DOD or NASA impacting certain areas of the coastal zone.
- c. EPA is the coordinating agency for all other space vehicle incidents involving radioactive material.

5. Foreign, Unknown, or Unlicensed Material:

EPA or DHS/USCG is the coordinating agency depending on the location of the incident. DHS/USCG is the coordinating agency for incidents involving foreign or unknown sources of radioactive material in certain areas of the coastal zone. EPA is the coordinating agency for all other 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. The foreign or unlicensed source may be a reactor, a spacecraft containing radioactive material, imported radioactively contaminated material. Unknown sources of radioactive material, also termed "orphan sources", are those materials whose origin and/or radiological nature are not yet established. These types of sources include contaminated scrap metal or abandoned radioactive material.

6. Other Types of Incidents:

For other types of incidents not covered above, DHS, in consultation with other coordinating agencies, designates a coordinating agency. If DHS determines that it is an incident of national significance, DHS is responsible for overall coordination and the designated coordinating agency assumes responsibilities as the coordinating agency.

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