NRT

Unified Command

Technical Assistance Document

THE NATIONAL RESPONSE TEAM

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TABLE OF CONTENTS

ACKNOWLEDGMENTS

The National Response Team (NRT) acknowledges the NRT member agencies, and state and Federal agencies participating on the Regional Response Teams (RRTs), for their contributions in preparing this document. We invite comments or concerns on the usefulness of this document in all-hazard planning for responses. Please send comments to:

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DOCUMENT PURPOSE

This document is a product of the U.S. National Response Team (NRT), which is the organization of 16 Federal agencies responsible for national planning and coordination of oil and hazardous substance emergency preparedness and response under the National Oil and Hazardous Substances Pollution Contingency Plan[1] (NCP). For additional information on the National Response System (NRS) and Federal response authorities, see *Appendix A: Overview of the National Response System and Federal Response Authorities*.

The purpose of this NRT technical assistance document (TAD) is to provide guidance on Unified Command (UC) implementation to all personnel involved in all-hazard emergency planning and response at the Federal, state and local levels.

The U.S. Department of Homeland Security (DHS) and Homeland Security Presidential Directive-5 (HSPD-5), *Management of Domestic Incidents*, require Federal departments and agencies to adopt the National Incident Management System[2] (NIMS). Beginning in Fiscal Year 2005, Federal departments and agencies were required to make adoption of NIMS a requirement, to the extent permitted by law, for providing Federal preparedness assistance through grants, contracts, or other activities. NIMS identifies the Incident Command System (ICS) as a major component of domestic incident management.

While there has been a significant increase in the availability of ICS-specific training and resources, NRT member agencies found that the development of additional UC-specific training and resources has not kept pace. The UC TAD is intended to be an educational resource showing the real-life application of UC through examples of "UC at work," as well as lessons learned from responses to major incidents throughout the U.S. since the Exxon Valdez oil spill. The goals of the UC TAD are to:

- Increase knowledge and understanding of UC;
- Improve coordination among responders during responses and exercises;
- Encourage interagency training programs and exercises using UC;
- Encourage the continued development and use of common language and response culture among all response agencies; and
- Help members of the NRS achieve consistently effective and efficient responses.

The UC TAD complements the ICS/UC TAD,[3] published by the NRT in 2002, and supplements NIMS, the National Response Plan (NRP), and ICS/UC training programs.[4] The NRT assumes that readers of the UC TAD possess a working knowledge of ICS. Additionally, the NRT encourages readers to complete formal ICS/UC training, and apply these principles during exercises and real-world experiences.

Note: This document is intended solely as guidance and was designed to provide technical assistance from the NRT on management of responses to releases of hazardous substances, pollutants or

[1] 40 Code of Federal Regulations (CFR) Part 300.
[2] U.S. Department of Homeland Security. National Incident Management System. March 2004. *http://www.dhs.gov/interweb/assetlibrary/NIMS-90-web.pdf.*
[3] This document is available from the NRT's web site at *www.nrt.org*.
[4] See Appendix D for additional sources of ICS and UC information.

contaminants, or discharges of oil (or threats of either). This document does not impose any legal obligations or duties on any party. This document does not supersede the NCP, found in 40 CFR part 300, or any regulations issued by Federal agencies.

WHAT IS UNIFIED COMMAND?

1.1 Definition of Unified Command

When a response requires a multi-agency or multi-jurisdictional approach, the leadership of an ICS organization may be expanded into a UC. As defined in NIMS[5], UC is "an application of the ICS used when there is more than one agency with incident jurisdiction or when incidents cross political jurisdiction. Agencies work together through the designated members of the UC, often the senior person from agencies or disciplines participating in the UC, to establish a common set of objectives and strategies and a single Incident Action Plan (IAP)." The UC is a structure that brings together the Incident Commanders of all major organizations involved in the incident in order to coordinate an effective response, while at the same time allowing each to carry out their own jurisdictional, legal, and functional responsibilities.

ICS/UC:
An Effective Response Management System

One of the most important 'best practices' that has been incorporated into NIMS is the ICS/UC. General and background information regarding NIMS integration and ICS/UC can be found at the NIMS Integration Center (NIC) website at *www.fema.gov/emergency/nims/nims*. In addition, NRS-specific information and guidance is available from the NRT website, *www.nrt.org*.

The UC links the organizations responding to the incident and provides a forum for these entities to make consensual decisions. Under the UC, the various jurisdictions and/or agencies and non-government responders should blend together throughout the ICS to create an integrated response team.

The UC is responsible for overall management of the incident. Members of the UC work together to develop a common set of incident objectives and strategies, share information, maximize the use of available resources, and enhance the efficiency of the individual response organizations.

1.1.1 When should a UC be used?

UC may be used whenever multiple jurisdictions are involved in a response effort. These jurisdictions could be represented by:

- Geographic boundaries (e.g., two states, or Federally recognized Indian tribal [Indian tribe] land);
- Governmental levels (e.g., local, state, or Federal);
- Functional responsibilities (e.g., fire fighting, oil spill response, or Emergency Medical Services [EMS]); or
- Statutory responsibilities (e.g., Federal land or resource managers, potentially responsible party [PRP] under the Comprehensive Environmental Response, Compensation, and Liability Act [CERCLA][6], or the Oil Pollution Act of 1990 [OPA]).[7]

[5] U.S. Department of Homeland Security. National Incident Management System. March 2004. *http://www.dhs.gov/interweb/assetlibrary/NIMS-90-web.pdf.*
[6] 42 United States Code (U.S.C.) § 9601 et seq.
[7] 33 U.S.C. § 2702 – 2761.

1.1.2 Who is in a UC?

Members of the UC have decision-making authority for the response. To be considered for inclusion in the UC, the representative's organization should:

- Have jurisdictional authority or functional responsibility under a law or ordinance for the incident;
- Have an area of responsibility that is affected by the incident or response operations;
- Have the regulatory authority for commanding, coordinating, or managing a major aspect of the response; and
- Have the resources, including funds, to support participation in the response organization.[8]

In addition, UC representatives should also:

- Be trained in ICS;
- Be able to provide a decision-capable representative 24-hours-a-day, 7-days-a-week to the incident; and
- Have the authority to commit and direct agency or company resources, including funding, to the incident.

Actual UC makeup for a specific incident will be determined on a case-by-case basis taking into account: (1) the specifics of the incident (e.g., location and type of incident); (2) requirements outlined in existing response plans; or (3) decisions reached during the initial meeting of the UC. The makeup of the UC may change as an incident progresses to account for changes in the situation (e.g., as the response transitions out of the emergency phase and into long-term cleanup) and resulting changes in jurisdictional responsibilities. To be effective, the number of personnel included in the UC should be kept as small as possible.

Frequently, the first responders to arrive at the scene of an incident are emergency response personnel from local fire and police departments. The majority of local responders are familiar with ICS and are likely to establish one immediately. As local, state, Federal, and private party responders arrive on-scene for multi-jurisdictional incidents, these responders would integrate into the ICS organization and establish a UC to direct the expanded organization. Although the role of local and state responders can vary depending on state laws and practices, local responders will usually be part of the UC.

UC members bring their authorities to the UC, as well as the resources to carry out their responsibilities. Members in a UC have a responsibility to the UC, and also to their respective agency or organization. These individuals do not relinquish agency authority, responsibility, or accountability. Instead, the addition of a UC to the ICS enables responders to carry out their own responsibilities while working cooperatively within one response management system. For an oil or hazardous materials (hazmat) incident, the UC generally consists of a pre-designated Federal On-Scene Coordinator (FOSC), the state On-Scene Coordinator (SOSC), the Incident Commander for the PRP, and the local emergency response Incident Commander.

[8] While this is general doctrine, local government officials may be included even if they have limited or no resources.

Generally, for spills on Federal lands or resources (such as parks, refuges, marine sanctuaries, etc), Federal land and resource managers have authorities and responsibilities comparable to those of local and state responders and Indian tribes. For this reason, Federal land and resource managers should be invited to participate in the UC for spills on Federal lands and resources under their control. Similarly, for incidents on tribal lands of Federally recognized Indian tribes, a representative from the Indian tribe should be invited to participate in the UC.

1.1.3 Responsibilities of the UC

The following is a list of responsibilities or practices that the UC of any response should perform or assign to the appropriate members of the Command or General Staffs:

- Develop mutually agreed-upon incident objectives, response strategies, and priorities;
- Review and approve IAPs;
- Agree on the appropriate Command and General Staff position assignments to ensure clear direction for on-scene tactical resources;
- Assign objectives to the appropriate staff;
- Agree on an incident response organization;
- Engage the media with a unified voice. If established, this may be accomplished through an Information Officer or Joint Information Center (JIC);
- Direct the response;
- Ensure integration of response organizations into the ICS/UC;
- Establish procedures for joint decision-making and documentation;
- Agree on logistical support procedures and coordinate resources, as appropriate;
- Agree on cost-sharing procedures, as appropriate;
- Coordinate effective communication; and
- Ensure worker and public health and safety.

It is particularly important in a multi-agency response that the UC approve a single IAP compiled by the Planning Section Chief. One planning cycle is used, and a single IAP is presented to the UC for approval. Once approved, the Operations Section Chief, who normally comes from the agency with the greatest jurisdictional involvement, will direct the tactical implementation of the IAP. The addition of a UC should not change the IAP development process or the planning cycle, which, when properly practiced, brings together everyone's input and identifies critical shortfalls that need to be addressed to carry out the objectives for that period.

1.1.4 How does the UC make decisions?

The UC does not operate under "decision by committee." The principals are there to direct the incident response. Time is of the essence. The UC should develop synergy based on the capabilities that are brought to bear by the various representatives. There should be personal acknowledgement of each representative's unique capabilities, a shared understanding of the situation, and agreement on the

common objectives. With the different perspectives among members of the UC comes the risk of disagreements, most of which can be resolved through an understanding of the underlying issues.

Contentious issues may arise, but the UC framework provides a forum and a process to resolve problems and find solutions. If situations arise where members of the UC cannot reach consensus, the UC member representing the agency with primary jurisdiction over the issue would normally be deferred to for the final decision. Issues that need further interagency discussion may be referred to the Regional Response Team (RRT).[9]

The bottom line is that the UC has certain responsibilities, as noted above. Failure to provide clear objectives for the next operational period means that the Command function has failed. While the UC structure is an excellent (and the only nationally recognized) vehicle for coordination, cooperation, and communication, the UC members must make the system work successfully. A strong Command—whether a single Incident Commander or a UC—is essential to an effective response.

Each UC member may assign Deputy Incident Commander(s) to assist in carrying out Incident Commander responsibilities. UC members may also obtain individual legal and administrative support from their own organizations.

1.1.5 What if your agency is not a part of the UC?

Support agencies, as defined in NIMS, are heavily involved in the incident but lack jurisdictional responsibility and, therefore, are not represented on the UC. Support agencies and other organizations not represented on the UC can take one or more of the following steps to ensure that their concerns or issues are addressed:

- Provide a representative who has direct contact with the Liaison Officer; and/or
- Serve in appropriate area of the ICS structure for the response (e.g., planning, operations, logistics, or finance).

Lesson Learned: Liaison Officer

A Liaison Officer is a member of the Command Staff responsible for coordinating with representatives from cooperating and assisting agencies. NRS experience has shown that the Liaison Officer can play a key role in interfacing with agencies and organizations not represented in the UC.

1.2 What is the Relationship between an ICS and a UC?

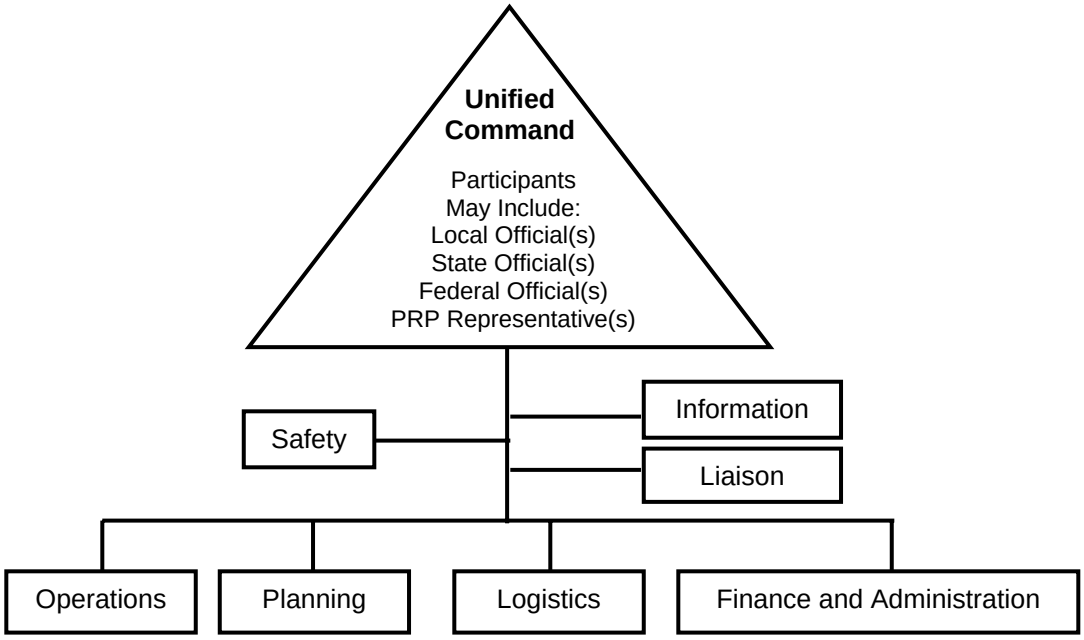
When it becomes necessary to establish a UC, the UC replaces the Incident Commander function and becomes an essential component of an ICS. In this way, the UC facilitates and coordinates the effective involvement of the various organizations; it creates the link among the organizations responding to the incident and provides a forum for these organizations to make decisions with which all responders can agree. Figure 1 shows the relationship between a UC and an ICS.

It is important to remember that ICS/UC should be viewed as a response tool, not a response rule. The ICS/UC organization adheres to a "form follows function" philosophy. In other words, the organization at any given time should include only what is required to meet planned objectives. Similarly, while an

[9] Refer to Appendix A: Overview of the NRS for more information regarding the NRT and RRTs.

ICS will generally include the components identified in Figure 1, the ICS/UC response management structure does not attempt to prescribe a specific item-by-item functional description of where particular organizations or individuals fit within a single response structure for a given response. Along those lines, **the establishment and administration of an ICS/UC should never detract from response efforts**. In the early stages of a response, it may be necessary to commit the limited number of response personnel to field operations, and scale back less critical ICS/UC administration procedures until more assets and resources become available.

Figure 1—Relationship between ICS and UC[10]



For use of ICS/UC to lead an effective multi-jurisdictional response, all parties participating in the response need to be integrated throughout the response, not just in the UC. This will allow for information-sharing both horizontally and vertically throughout the response organization. This does not mean that each organization in the UC should have representatives in each section, only that the responders need to be working together within and throughout the sections. For example, although a PRP is in the UC, the PRP may not necessarily be involved in all of the ICS sections (e.g., Planning and Operations). The decision to include the PRP in the UC may, in part, depend on its relationship with the members of the ICS.

In many responses, incident-specific issues emerge that have a tendency to dominate the response effort and have a large effect on its eventual outcome. These aspects of a response could include salvage operations, criminal investigations, responder safety, etc. In these situations, the ICS must be flexible enough to allow these concerns to be addressed at the appropriate functional level and create an open dialogue between the UC and the section/branch that is handling the issue. For example, when salvage

[10] This diagram does not include an Intelligence Officer or Intelligence Section. According to NIMS, the intelligence and information function may be organized within the Command Staff, as a unit within the Planning Section, a branch within the Operations Section, or as a separate General Staff Section.

issues become the focal point of a response effort, it is important that the UC have access to salvage support and information.

1.3 What are the Advantages of UC?

UC integrates local, state, and Federal response efforts—through common structures, training, and joint exercises—to ensure safer and more effective incident response. NIMS identifies the following advantages of a UC:

- A single set of objectives is developed for the entire incident;
- A collective approach is used to develop strategies to achieve incident objectives;
- Information flow and coordination is improved among all jurisdictions and agencies involved in the incident;
- All agencies with responsibility for the incident have an understanding of joint priorities and restrictions;
- No agency's legal authorities will be compromised or neglected; and
- The combined efforts of all agencies are optimized as they perform their respective assignments under a single IAP.

Additional advantages identified by the NRT and others are that a UC:

- Allows multiple stakeholder involvement in the decision making process;[11]
- Includes the RRT as a valuable resource to obtain consensus when the UC cannot;
- Includes local government Incident Commanders as key participants in establishing UC;[12]
- Allows for collective approval of operations, logistics, planning, and finance activities;[13] and
- Allows for shared facilities, reducing response costs, maximizing efficiency, and minimizing communication breakdowns.[14]

UC and Weapons of Mass Destruction (WMD)

Since May 2000, NRT member agencies participated in four WMD Top Officials (TOPOFF) exercises that were designed to assess the nation's homeland security response capabilities to respond to geographically dispersed terrorist threats and acts.

The advantages of using ICS/UC at the incident site were evident during these complex, multi-agency, multi-jurisdictional exercises. As a result of this, the NRT and other sources recommended to Congress via the Department of Justice Exercise Observation Report that the Federal government should adopt ICS/UC as the standard response management system at incident sites, including WMD incidents.

The ICS/UC structure outlines responsibilities and functions, thereby reducing potential conflicts, and improving information flow among all participating organizations. To ensure none of the advantages of the ICS are lost by the introduction of a UC, the ICS maintains its modular organizational structure.

HOW DO RESPONDERS PREPARE FOR UC IMPLEMENTATION?

[11] Texas General Land Office, Oil Spill Prevention and Response Division, "ICS Unified Command" video, 1995.
[12] Ibid.
[13] Ibid.
[14] Ibid.

The key to successful implementation of a UC is planning and exercising at all levels. Practice in using a UC prior to an incident helps responders understand their roles and responsibilities and prepares them to work together in the UC. According to the NCP, the area contingency planning process—which brings together appropriate representatives from local, state, and Federal agencies to enhance contingency planning—is the forum for working out the details of how the ICS/UC will be applied in each area. When responders understand each other's roles and responsibilities and have a plan for working together, they are more likely to be able to reach consensus on response strategies and tactics.

2.1 Keys to Successful UC Implementation

To be most effective, there are four keys to implementing an ICS with a UC.

Learn.[15] The NRT encourages all responders to learn about the UC system. The better it is understood, and the more familiar it is, the easier it will be to form a common structure when demanded by an incident. See Appendix B for ICS training resources.

Plan.[16] Plans should identify how the UC will be implemented and the roles and responsibilities of the various participants during different response scenarios.

Start early.[17] A UC should be implemented once it is determined that at least two organizations have jurisdictional or statutory responsibility for a response.

Memoranda of Agreement (MOA): Effective Planning Tools to Implement a Successful UC

Using an innovative approach to ensure coordination and cooperation at the scene of an incident, the State of Wisconsin Department of Natural Resources (DNR) established an MOA with EPA Region V and the USCG 9th District for emergency response to discharges of oil and releases of hazardous substances occurring within their jurisdictions. The MOA acknowledges the respective authorities of local, state, and Federal responders and stresses the importance of including local authorities in the UC. The MOA also advocates that roles and responsibilities of all involved parties be clearly defined well in advance of an incident by using the area, state, and regional contingency planning processes.

Exercise. Periodic exercises are crucial to providing training and role-playing opportunities. Planners and responders at all levels need to understand the authorities and resources each response organization brings to a specific incident. When plans and procedures are understood, agencies can support each other effectively. However, each response results in new lessons learned, which necessitates continuing refinement of the procedures and processes, development of better methods, and meshing of agency needs and actions.

Because most responses that require an ICS with a UC will be multi-agency and may be multi-jurisdictional, all participating organizations must understand the complexities of coordination. The question is not "Who is in charge?" but "How can all responders work together for the best results?" The goal of an ICS/UC is to enhance response efficiency by eliminating duplication of effort and lessening response time—and consequently response costs. The best way to reduce confusion and conflict is to anticipate problems and develop possible solutions. This requires scenario-based planning and exercises with constant communications and coordination among all participants, working together as a team.

To maximize UC effectiveness, the following elements should be in place and documented in relevant plans well before an incident occurs:

[15] Ibid.
[16] Ibid.
[17] Ibid.

- The structure should be formalized and accepted by all parties concerned with an emphasis placed on responding as a team.[18]
- Specific UC functions and responsibilities, and reporting mechanisms, should be well defined and accepted. However, it is important to note that the scope and complexity of the incident will determine the extent of the organizational positions actually staffed.
- Agency capabilities and resources, including agency personnel trained and available to fill key ICS positions, such as Command, Command Staff, and General Staff positions, should be identified.
- A methodology should be established for developing a Site Safety Plan[19] and an IAP.
- Contingency plans (including Area Contingency Plans [ACPs], facility and vessel response plans, and local emergency response plans) should address training and ensure familiarity with an ICS/UC.
- Relationships and interactions with entities outside the ICS but relevant to the NRS (e.g., RRT) should be defined.

2.2 UC Implementation and ACPs

In addition to the points above, the following items should be considered when developing ACPs, particularly when implementing a UC:

- Jurisdictional responsibilities;
- Roles of all levels of government in the UC (e.g., local, state, and Federal);
- Existing local, state, and Federal laws, regulations, policies, and procedures;
- Financial agreements;
- Information dissemination;
- Communications;
- Training and exercising;
- Logistics;
- Potentially responsible parties;
- Response organization;
- NRS organizational components; and
- Lessons learned.

The description of the ICS/UC in the ACP should be sufficient to assist the FOSC in directing, monitoring, and coordinating response efforts. To ensure the ICS/UC structure described in the ACP will work, Area Committees should include all relevant parties, including local and state governments and the private sector, in the area planning process.

[18] Ibid.
[19] 29 CFR 1910.120.

HOW DO RESPONDERS IMPLEMENT UC DURING AN INCIDENT?

3.1 What Are the FOSC's Response Roles and Responsibilities?

The FOSC should either implement an ICS/UC at the beginning of, or as early as possible in, a response, or be prepared to integrate into an existing, properly functioning ICS/UC during a response. The use of the UC as a management tool does not relieve the FOSC of her or his obligation to direct, monitor, and coordinate response actions. Under the appropriate authorities of the NCP, NRP Emergency Support Function #10 (ESF-10), and the Oil and Hazardous Materials Incident Annex, the FOSC has the authority to direct oil and hazardous materials response efforts and coordinate the efforts of support and cooperating agencies. The FOSC in every case retains the authority to direct the response, and must direct responses to discharges of oil that pose a substantial threat to the public health or welfare, or the environment of the United States. As discussed previously, all representatives retain their authority and UC is a tool to implement these authorities.

3.2 What Takes Place in the Initial UC Meeting?

Open and early discussion among members of the UC is critical to ensuring effective implementation of the NRS and use of the UC when an incident occurs and plans need to be implemented. The establishment of a UC should begin with an initial meeting of the Incident Commanders from each of the involved jurisdictions. During this meeting—which should be brief—the Incident Commanders must come to consensus on priorities, a collective set of incident objectives, an overall strategy, and selection of a UC spokesperson before they can effectively work together to carry out the response.

The initial meeting also provides an opportunity for the Incident Commanders to establish a JIC, as needed.[20] In addition, if not established in pre-planning activities, the Incident Commanders should use the initial meeting as an opportunity to determine the legal authorities of all representatives in the UC and their specific policies, concerns, and interests. This conversation helps establish the membership of the UC.

Effective planning can facilitate assembly and conduct of the initial UC meeting. The responsibilities discussed above should be preplanned to the greatest extent possible. Although an initial meeting is critical for ensuring the effective integration of all responders into the ICS/UC, the steps involved in the UC meeting (as identified below) may have to be revisited periodically as information on the incident or the demands of the incident change. These meetings provide a private opportunity for the Incident Commanders to discuss their priorities, constraints, and resource commitments. However, once participants in the UC leave this meeting, they should speak with one voice.

3.2.1 Step 1 – Set Priorities and Objectives

For the UC to work, participants must be committed to working together to solve a common problem. Each responding agency has individual objectives to carry out. In addition, the primary objectives of each responding agency are established under the NCP as "national response priorities," which are:[21]

[20] The NRT has developed a generic JIC model that describes how to structure a JIC to conduct crisis communications during emergency responses and non-emergency events. To view or download an electronic copy of the JIC model, please visit *www.nrt.org*.
[21] 40 CFR 300.317.

- Preserve the safety of human life;
- Stabilize the situation to prevent the event from worsening;
- Use all necessary containment and removal tactics in a coordinated manner to ensure a timely, effective response that minimizes adverse impacts to the environment; and
- Address all three of these priorities concurrently.

However, each responding entity likely has other priorities requiring consideration, which might include the following factors:

- Minimizing environmental impacts;
- Maintaining business survival;
- Minimizing response costs;
- Maintaining or improving public image;
- Minimizing economic or tourism impacts;
- Minimizing natural resource restoration costs;
- Evaluating prospects of criminal prosecution; and
- Meeting certain reasonable stakeholder expectations.

Understanding all the issues facing the UC participants is important in any negotiation. Because consensus must be reached for the UC to be effective, it is critical that the UC engage in coordination whenever necessary.

3.*2.2 Step 2 – Present Capabilities and Constraints*

At the initial meeting, UC members have an obligation to raise and discuss honestly what each response organization can provide in terms of authorities, equipment, skills, and experience, including their response capabilities. All Incident Commanders must be free to speak openly with the other members of the UC about their constraints or limitations, whether practical or political in nature, because these constraints may have an impact on how the UC's objectives can best be achieved.

3.2.3 Step 3 – Develop a Collective Set of Incident Objectives

The planning process for the UC is similar to that used for a single jurisdiction or agency incident. However, because each agency brings its own set of objectives and considerations to the response, the UC must decide upon a collective set of incident-specific objectives—to identify what the UC needs to accomplish as a whole—before an overall response strategy can be developed. To be effective, these objectives should be Specific, Measurable, Action Oriented, Reasonable, and Time Sensitive (SMART). The UC must come to consensus on a set of general objectives that can then be documented to provide focus for the response organization. This process includes establishing and agreeing upon acceptable priorities.

3.2.4 Step 4 – Adopt an Overall Strategy

Strategy is the development of priorities and plans to achieve the objectives for a response. If the UC knows exactly how to accomplish an objective, it should specify the strategy. Because there are frequently multiple possible strategies that would accomplish the same objective, the UC staff will often ask the General Staff to present strategies for later UC approval. This allows for better input and discussion from the responders, and also reduces meeting time for the Incident Commanders.

3.2.5 Step 5 – Select a UC Spokesperson

Frequently, the UC establishes a JIC and designates a single spokesperson. The spokesperson is typically a member of the UC and serves as a point of contact and a single voice for the UC at external and internal briefings. The UC will benefit by selecting someone who has previous training and experience as a spokesperson. As the situation develops, the spokesperson may change during the course of an incident. For example, a different agency may be designated as a spokesperson if it has more expertise in a particular area at a certain time.

3.3 On-going UC Responsibilities

Some of the responsibilities outlined in Section 1.1.3 are ongoing throughout the life of the incident. For example, UC representation should be routinely re-examined to ensure that the appropriate entities are represented in the decision-making process.

3.4 NRS Integration into the NRP and NIMS Command Structure for Incidents of National Significance and Other Events Requiring a Coordinated Federal Response

This section provides an overview of the linkages between the UC, including common NRS specific entities and entities established by the NRP and/or NIMS. FOSCs and responders are encouraged to review the NRP, NIMS, Joint Field Office (JFO) Standard Operating Procedure (SOP) and related operational supplements to become familiar with these strategies. This section is not intended to provide a thorough discussion of the NRP, NIMS, or the Federal government's strategy on how to handle an Incident of National Significance, National Special Security Event (NSSE), or other actual or potential events requiring a coordinated Federal response.

An Incident of National Significance[22] is based on criteria established in HSPD-5, declared by the Secretary of Homeland Security, and defined as an actual or potential high-impact event that requires a response by an appropriate combination of Federal, state, local, Indian tribe, nongovernmental, and/or private-sector entities in order to save lives and minimize damage, and provide the basis for long-term community recovery and mitigation activities. The NRP[23] and NIMS establish the response structure hierarchically above tactical on-scene ICS/UC for Incidents of National Significance and other actual or potential incidents requiring a coordinated national response. Specific roles, responsibilities, and structure may vary from one incident to another due to the declaration status and nature of the incident. Regardless, ICS/UC principles should be used for on-scene incident management. The following paragraphs outline some of the Federal incident management entities that FOSCs and responders may encounter during a response.

[22] U.S. Department of Homeland Security, National Response Plan, December 2004. *http://www.dhs.gov/interweb/assetlibrary/NRP_FullText.pdf.*
[23] Ibid.

The JFO is a temporary Federal facility established locally to provide a central point for Federal, state, local, and Indian tribe executives with responsibility for incident oversight, direction, and/or assistance[24]. The JFO provides a venue where response agencies can jointly coordinate protection, prevention, preparedness, response, and recovery actions, and is overseen by the JFO Coordination Group.

Ideally, unified Federal/state/local Incident Command structures will be formed and are responsible for coordinating their efforts with the efforts of the appropriate representatives within the JFO, to ensure that all Federal, state and local response efforts are properly coordinated. Federal components of the Incident Command structures typically interact with the JFO through their Senior Federal Official (SFO) (where designated) and JFO ESF representatives, and provide information on the status of Incident Command activities and resource needs. The SFO and ESF JFO representatives ensure that this information is provided to the appropriate JFO sections. Additionally, the UC may also interact with the JFO Coordination Group, as needed, to exchange information and discuss issues. In the case of Incident Command structures that are staffed solely by state and local personnel, the state lead official in the JFO is responsible for communications with the state/local Incident Command structures, which may be forwarded through the state EOC or in another fashion.

Other links between the JFO and Incident Command structures can be established as needed. For example, the JFO Situation Unit and Resources Unit may establish direct interaction with elements of the on-scene command structure, as described in the JFO Activation and Operations, Interagency Integrated SOPs.

CONCLUSION

Managing a major response—especially a complex, multi-agency and multi-jurisdictional response—is one of the most important challenges facing all levels of government involved in response and recovery activities, including those operating within the NRS. Effective integration and coordination among local, state, Indian tribe, and Federal responders at the scene of a response are key factors in ensuring successful responses to major incidents.

Complex and/or multi-jurisdictional incidents require an ICS led by a UC. A commitment to cooperation by all involved parties is necessary for the creation of an improved organizational and operational process.

UC is an important concept to practice as part of response exercises and should be included in local and area contingency plans. Such exercising and planning facilitates coordination and cooperation among local, state, Indian tribe, Federal, and private party responders when the UC is implemented at an incident, and ensures that all responders are able to work together effectively to protect human health and the environment.

[24] U.S. Department of Homeland Security, National Incident Management System, March 1, 2004. *http://www.fema.gov/pdf/emergency/nims/nims_doc_full.pdf.*

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Appendix A: Overview of the NRS and Federal Response Authorities

Overview of the National Response System

The National Response System (NRS) provides the organizational structure, procedures, and resources for preparing for and responding to discharges of oil and releases of hazardous substances, pollutants, and contaminants. The NRS is composed of the National Response Team (NRT), 13 Regional Response Teams (RRTs), Federal On-Scene Coordinators (FOSCs), state and local agencies, the National Response Center (NRC), specialized teams, and private sector stakeholders. The NRT and RRTs do not respond at the scene of an incident; rather, they provide resources, technical assistance and policy guidance in support of FOSCs, who have authority to manage incidents on-scene. Using the National Incident Management System (NIMS), and operating within the coordination mechanisms described in the National Response Plan (NRP), the NRS fully integrates into the NRP.

NRS Members

The following agencies are represented on the NRT and RRTs. U.S. Environmental Protection Agency (EPA) and U.S. Coast Guard (USCG) co-chair the RRTs.

NRT Chair: U.S. Environmental Protection Agency
NRT Vice Chair: U.S. Coast Guard

U.S. Department of Agriculture
U.S. Department of Commerce
U.S. Department of Defense
U.S. Department of Energy
U.S. Department of Health and Human Services
U.S. Department of the Interior
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of State
U.S. Department of Homeland Security
U.S. Federal Emergency Management Agency
U.S. General Services Administration
U.S. Nuclear Regulatory Commission
U.S. Department of Transportation

In addition, other Federal agencies with appropriate incident-related jurisdiction or expertise, along with private sector responders, may support the response efforts.

NRS Authorities

The National Oil and Hazardous Substances Pollution Contingency Plan (NCP)[25] establishes the roles and responsibilities of the NRT and the RRTs. The following is a list of regulations that authorize the development and release of NRT guidance documents:

- 40 CFR part 300.105—The NRT is responsible for national response and preparedness planning, coordinating regional planning, and providing policy guidance and support to the RRTs.
- 40 CFR part 300.110—The NRT may consider and make recommendations to appropriate agencies on the training, equipping, and protection of response teams and necessary research, development, demonstration, and evaluation to improve response capabilities.
- 40 CFR part 300.115—RRT Guidance to Area Committees, as appropriate, to ensure inter-area consistency and consistency of individual Area Contingency Plans (ACPs) with the Regional Contingency Plans (RCPs) and NCP.

[25] 40 CFR part 300.

- 40 CFR parts 300.170 and 300.175—Outlines Federal agency responsibilities, including providing access to subject matter experts.

The NCP implements legislative authorities, including:

- Clean Water Act (CWA), [26] as amended by the Oil Pollution Act of 1990 (OPA)[27] —includes requirements to set water quality standards and authority to implement pollution control programs.
- Resource Conservation and Recovery Act (RCRA)[28] —includes guidelines on generation, transportation, treatment, storage, and disposal of hazardous and non-hazardous wastes.
- CERCLA[29]—also known as Superfund, gives authority for direct responses (both short-term removals and long-term remedial response actions) to releases or threatened releases of hazardous substances that may endanger public health or the environment; establishes a trust fund to provide for cleanup when no responsible party can be identified.
- Emergency Planning and Community Right-to-Know Act (EPCRA) or Superfund Amendments and Reauthorization Act (SARA) Title III[30]—establishes requirements for Federal, state, and local governments, Indian tribes, and industry regarding EPCRA reporting on hazardous and toxic chemicals.

FOSC Federal response authorities under the NCP:

- 40 CFR part 300.120 (a) and 40 CFR part 300.135(a) describe the general duties and responsibilities of the OSC. The OSC directs response efforts and coordinates all other efforts at the scene of a discharge or release.
- 40 CFR part 300.135 authorizes the OSC to assume responsibility for addressing worker health and safety at a response scene in accordance with OSHA's 29 CFR 1910.120 (HAZWOPER standard).
- 40 CFR part 300.135(c) authorizes the OSC to collect pertinent facts about a discharge or release, including the source and cause and potential impact on natural resources, property, and human health.
- 40 CFR part 300.205(c) authorizes the OSC to direct Area Committees responsible for preparing an ACP, to work with appropriate Federal, state, and local officials to enhance contingency planning and joint response, and to work with appropriate Federal, state and local officials to expedite decisions for the use of dispersants and other chemicals.
- 40 CFR part 300.212 authorizes the OSC to periodically conduct drills of removal capabilities without prior notice in areas where ACPs are required and under relevant tank vessel and facility response plans.
- 40 CFR part 300.305(d)(2) requires the OSC to direct response operations during an oil discharge to navigable waters of the U.S. that pose a substantial threat to public health and welfare.
- 40 CFR part 300.410(b) authorizes the OSC to perform a preliminary assessment to identify the source and nature of the threat posed by the actual or threatened release of a hazardous substance,

[26] 33 U.S.C. § 1251 et seq.
[27] 33 U.S.C. § 2702 – 2761.
[28] 42 U.S.C. § 6901 et seq.
[29] 42 U.S.C. § 9601 et seq.
[30] 42 U.S.C. § 11002 et seq.

pollutant, or contaminant; evaluate the magnitude of the threat; and evaluate the need for a Federal removal action.

- 40 CFR part 300.410(e)(2) authorizes the OSC to determine whether a release poses a substantial threat to health and public welfare.
- 40 CFR part 300.415(c) authorizes the OSC to determine the appropriate removal actions and, in carrying out a response to a release, remove or arrange for removal of a release, direct and monitor all Federal, state and private actions, and remove or destroy a vessel releasing a hazardous substance.
- 40 CFR part 300.415(c)(2) authorizes the OSC to direct all Federal, state, or private party actions to remove the hazardous substances if the OSC determines that a release poses a substantial threat to public health and welfare.
- 40 CFR part 300.415(c)(3) authorizes the OSC to assess opportunities to use special teams and other assistance, request immediate activation of the RRT, and take whatever additional actions are deemed necessary if the OSC determines that a release poses a substantial threat to public health and welfare.
- 40 CFR part 300.415(e) authorizes the OSC to oversee the following removal actions:
    - Security and site control;
    - Drainage controls;
    - Stabilization of berms, dikes, and impoundments;
    - Capping of contaminated soils and sludges;
    - Using chemicals to retard the spread of the release;
    - Excavation of highly contaminated soil;
    - Removal of bulk containers with hazardous substances;
    - Disposal procedures for hazardous substances; and
    - Provisions for alternate water supplies.

Federal Response Authorities and the NRS

Using NIMS, and operating within the coordination mechanisms described in the NRP, the NRS fully integrates into the NRP.

National Incident Management System

Through Homeland Security Presidential Directive (HSPD)-5, *Management of Domestic Incidents*, the President directed the Secretary of Homeland Security to develop and administer NIMS. NIMS is intended to provide a single, comprehensive, and consistent nationwide approach for Federal, state, local, and Federally recognized Indian tribe governments to work effectively and efficiently together to prepare for, prevent, respond to, and recover from domestic incidents, regardless of cause, size, or complexity.

National Response Plan

The National Response Plan establishes a comprehensive all-hazards approach to enhance the ability of the United States to manage domestic incidents. The plan forms the basis of how the Federal government coordinates with state, local, and Indian tribe governments and the private sector during incidents.[31] The NRS participates through Emergency Support Function #10 (ESF-10) and through the Oil and Hazardous Materials Incident Annex.

For activation of both ESF-10 and the Oil and Hazardous Materials Incident Annex, the NCP remains the regulatory authority for response actions. Either an EPA or USCG FOSC is the lead for overseeing an oil and hazardous materials response.

[31] U.S Department of Homeland Security, National Response Plan, *http://www.dhs.gov/dhspublic/interapp/editorial/editorial_0566.xml.*

Appendix B: Sources of More ICS/UC Information

In addition to this Incident Command System/Unified Command (ICS/UC) Technical Assistance Document, the National Response Team (NRT) and its member agencies have developed several other ICS/UC-related documents, including:

- "Minimum Essential ICS Training Elements," at *http://www.nrt.org/production/NRT/NRTWeb.nsf/AllAttachmentsByTitle/A-407minICS/$File/Min%20essential%20ICS.pdf?OpenElement.*

- "Federal Natural Resource Trustees and the ICS/UC," at *http://www.nrt.org/production/NRT/NRTWeb.nsf/AllAttachmentsByTitle/A-51FRNT/$File/FNRT.pdf?OpenElement.*

- Annex 3 of the NRT Integrated Contingency Plan (ICP) Guidance (61 FR 28641) (Annex 3 [on page 28647] provides a description of a response management system based on National Interagency Incident Management System [NIIMS] ICS).

The U.S. Environmental Protection Agency (EPA) has a number of ICS/UC resources available:
- NIMS Integration Team website, which includes the EPA Incident Management Handbook and ICS/UC forms, at *http://www.epaosc.net/site_profile.asp?site_id=963.*
- The Training Exchange Website provides a range of training information to EPA, other Federal agency, state, Indian tribe, and local staff involved in hazardous waste management and remediation, at *http://www.trainex.org/bytitle.cfm.*

The U.S. Coast Guard (USCG) has developed a number of ICS/UC guidance documents on its ICS website: *http:Homeport.uscg.mil* (click on "Library" then "Incident Command System" to access). This website contains information on, and access to, the USCG Incident Management Handbook (IMH), IMH translations, ICS Position Job Aids, USCG ICS Newsletters, etc.

- USCG HQ ICS website, at *http://www.uscg.mil/hq/g-m/mor/articles/ics.htm.*

- Regional Response Teams (RRTs) I and II ICS in Oil Spill Response website, at *http://www.uscg.mil/d1/response/rrt/spillinfo.html.*

- National Strike Force Coordination Center (NSFCC) ICS website, at *http://www.uscg.mil/hq/nsfweb/#.*

The U.S. Department of Homeland Security website (*www.dhs.gov*) maintains several ICS/UC related documents, including:

- National Response Plan, at *http://www.dhs.gov/xprepresp/committees/editorial_0566.shtm.*

- National Incident Management System, at *http://www.fema.gov/emergency/nims/nims_compliance.shtm#nimsdocumen.t*

- ICS White Paper, at *http://www.fema.gov/txt/nims/nims_ics_position_paper.txt.*

The Federal Emergency Management Agency (FEMA) and the Emergency Management Institute (EMI) offer a variety of ICS/UC resources, including:

- NIMS Integration Center website, at *http://www.fema.gov/emergency/nims/index.shtm.*

- EMI Independent Study Program, at *http://www.training.fema.gov/emiweb/IS/crslist.asp:*
  - IS-100: Introduction to the Incident Command System;
  - IS-200: Basic Incident Command System for Federal Disaster Workers;
  - IS-700: National Incident Management System, An Introduction; and
  - IS-800: National Response Plan, An Introduction.

Other ICS resources include the following:

- National Wildfire Coordinating Group (NWCG) publications, including ICS position task books, ICS job aids, ICS position descriptions and responsibilities, and an ICS glossary, at *http://www.nwcg.gov/teams/pmswt/pms.htm.*

- Additional information on ICS/UC, U.S. Department of Labor Occupational Safety and Health Administration website *http://www.OSHA.gov.*

- National Oceanic and Atmospheric Administration (NOAA) Electronic ICS Forms – ICSFORMS Solution, at *http://response.restoration.noaa.gov/oilaids/ICS/intro.html.*

- ICS Unified Command Video, Texas General Land Office, Oil Spill Prevention and Response Division, 1995, at *http://www.glo.state.tx.us/.*

Appendix C: History of NRT Efforts in ICS/UC Implementation

The first efforts by the National Response Team (NRT) to address response management began following the *Exxon Valdez* oil spill in March 1989. The spill was the largest in U.S. history and tested the abilities of the government and the private sector to respond to a disaster of such magnitude. Many factors, including the lack of an effective response management structure, complicated the cleanup efforts following the spill and tested existing response plans for dealing with such an event. These findings were documented in May of 1989 by the NRT in its report to the President of the United States, which was prepared in the weeks following the incident (see *http://www.nrt.org* for the complete report).

In the aftermath of the *Exxon Valdez* incident, Congress passed the Oil Pollution Act of 1990, which provided new requirements for contingency planning and called for revision of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP, 40 CFR part 300). The NRT Report to the President on the *Exxon Valdez* oil spill identified several lessons learned that illustrated the need to promote the use of a clear response management system that utilized a "team approach." It called for a coordinated system that effectively utilizes the resources of local, state, and Federal governments. It also recommended that the NCP be reviewed to "determine the most appropriate organizational structure for catastrophic spills."[32] The NCP was subsequently revised to reinforce that "the basic framework for the response management structure is a system (e.g., a unified command system) that brings together the functions of the Federal government, the state government, and the responsible party to achieve an effective and efficient response, where the Federal On-Scene Coordinator (FOSC) retains authority." [33]

In addition to the lack of clear response management and command coordination, response assets (personnel and equipment) could not be effectively integrated into the response organization during the *Exxon Valdez* response because many of the participating response organizations utilized differing response structures or systems. Over time, the NRT came to advocate a National Interagency Incident Management System (NIIMS)-based Incident Command System (ICS) structure. This system, which consists of five functions (command, operations, planning, logistics, and finance/administration), was the response structure originally developed to combat wildfires at the local level.

During October 1994, record rainfalls occurred in the San Jacinto River basin near Houston, Texas, resulting in record river flooding that ruptured or damaged eight pipelines. Following the incident, the National Transportation Safety Board (NTSB) published *Evaluation of Pipeline Failures during Flooding and of Spill Response Actions, San Jacinto River near Houston, Texas, October 1994* (PB96-917004 NTSB/SIR-96/04). The NTSB's report agreed with the NRT's conclusions that the use of ICS/UC would enhance overall response preparedness.

Specifically, the NTSB acknowledged the advantages that ICS/Unified Command (UC) provided internally to the National Response System (NRS), stating that, "Implementation of the unified Incident Command structure and operational principles in the NRT's Technical Assistance Document *Incident Command System/Unified Command* will enhance the overall preparedness for responding to petroleum spills." The NTSB also stated that "spill management personnel responding from other regions of the country and trained on different Incident Command procedures created communications, command, and control difficulties because they were not familiar with the Incident Command structure and procedures in use in the Galveston Bay area." The NTSB agreed with the incident's FOSC that a single Incident Command management process should be used to ensure that all response personnel clearly understand the command structure and control functions.

[32] United States National Response Team, The Exxon Valdez Oil Spill: A Report to the President, Washington: GPO, 1989.
[33] Ibid.

The events of September 11, 2001, tested NIIMS and response plans at all levels of government to respond to multiple events occurring simultaneously with each one presenting a unique set of challenges. Authorities, coordination, and communication were still in need of improvement to address the challenges of multi-agency, multi-disciplinary response efforts. Again the NRT and other Federal, state and local response organizations recommended ICS/UC and praised its benefits.

In February 2003, in Homeland Security Presidential Directive (HSPD)-5, *Management of Domestic Incidents*, the President directed the Secretary of Homeland Security to develop and administer the National Incident Management System (NIMS). NIMS requires Federal agencies to adopt ICS/UC and encourages others to use ICS/UC.

ICS/UC Products Developed by the NRT

Following the completion of the first ICS/UC Technical Assistance Document published by the NRT in 1996, the NRT began developing several additional products to further elaborate on particular issues related to ICS/UC. Each of these products is available electronically at *www.nrt.org*, and a summary of each is provided below:

- **ICS/UC PowerPoint Presentation (2000)—**This presentation was developed to introduce the concepts of ICS/UC, outline the assistance that can be provided by the FOSC, and provide an outreach tool to discuss multi-jurisdictional response.

- **ICS/UC Technical Assistance Document (2002)—**Provides guidance to all responders who are part of the NRS on the organizational management concept of an ICS led by a UC for emergency response (updated from the 1996 ICS/UC TAD). (*http://www.nrt.org/production/NRT/NRTWeb.nsf/AllAttachmentsByTitle/SA-52ICSUCTA/$File/ICSUCTA.pdf?OpenElement*).

- **Federal Natural Resource Trustees and the ICS/UC (2003) —**This fact sheet describes how Federal natural resource trustees fit into ICS/UC; the resources and assistance Federal trustees can provide during response and preparedness activities; and where in ICS/UC the coordination link occurs between Federal trustee response and natural resource damage assessment (NRDA) activities. The fact sheet includes appendices from the National Oceanic and Atmospheric Administration (NOAA) and the Department of the Interior (DOI) addressing each agency's emergency response and NRDA activities, as well as resources for which each agency is responsible, authorities under which each operates programs relevant to response, and other relevant information. *(http://www.nrt.org/production/NRT/NRTWeb.nsf/AllAttachmentsByTitle/A-51FRNT/$File/FNRT.pdf?OpenElement).*

- **ICS/UC Minimum Essential Training Elements (1999)** – This document identifies the minimum essential elements that should be considered in developing or evaluating ICS training for responders. Users should evaluate which of these elements are needed for their purposes. This document also contains a listing of NRT agencies and their policies regarding the use of an ICS and provides a compilation of sources for ICS training in the Federal government. *(http://www.nrt.org/production/NRT/NRTWeb.nsf/AllAttachmentsByTitle/A-407minICS/$File/Min%20essential%20ICS.pdf?OpenElement).*

- **Joint Information Center (JIC) Model (1998) —**This model describes how to structure a JIC to conduct crisis communications during emergency responses and non-emergency events. This model is generic and can be adapted for use in a diverse range of responses likely to be performed by NRT

member agencies, ranging from a large multiple-agency, all-hazards response to a small single-agency, single-hazard response. (*http://www.nrt.org/production/NRT/NRTWeb.nsf/AllAttachmentsByTitle/A-55JIC/$File/JIC.pdf?OpenElement*).

- **NRT Training Subcommittee recommendations on the use of ICS/UC for Weapons of Mass Destruction (WMD) Incidents and Hazardous Materials Emergency Preparedness (HMEP) Grant Program training standards (2006)—**The NRT Preparedness Committee's Training Subcommittee facilitates member agency programs to better assist local, state, and Federal emergency services personnel to train, educate, advocate, and plan for the use of ICS/UC at response sites involving hazardous materials and WMD. Current efforts include consensus reviews of new ICS training requirements being promulgated by U.S. Department of Homeland Security (DHS) NIMS Integration Center (NIC) and by National Fire Protection Association (NFPA), and cross-walking these emergent standards with existing regulations and requirements stemming from OSHA 29 CFR 1910.120, from existing professional association programs, and from NRT member agency requirements and practices. The Training Subcommittee will be preparing a new training section in the 2006 edition of the HMEP Guidelines that addresses, blends, and crosswalks these different, but closely related, requirements for ICS/UC application in the nation's emergency services community.

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Appendix D: UC at Work

Section 1 – EPA Example of UC

U.S. EPA Region III Professional Food Systems Site Emergency Response
Bedford, Bedford County, Virginia
March 19 - 24, 2000

RESPONSE SUMMARY

This summary of the response to the Professional Food Systems (PFS) release of anhydrous ammonia in the Bedford area of the Commonwealth of Virginia provides an example of successful use of an Incident Command System/Unified Command (ICS/UC) at a typical response.

PFS, the potentially responsible party (PRP), is located in an industrial park that lies within a half mile of a residential area. The release of anhydrous ammonia at the PFS site was the result of a leak in the check valve on an accumulator assembly of an anhydrous ammonia-based refrigeration system at the meat storage and processing facility. Approximately 4,000 - 5,000 pounds of anhydrous ammonia contained in the refrigeration system was leaking at four to five pounds per hour. An unknown quantity of anhydrous ammonia was released from the valve into the PFS building and outside environment.

The leak was initially identified by a mechanical contractor on March 19, 2000; however, initial attempts by the mechanical contractor and PFS personnel did not control the leak. The Bedford Volunteer Fire Company, Roanoke Valley Regional Hazardous Materials Response Team (the Regional Hazmat Team), Bedford County Hazardous Materials Response Team, and the Bedford County Director of Public Safety responded to the scene. The leak was slowed by the initial responders, but was not completely contained due to difficulties presented by the configuration and limited space around the leaking valve (as well as significant concentrations of ammonia gas accumulating in the building). The following morning, the Virginia Department of Emergency Services (VA DES) responded to the incident, and the Virginia Emergency Operations Center (VA EOC) requested assistance from the U.S. Environmental Protection Agency (EPA) Region III because the need for technical expertise was immediate, and additional response resources were necessary.

The Federal On-Scene Coordinator (FOSC) initiated response activities from off-site in Philadelphia by arranging for technical expertise from the EPA Environmental Response Team (ERT) to be available for chemical and engineering advice. The FOSC contacted the U.S. Coast Guard Atlantic Strike Team (USCG-AST), and mobilized a Site Assessment and Technical Assistance (SATA) response team capable of Level A entry and ammonia monitoring capability. (Level A protection is required when the greatest potential for exposure to hazards exists, and when the greatest level of skin, respiratory, and eye protection is required.)

The FOSC discussed refrigeration systems and likely response strategies with EPA chemical safety personnel, and met EPA ERT and advance USCG-AST members in Chester County, Pennsylvania. Upon arrival on March 20th, the FOSC met with the VA DES and the Bedford Volunteer Fire Company Incident Commander (IC) to establish the FOSC's role in the UC. Working through the UC, the FOSC also immediately identified roles and integrated the USCG-AST and contractor resources into the response organization.

During the UC meetings, plans were made to ventilate the building using existing roof fans and auxiliary positive pressure ventilation fans. Due to the close proximity of an elementary school, an agreement was made with local officials to ventilate the lower level areas and perform all process manipulations between the hours of 4:00 p.m. and 6:00 a.m., to avoid a potential ammonia air release during school hours.

Concentrated ventilation operations began at 11:30 p.m., March 21, 2000. A thorough air-monitoring program was maintained through March 24, 2000, in order to ensure the safety and health of the public.

Once the ammonia system was drained, this ventilation plan proved to be very effective in lowering the ammonia level so Level C-protected contractors could proceed into the facility to complete repairs on the refrigeration system. This also allowed U.S. Department of Agriculture (USDA) officials to inspect products in the facility, and for PFS to remove products deemed undamaged.

THE ROLE OF UC

The Bedford incident presented several difficulties that immediately identified it as a more than routine emergency response: the ammonia release could not be stopped in a timely manner, and the response teams entering the plant to control the dangerous gas levels required Level A personal protective equipment. These issues, coupled with the complexity of multi-agency involvement in the incident, suggested the need for ICS/UC structure. The basic concepts of ICS allowed the UC to effectively manage the diverse responding agencies and effectively implement their strategies. The Incident Command recognized the value of the ICS/UC structure and used that structure to guide and facilitate the response.

The ICS established in response to the Bedford incident was initiated by the local responders. When the FOSC arrived on-scene, he merged into the existing structure, which was already functioning properly. The FOSC fostered use of local authorities' knowledge, education, experience, and planning in establishing and maintaining an effective ICS/UC.

Unified Command

The FOSC, the state Hazardous Materials Officer, the local IC, and a representative of PFS functioned as the UC. The members of the UC changed over time, but local, state, and Federal officials always shared command responsibilities. Since local, state, and Federal agencies each shared responsibilities in and provided assets to the response, each organization benefited from its presence in the UC. Additionally, because the primary role of the site entry team shifted between state and Federal assets during a 24-hour cycle, the coordination between and the presence of the FOSC and state On-Scene Coordinator in the UC was necessary to ensure seamless operations. The PRP representative provided the command with contractor support for site expertise and recovery operations.

The following advantages to UC were noted at the Bedford incident:

1. Early coordination among local, state, and Federal response teams played a key role in the success of mitigation efforts by giving the FOSC rapid access to a large supporting team and assisting in the resolution of many problems.

2. Having representatives from all appropriate levels of government in the UC expedited coordination efforts with other agencies at all levels.

3. The co-location of local, state, Federal, and PRP representatives in a single command post and the proximity of all ICS sections and response personnel ensured that field-derived information and command decisions were easily communicated and implemented.

CONCLUSION

The ICS/UC established at the Bedford incident was a typical ICS/UC that will likely exist for most, if not all, of EPA's response activities and assistance efforts with state and local jurisdictions. The cooperative nature of the UC immediately resulted in relief for state and local resources at the end of long shifts. This was an incident objective that resulted in immediate abatement results and reduced the ongoing projected incident duration. In addition, the sharing of responsibilities ensured that the full attention of the response community was focused at all times.

The ICS/UC implemented at the Bedford incident release was the key to successful mitigation operations. The ICS/UC allowed the UC to effectively manage and coordinate an emergency response that included the participation of approximately 30 local, state, and Federal agencies. The timely and frequent coordination of all members of the response team with the PRP and local representatives greatly enhanced the reduction of anhydrous ammonia released and provided a more efficient and cost-effective response. The success of the clean-up operation, and the lack of negative publicity, supports the premise that all levels of government can function efficiently within a group.

Section 2 – USCG Example of UC

M/V SELENDANG AYU
Vessel Grounding/Oil Spill Unified Command Response
***ivo* Bogoslof Island, AK**
December 7, 2004-June 23, 2006

RESPONSE SUMMARY

On December 6, 2004, the Motor Vessel SELENDANG AYU, a 712-foot Malaysian-flagged bulk freighter carrying soybeans from Seattle to China with 26 crewmembers and 483,000 gallons of fuel, became adrift in the Bering Sea. Reportedly, the vessel's main engine suffered a casualty to one of the engine's cylinders. The main engine was shut down to affect repairs. The crew was unable to restart the engine and the vessel remained adrift.

Within hours of notification, the U.S. Coast Guard (USCG) Federal On-Scene Coordinator (FOSC) had deployed a tug and USCG cutter to the scene and accessed the Oil Spill Liability Trust Fund. The vessel was towed for approximately twelve hours before the tow line parted in deteriorating weather. Additional efforts to take the vessel under tow were unsuccessful. Notification of state and local stakeholders had begun and a Unified Command (UC) consisting of the FOSC, state On-Scene Coordinator (SOSC) and the Responsible party's spill management team was established. Concurrently, oil spill response equipment was being deployed and the FOSC prepared to depart for Dutch Harbor, AK. The Unified Command Post (UCP) was set up at the Grand Aleutian Hotel Conference Room in Dutch Harbor, where the UC made the decision to establish a Joint Information Center (JIC) in Anchorage.

During the third hoist to rescue the last of the ship's crew, a USCG helicopter crashed with 10 persons aboard. Three USCG members and one crewman were recovered, and six crewmen were lost. On December 8, the vessel grounded off Spray Cape, Unalaska Island, began leaking heavy oil and later broke into two pieces.

The UC continued to liaison with the local community and Indian tribe leaders and established a public website with all information being cleared through the JIC. Clean up activities were initiated to remove oil observed in high energy areas close to the inter-tidal zone. A salvage team boarded the vessel's stern section to assess and initiate salvage options for fuel remaining in undamaged tanks. UC efforts were highly dependent upon favorable weather conditions and concentrated on beach clean up, forward deployment of resources, and lightering activities. By February 9, 2005, oil removal had been completed for all vessel tanks with the exception of remaining engine room oil and oil clingage from previously lightered tanks. An estimated 150,000 gallons of oil were removed from the vessel during lightering operations. The UC then placed a Winter Operational Plan in effect through mid-April after determining that weather conditions were not conducive to conducting operations safely.

Cleanup operations resumed on April 23, with a surveillance program of overflights to track any oil in the water and shorelines, in addition to assessing the vessel's status. The UC and the Command and General Staff managed the incident from the Unalaska Incident Command Post. The vessel owner hired an Incident Management Team to conduct response management and tactical operations. Response management personnel were co-located at the Unalaska Incident Command Post and tactical operations were managed from Operations Field Posts aboard vessels on scene. Response operations began again and cleaning of oiled shoreline segments continued until seasonal weather conditions again halted operations. In the spring of 2006, response operations resumed again with reassessing of shoreline

segments that did not meet the 2005 "clean" end point criteria. Finally on June 23, 2006, the UC concluded response operations after determining that shoreline treatment had reached the lowest practicable level of contamination and remaining contamination did not pose a significant threat to public health or the environment.

Unified Command

The following is a list of actions taken by the UC during the M/V SELENDANG AYU incident, which contributed to such a successful response:

- Early Establishment of a UC—A UC was established less than 24 hours after the initial USCG notification. This UC was very important in assuaging the public's fear and distrust in an area very dependent on the resources provided by the sea. The UC also approved the first Incident Action Plan (IAP) within 48 hours. The IAP provided meeting schedules and objectives for UC members and response personnel and allowed for close coordination of resources in a remote area.

- UCP established close to the scene—The UC was able to meet personally and often with local officials and stakeholders at town meetings to seek input and provide information. The location also provided the UC with better access to real-time information regarding the response operations.

- Early establishment of a JIC and website to disseminate information—A JIC was established less than 24 hours after the initial USCG notification and the website less was established less than 48 hours after initial USCG notification. This facilitated the release of consistent and controlled updates and information to the public and media. Information found on this website was consistent with press release information and came from the UC.

- Documentation of decisions. The UC documented many major decisions with decision memorandums signed by each member of the Unified Command. These documents each provide a rationale for decisions that is often lost in high impact, fast paced response operations.

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Appendix E: Acronyms

ACP	Area Contingency Plan
AST	Atlantic Strike Team
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
CWA	Clean Water Act
DES	Commonwealth of Virginia Department of Emergency Services
DHS	U.S. Department of Homeland Security
DNR	State of Wisconsin Department of Natural Resources
DOI	U.S. Department of the Interior
EMS	Emergency Medical Services
EOC	Emergency Operations Center
EPA	U.S. Environmental Protection Agency
EPCRA	Emergency Planning and Community Right-to-Know Act
ERT	Environmental Response Team (EPA)
ESF	Emergency Support Function
ESF-10	Emergency Support Function #10
FOSC	Federal On-Scene Coordinator
FEMA	U.S. Department of Homeland Security/Federal Emergency Management Agency
FR	Federal Register
HMEP	Hazardous Materials Emergency Preparedness
HSPD	Homeland Security Presidential Directive
IAP	Incident Action Plan
IC	Incident Commander
ICS	Incident Command System
JIC	Joint Information Center
JFO	Joint Field Office
MOA	Memorandum of Agreement
NCP	National Oil and Hazardous Substances Pollution Contingency Plan
NIC	NIMS Integration Center
NIMS	National Incident Management System
NIIMS	National Interagency Incident Management System
NOAA	U.S. Department of Commerce/National Oceanic and Atmospheric Administration
NRDA	Natural Resource Damage Assessment
NRDAR	Natural Resource Damage Assessment and Restoration
NRC	National Response Center
NRP	National Response Plan
NRS	U.S. National Response System
NRT	U.S. National Response Team
NSFCC	National Strike Force Coordination Center
NSSE	National Special Security Event
NTSB	National Transportation Safety Board
OPA	Oil Pollution Act of 1990
OSC	On-Scene Coordinator
PFO	Principal Federal Official
PFS	Professional Food Systems
PRP	Potentially Responsible Party
RCP	Regional Contingency Plan

RCRA	Resource Conservation and Recovery Act
RRCC	Regional Response Coordination Center
RRT	Regional Response Team
SARA	Superfund Amendments and Reauthorization Act
SATA	Site Assessment and Technical Assistance
SOSC	State On-Scene Coordinator
SFO	Senior Federal Official
SMART	Specific, Measurable, Action-oriented, Reasonable, and Time-Sensitive
SOP	Standard Operating Procedure
TAD	Technical Assistance Document
TOPOFF	Top Officials
UC	Unified Command
UCP	Unified Command Post
U.S.C.	United States Code
USCG	United States Coast Guard
USDA	U.S. Department of Agriculture
WMD	Weapon of Mass Destruction

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