

Chapter 118-30 WAC

LOCAL EMERGENCY MANAGEMENT/SERVICES ORGANIZATIONS, PLANS AND PROGRAMS

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WAC

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WAC 118-30-010 Authority. This chapter is promulgated pursuant to the authority granted in RCW 38.52.070.

[Statutory Authority: Chapter 38.52 RCW. WSR 86-15-068 (Order 86-10), § 118-30-010, filed 7/22/86.]

WAC 118-30-020 Purpose. The purpose of this chapter is to establish criteria for evaluating local emergency management/services organizations, plans and programs to ensure consistency with the state comprehensive emergency management plan and program.

[Statutory Authority: Chapter 38.52 RCW. WSR 86-15-068 (Order 86-10), § 118-30-020, filed 7/22/86.]

WAC 118-30-030 Definitions. As used in this chapter:

(1) Emergency management will hereinafter refer to both emergency management and emergency services organizations.

(2) Director means the director of the Washington state department of community development.

(3) Council means the Washington state emergency management council as established by RCW 38.52.040.

(4) Political subdivision means a county or incorporated city or town.

(5) Executive head(s) means:

(a) In the case of an incorporated city or town, the mayor.

(b) In the case of a county, either the county executive or the chair of the board of county commissioners.

(c) In the case of a joint organization, the chair of the joint emergency management council.

(6) Emergency management organizations means the local government organization established by either a political subdivision or two or more political subdivisions for the purpose of carrying out local emergency management functions as described in RCW 38.52.010.

(7) Ordinance means a law established by the legislative body of a city, town or county.

(8) Resolution means an expression of policy established by legislative body of a city, town or county.

(9) Comprehensive emergency management plan, hereinafter referred to as the plan, means a written basic plan with elements which address all natural and man-made emergencies and disasters to which a political subdivision is vulnerable. The comprehensive emergency management plan specifies the purpose, organization, responsibilities and facilities of agencies and officials of the political subdivision in the

mitigation of, preparation for, response to, and recovery from emergencies and disasters.

(10) Hazard analysis means a written assessment and listing of the natural and man-made emergencies and disasters to which a political subdivision is vulnerable.

(11) Program paper means a statement of emergency management program objectives for a period of twelve consecutive months beginning January 1 and ending December 31 of the calendar year. The program paper shall represent the local program for the purposes of RCW 38.52.070 and shall be used as a program management tool by both state and local government.

[Statutory Authority: Chapter 38.52 RCW. WSR 86-15-068 (Order 86-10), § 118-30-030, filed 7/22/86.]

WAC 118-30-040 Responsibilities of political subdivisions. (1)

Each political subdivision must establish an emergency management organization by ordinance or resolution passed by the legislative body of the political subdivision. Two or more political subdivisions may join in the establishment of an emergency management organization.

(2) Each political subdivision shall develop, promulgate and submit a comprehensive emergency management plan.

(3) Each political subdivision shall submit an emergency management program paper annually to the director not less than sixty days prior to the beginning of the calendar year.

(4) Political subdivisions that have joined together to form a joint emergency management organization may submit a single plan and program paper.

[Statutory Authority: Chapter 38.52 RCW. WSR 86-15-068 (Order 86-10), § 118-30-040, filed 7/22/86.]

WAC 118-30-050 Emergency management ordinance/resolution. Each political subdivision must establish an emergency management organization by ordinance or resolution passed by the legislative body of the political subdivision. Two or more political subdivisions may join in the establishment of an emergency management organization.

(1) Each political subdivision must establish said organization by ordinance or resolution.

(2) Each political subdivision shall specify in the ordinance or resolution establishing the organization, how the costs of supporting the organization shall be shared between the constituent political subdivision.

(3) If two or more political subdivisions cannot agree on the sharing of costs to support the emergency management organization established by the constituent political subdivisions, the director shall refer the matter to the council. The council shall consider the matter at either a regular or special meeting. The council may request additional information from the constituent political subdivisions, the director, or other interested party(s). The council shall arbitrate the matter, and its decision shall be final.

(4) When two or more political subdivisions submit ordinances or resolutions establishing a single emergency management organization which meets the criteria set forth, the director shall inform the executive heads of the constituent political subdivisions that the emer-

gency management organization is acceptable and authorized. Nothing in this code shall prevent one or more political subdivisions from contracting with another subdivision for emergency management activities under the provisions of chapter 39.34 RCW, the Interlocal Cooperation Act.

(5) Each political subdivision must specify in the ordinance or resolution establishing the emergency management organization, that the agency shall be headed by a director of emergency management who shall be appointed by and directly responsible to the executive head of the political subdivision.

(6) In the case of an emergency management organization established by two or more political subdivisions, such political subdivisions shall specify in the ordinance or resolution establishing the organization, that the local government agency shall be headed by a local director of emergency management who shall be appointed by the joint action of the executive heads of the constituent political subdivisions. The political subdivisions shall specify by ordinance or resolution that the emergency management director shall be directly responsible to the executive authority of the constituent political subdivisions.

(7) Each political subdivision shall specify by ordinance or resolution that the local director of emergency management shall be directly responsible for the organization, administration, and operation of the emergency management organizations.

(8) Each political subdivision shall submit a copy of the ordinance or resolution establishing its emergency management organization to the director for evaluation and approval of the organizational plan or structure.

(9) Such ordinance or resolution shall constitute an approved organization for the purposes of RCW 38.52.195 and 38.52.260(2). Use of emergency workers is governed by chapter 118-04 WAC.

[Statutory Authority: Chapter 38.52 RCW. WSR 86-15-068 (Order 86-10), § 118-30-050, filed 7/22/86.]

WAC 118-30-060 Emergency plan. (1) Each political subdivision shall maintain a current plan of operations which shall be based on a hazard analysis and as a minimum, include a basic document with the following elements:

(a) Mission or purpose - Each plan shall contain a section which provides an explanation of why the plan is established, the citation of authorizing or enabling federal, state, and local statute, and an explanation of the situations and assumptions from which the plan is based.

(b) Organization and responsibilities - The plan shall contain a section which defines the emergency responsibilities for each agency involved in the plan and provide a brief explanation of the chain of command and organizational relationship among such agencies.

(c) Concept of operations - Each plan shall contain a section which provides a general explanation of how the plan is to be implemented and how the general functions are to be performed.

(d) Administration and logistics - Each plan shall contain a section which outlines the measures for the administration and the utilization of resources in response and recovery actions and which defines how such actions will be financed.

(e) Direction and control - Each plan shall contain a section which describes the location of emergency operating centers, and the mechanisms for maintaining continuity of civil government within the political subdivision.

(2) The plan shall also include a functional description of how each of the following operational components will be addressed. It is recommended these components be in annex form in the order listed herein:

- (a) Direction, control and coordination
- (b) Continuity of government
- (c) Emergency resource management
- (d) Warning
- (e) Emergency public information
- (f) Response and recovery operation reports
- (g) Movement (evacuation)
- (h) Shelter
- (i) Human resources (manpower)
- (j) Mass care and individual assistance
- (k) Medical, health and mortuary
- (l) Communication
- (m) Food
- (n) Transportation
- (o) Radiological and technological protection
- (p) Law enforcement
- (q) Fire protection
- (r) Emergency engineering services
- (s) Search and rescue
- (t) Military support
- (u) Religious and volunteer agency affairs
- (v) Emergency administrative procedures
- (w) Emergency fiscal procedures and records
- (x) Training and education
- (y) Energy and utilities
- (z) Special subjects (political subdivisions may develop special contingency procedures for specific hazards or events).

(3) It is recommended the annexes be written using the following format:

- (a) Purpose
- (b) Operational concepts
- (c) Responsibilities
 - (i) Local agencies
 - (ii) Volunteer or private agencies or organizations
- (d) Agency functions by time phase
 - (i) Mitigation and preparedness
 - (ii) Response
 - (iii) Recovery
- (e) Appendices
 - (i) Organization chart
 - (ii) Standard operation procedures as necessary
 - (iii) Attachments.

(4) The plan may vary from the annex format, such as using chapters or sections, provided that each of the operational components listed in subsection (2) of this section is addressed. In such case, the plan must include a cross-reference index which specifies exactly where the operational components are located in the plan.

(5) The plan shall address or include the following items:

(a) Local ordinances or resolutions establishing the emergency management organization, mutual aid agreements, memoranda of understanding, and other documents important to the adoption or implementation of the plan shall be referenced in the plan or included in the plan's appendices.

(b) The month and year of the most recent revision shall be identified on each page of the plan and its associated procedures and checklists.

(c) Each page shall be numbered.

(6) The plan shall be promulgated by letter signed by the current executive head.

(7) The plan shall be reviewed and updated at least once every two calendar years.

(8) No less than once each calendar year, the operational capabilities shall be tested by an emergency operations exercise or by an actual local emergency declaration.

(9) Revised or updated portions of the plan shall be submitted to the director within ninety calendar days of revision.

[Statutory Authority: Chapter 38.52 RCW. WSR 86-15-068 (Order 86-10), § 118-30-060, filed 7/22/86.]

WAC 118-30-070 Program papers. (1) Each political subdivision shall be responsible for the preparation and submission of a program paper, not less than sixty days prior to the start of the calendar year, which defines the emergency management program objectives of the political subdivision. January 1 through December 31 or for a lesser period at the discretion of the director. Each program paper shall be submitted by November 1, unless specified by the director, and shall address the following activities.

(a) Comprehensive emergency plan development or updating

(b) Training and education

(c) Communications, warning and notification systems development maintenance

(d) Radiological and hazardous materials incident response capabilities or maintenance

(e) Tests, drills and exercises to assist emergency plan, personnel training and system effectiveness

(f) Public information

(g) Hazard analysis and assessment

(h) General program administration

(i) Response to emergencies and disasters.

(2) Each program paper shall have objectives consistent with federal and state emergency management program requirements as published by the director on or before September 1 of each year. The program paper may include, in addition to the objectives listed under subsection (1) of this section, specific local program objectives relating to local program needs.

(3) The program paper shall be submitted in accordance with format and instructions specified and published by the director.

(4) The political subdivision(s) shall submit a statement of progress on each objective of the categories listed in subsection (1) of this section in two reports, a mid-year report to cover the time period of January 1 through June 30 to be submitted to the director by July 15 of each year, and a year-end report to cover the time period of

July 1 through December 31 to be submitted by January 15 of the following year.

The director may, at his discretion, determine that an alternative activity may substitute for the mid-year report. In such case, the director will provide written notification to the political subdivision by May 15 of each year specifying the acceptable alternate activity.

[Statutory Authority: Chapter 38.52 RCW. WSR 86-15-068 (Order 86-10), § 118-30-070, filed 7/22/86.]

WAC 118-30-080 Review periods and procedures for organizations, plans and program papers. (1) The director or his designee shall review and evaluate documents submitted by a local organization as follows:

- Ordinances/resolutions - thirty work days
- Program papers - thirty work days
- Program paper progress and final reports - thirty work days
- Plans and updates or changes - forty-five work days.

(2) The director or his designee(s) shall review and evaluate documents for consistency with criteria established in this chapter and per state and federal guidance for local plans, annexes, revisions; ordinances or resolutions creating organizations; and local program papers.

(3) If the director determines that any document is in nonconformance, he shall notify the local director of the organization submitting the document. The director shall state in writing the reasons for determining that the document does not conform.

(4) The local organization and the political subdivision(s) it represents shall have twenty work days following the date of issuance of the director's notice of nonconformance to:

(a) Change the document to meet state criteria and resubmit it to the state for reconsideration prior to the expiration of the twenty work-day period; or

(b) Schedule a meeting with the director to be held within the twenty work-day period to resolve differences between the organization and the director.

(5) If the director's determinations regarding the document are still adverse to the organization or the political subdivision(s) it represents, the director of the local organization may file a written appeal with the chairperson of the state emergency management council within fifteen work days following the expiration of the twenty work-day period following the issuance of the director's notice of nonconformance. Such an appeal shall state in writing the organization's reasons for appealing the director's determination and shall have appended to the appeal statement a copy of each of the following:

- The proposed document.
- The director's notice of nonconformance.
- Any other letters, documents, meetings minutes, etc., that may impinge upon the matter being appealed.

(6) The emergency management council shall have thirty work days from the receipt of the local director's appeal to schedule a hearing and issue notices to all parties.

(a) The council may sustain the director's determination, overturn the director's determination, or amend the director's determination. The council shall issue a written decision statement within ten work days following the adjournment of the hearing.

(b) In hearing the appeal, the council may consider any information supplied by the director, the organization or the political subdivisions it represents, or any other party it wishes to allow to make a presentation.

(7) The local agency shall not be held in nonconformance until the appeal process is complete.

[Statutory Authority: Chapter 38.52 RCW. WSR 86-15-068 (Order 86-10), § 118-30-080, filed 7/22/86.]