



Memorandum of Understanding Operational Protocols

Between

The Chief Fire Officer Association (Scotland)
Representing the Scottish Fire and Rescue Services

and

The Scottish Environment Protection Agency

28/04/05

The Scottish Environment Protection Agency
The Chief Fire Officer Association (Scotland) Representing
The Scottish Fire and Rescue Services
Memorandum of Understanding (Operational Protocols)

This Memorandum of Understanding is between THE CHIEF FIRE OFFICERS ASSOCIATION (SCOTLAND) representing the Scottish Fire and Rescue Services AND THE SCOTTISH ENVIRONMENT PROTECTION AGENCY, incorporated under the Environment Act 1995 and having its Corporate Office at Erskine Court, Castle Business Park, Stirling, FK9 4TR.

Whereas:-

- i) The Scottish Fire and Rescue Services, have a number of primary duties including the protecting of life; the rescue of trapped casualties; tackling fires; and dealing with released chemicals and other hazards;
- ii) SEPA are the Environment Protection Agency and regulator for Scotland;
- iii) The Scottish Fire and Rescue Services and SEPA wish to enter into these presents to promote areas of common interest, future co-ordination and the monitoring of new development;

THEREFORE in implement of the forgoing purposes The Scottish Fire and Rescue Services and SEPA hereby agree as follows:

This Memorandum of Understanding between the Scottish Environment Protection Agency (SEPA) and the Chief Fire Officers Association (Scotland) representing the Scottish Fire and Rescue Services has been developed with a view to where reasonably practicable preventing, reducing or minimising any pollution to the environment which might occur as a consequence of Scottish Fire and Rescue Services activities

This MOU is a Strategic document which facilitates the creation of a Tactical level working group with representatives from SEPA and the Scottish Fire and Rescue Services who will consider a number of Fire and Rescue activities and develop joint operational protocols with a view to reducing potential pollution to the environment as a result of Scottish Fire and Rescue Services activities.

The Scottish Fire and Rescue Services have a number of primary duties including the protecting of life; the rescue of trapped casualties; tackling fires; and dealing with released chemicals and other hazards. At the site of an incident (fire ground) the Senior Fire Officer will have command of fire fighting activities and should where reasonably practicable take steps to prevent, reduce or minimise environmental pollution however there must be a clear understanding that such decisions will be based on best fire-fighting and rescue practices.

SEPA will attend to urgent requests from the Scottish Fire and Rescue Services and make assessments as to the potential for environment pollution and advise the Scottish Fire and Rescue Services of the most appropriate countermeasure to prevent or minimise pollution of the environment at the time of an incident and subsequently. Through liaison with SEPA and where reasonably practicable the Scottish Fire and Rescue Services will adopt operational procedures which will prevent, reduce or minimise pollution of the environment.

Joint Operational Protocols in the following areas have been agreed between SEPA and the Scottish Fire and Rescue Service.

1) "Run off" from fire fighting activities:-

Fire fighting activities rely on adequate supplies of water to extinguish fires and to reduce potential pollution from run offs the following are listed as considerations

- Use of sprays rather than jets to reduce run offs
- When main jets are used for fire fighting purposes and there is potential for short or long term pollution to the environment the Scottish Fire and Rescue Services should inform SEPA when it is estimated that over 1,800 litres per minute are likely to be used.
- When as a result of any fire fighting activities there is potential for significant pollution from run offs it is essential that there should be immediate liaison with SEPA and Scottish Water with a view to diverting contaminated run offs to holding areas via drainage systems or to ensure the most suitable method of disposal.
- The Scottish Fire and Rescue Services will where reasonably practicable take all necessary steps to capture "run off" and will thereafter be responsible for the safe disposal of the "run off"

2) Controlled Burn:-

In some cases a Fire Incident Commander with a view to minimising pollution of the environment will allow a fire to burn in a controlled way or undertake other control measures could be less harmful than the effects of contaminated run offs from fire fighting activities. Agency Pollution Prevention Guidelines illustrating best practice is being developed and will in time form part of this MOU.

3) Fire Fighting Foam

Fire Fighting Foam is mainly used by the Scottish Fire and Rescue Services to suppress fires involving flammable liquids or the suppression of flammable vapours where the use of water might be an ineffective solution. Work is ongoing at UK level regarding the environmental impact/ecotoxicology related to the use of fire fighting foam(s). The matter is the subject of ongoing examination and given these concerns until definitive UK wide guidance is issued consideration should be given to limiting the use of foam for fire fighting purposes to instances where its use was deemed as absolutely essential. Where the Scottish Fire and Rescue Services use foam they should promptly advise Scottish Water (SW) and SEPA of the incident and the potential for pollution of the environment.

SEPA will attend at the scene and provide best advice. There may be a need to enlist a specialist clean up contractor to dispose of the residual material.

Particular types of fluorine free foams are available solely for training purposes and presents less of a disposal problem. Training Foam should be treated as trade effluent and in no circumstances should it come into contact with controlled waters.

If the Scottish Fire and Rescue Services conduct 'Foam Drills' for training purposes then they should adopt the use of fluorine free foams

4) End of Life Vehicles (ELVs)

Training and preparedness are essential elements of the Scottish Fire and Rescue Services normal business. To simulate the rescue of trapped persons involved in Road Traffic Incidents the Scottish Fire and Rescue Services train personnel in the use of cutting equipment by using End of Life Vehicles.

An End of Life Vehicle is defined as waste.

In Scotland the End of Life Vehicles (Storage and Treatment) Scotland Regulations 2003 (the Regulations) have introduced requirements in relation to the depollution and disposal of Waste Motor Vehicles.

Where the Scottish Fire and Rescue Services intend to use an ELV(s), for training purposes the vehicle should have previously been fully depolluted at a site licensed for this purpose by SEPA in terms of the Regulations. When the training has been completed the Scottish Fire and Rescue Services should return the ELV(s) to the licensed site for final disposal in accordance with the Regulations

The Controlled burning of ELVs for fire fighting training purposes is not permitted.

5) Chemical Incidents

The Scottish Fire and Rescue Services are trained and equipped to deal with emergency chemical incidents and similar hazards. The Scottish Fire and Rescue Services have access via the CHEMDATA scheme to important information in relation to an identified chemical including, the personal protective equipment required; hazards; precautions; first aid treatment; preferred fire fighting method and environmental protection priorities. The SEPA Communications Centre also has access to the CHEMDATA Scheme, and a suitably qualified member of SEPA staff could utilise the system if the need arose.

At the scene of a chemical incident the Scottish Fire and Rescue Services will provide health and safety advice to other agencies and will establish a safety cordon. If safe to do so SEPA personnel attending a chemical incident should approach from the upwind direction (and preferably uphill) and firstly liaise with the Fire Incident Commander to establish the Health and Safety protocol and to gain information relative to the incident.

SEPA personnel should not enter an area cordoned off by the Scottish Fire and Rescue Services for public safety purposes unless they are authorised by the Fire Incident Commander following the appropriate risk assessment.

A chemical release can result in significant pollution to the environment. The Scottish Fire and Rescue Services should where reasonably practicable take all necessary steps to capture the 'run off 'and alert SEPA to the incident and attendant circumstances as soon as possible.

Where run offs from a chemical incident have or are likely to enter the drainage system the Fire Incident Commander should ensure Scottish Water, is informed so that they may take steps if possible to divert the run off to a suitable temporary holding area until final disposal can be arranged or via a suitable route for immediate processing

The Scottish Fire and Rescue Services do not have the capability to 'clean up' following a chemical emergency. A site operator or carrier whose operations have resulted in the potential for pollution should be responsible for urgently arranging the appropriate clean up operation by using their own suitably qualified personnel or consider using a contractor accredited by UK Spill. If the responsible third party cannot be readily identified, the Local Authority, Highway Authority (or their agents) or the landowners owner/occupiers would normally be expected to organise the clean up. In other circumstances, i.e. where there is a significant threat to human health or the environment, SEPA should arrange for a contractor accredited by UK Spill to attend and conduct the appropriate operations if this is the only remaining option to prevent or minimise environmental pollution. SEPA would later take steps to reclaim the costs of the clean up operation from the responsible third party based on 'the polluter pays' principle

6) Waste from Road Traffic Incidents

A Road Traffic Incident (RTI) can result in serious injury to human's animals or the environment and damage to vehicle(s). RTIs can generate various types of waste including debris, vehicle parts and spills of vehicle fluids all of which can be termed as waste under environmental legislation thereby requiring appropriate disposal. Animal or human, remains for example blood spills, can similarly be termed as waste.

During April 2005, through joint negotiation SEPA provided a sufficient number of spill kits to the Scottish Fire and Rescue Services to facilitate the deployment of one spill kit to each front line Fire Appliance in Scotland.

The provision of this equipment by SEPA does not infer the continuance of supply of such equipment in future and if appropriate the Scottish Fire and Rescue Services may take steps to recover costs from third parties where the equipment has been deployed.

Where there is a need the Scottish Fire and Rescue Services should deploy spill kits to mitigate both the area and the effect of pollution.

Waste should be properly handled and disposed of as soon as possible after the incident. Where the need arises, the Scottish Fire and Rescue Services should request the Highways Authority to use absorbent media to safely contain any liquid waste. Section 8 details responsibilities for disposal of waste at incidents.

SEPA nor the Scottish Fire and Rescue Services have no direct responsibility for the disposal of waste arising from Road Traffic Incidents. Consideration should be given to employing the services of a contractor accredited by UK Spill (see Section 5) *and* any waste disposed of to an authorised facility. Waste arising from chemical spillages may be subject to the procedures in the special waste regulations. In an emergency the normal prenotification period and paperwork may not be required prior to the removal of the waste but SEPA should be consulted on the proposed movement and the relevant paperwork completed after the incident. In emergencies where a speedy response is essential to avoid serious harm or pollution, waste may be kept in a safe holding area provided it is carried to an authorised facility at the earliest opportunity (within 48 hours). Again all actions should be conducted so as to avoid and minimise any harm to the environment, and information pertaining to the incident made passed to SEPA

Where the Scottish Fire and Rescue Services have responded to an incident involving a vehicle or where a number of vehicles are involved and there is potential for pollution of the environment the Scottish Fire and Rescue Services should promptly advise SEPA of the ongoing situation and SEPA will provide advice to minimise pollution.

7) Decontamination of People and Equipment

New and emerging terrorist threats involving the potential use of chemical biological radiological or nuclear (CBRN) weapons have led to the development of systems for the mass decontamination of people and possibly essential equipment

Any incident involving any of these elements could result in significant pollution to the environment and the decontamination process would generate a considerable amount of contaminated waste/water. In the event of the Scottish Fire and Rescue Services responding to an actual or suspected CBRN incident they should immediately inform SEPA and Scottish Water. Disposal of contaminated water should be in accordance with the current protocol within the Water UK document entitled 'Protocol for Disposal of Contaminated Water'

8) Responsibilities for Disposal of Waste at Incidents

SEPA's role in waste management is regulatory and it has no direct responsibility to dispose of contaminated materials at an incident. Consequently, SEPA will provide advice to those with a responsibility for removing waste, a responsibility that will vary depending on whether the responsible party is identified and the actual location of the materials. The first prerogative is to identify the responsible persons and advise them to take urgent action. However, in circumstances where the responsible party is not identifiable, responsibility for clean-up and disposal is normally as follows:-

- **Landowner or occupier** – responsible for materials on their own private land or premises
- **Local Authorities** – responsible for materials on playing fields and public open spaces and materials on roads within their area that are not covered by the Scottish Executive
- **Highway Authority** – responsible for materials on motorways and major trunk roads.

9) Planning Training and Exercising

There is regular interaction between the Scottish Fire and Rescue Services and SEPA through respective areas of normal business activities. In connection with the statutory duties placed upon the Scottish Fire and Rescue Services and SEPA relating to the Civil Contingencies Act, there is an increased need to develop a mutual understanding of working practices and operational protocols.

In terms of the Civil Contingencies Act, both the Scottish Fire and Rescue Services and SEPA have a duty to plan for incidents or emergencies (contingency and emergency plans), and Train and Exercise personnel.

The Scottish Fire and Rescue Services and SEPA should where appropriate consult with each other during the preparation of plans.

Where practicable the Scottish Fire and Rescue Services and SEPA should offer each other the opportunity to participate in or observe training and exercises.

10) Pollution Prevention Guidelines

Prevention Pollution Guideline notes are produced jointly by the Environment Agency for England and Wales, the Scottish Environment Protection Agency (SEPA), and the Environment and Heritage Service in Northern Ireland, and are collectively referred to as the Agency or Agencies.

Pollution Prevention Guidelines (PPGs) have been drawn up in the form of guidance notes to give advice on various topics with a view to preventing or minimising pollution. Full details of all PPGs are held on the respective agencies Web Sites or can be obtained from local offices.

A number of PPGs relate in general to the activities of Scottish Fire and Rescue Services activities and they are listed below and form part of this MOU to promote best practice.

PPG 1	General Guide to the prevention of pollution
PPG 11	Preventing Pollution on industrial sites
PPG 18	Managing fire water and major spillages
PPG 21	Pollution prevention guidelines
PPG 22	Dealing with spillages on highways

Appendix A is an Environment Protection at Incidents Card which provides generic guidance to the Scottish Fire and Rescue Services, when dealing with certain types of incidents and illustrates when SEPA and/or Scottish Water should be contacted.

Appendix A

Environment Protection at Incidents Card

Consideration:-

Is there danger to life or health?

Do not compromise crew safety or operations

Assess risk to the environment

Mitigate the effects of pollution

Inform and liaise with SEPA and Scottish Water

Seek advice from Hazmat Officer and/or SEPA

Inform SEPA Whenever:-

Hazmats are spilled or involved

Oil, petrol or diesel spillages have or threaten to enter drains

Decontamination of personnel has or will be taking place

Firefighting Foam is being used

Multiple Main jets are in use

Incidents occur adjacent to or on watercourses or associated structures

Incidents involve fly-tipped materials

Radioactive materials

Ammonia Gas

Large Quantities of tyres/rubbish/straw

Incidents at pre-identified high risk

Also whenever above normal Domestic quantities of the following are involved:-

Detergents and Disinfectants

Foodstuffs, including milk, cream, sugar, salt vinegar etc.

Beverages –soft drinks, orange juice, beers, wines & spirits

Fertilisers

Paint and dyes

Inorganic Powders (e.g. blood, offal ,farm slurries, sewage, foams, anti-freeze, cooking oils, alcohol etc.

Seek agreement with SEPA, Scottish Water or Hazmat Officer before:-

Non emergency discharge into drains or watercourse of any of the above

Decontamination of operational equipment including gas tight suits, BA sets and associated apparatus.

NOTE:- this generic guidance is intended premises/sensitive areas to provide advice to the Scottish Fire and Rescue Services regarding the type of incidents where contact should be made with the Scottish Environment Protection Agency and/or Scottish Water. The size and scale of an incident and the quantity of materials involved will dictate the need to make contact.