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SHORT SYNOPSIS
CS SB 33(FIN)

February 28, 1994

*The State Emergency Response Commission and the Local Emergency Response Committees move under the authority of the Department of Military and Veterans Affairs, Division of Emergency Services. (Section 12 and Sec. 26.23.073)

*They are granted the authority to plan for all-hazards, beyond the oil and hazardous substance planning done currently: includes earthquakes, floods, etc.. (Section 12: Sec. 26.23.071(e)(9))

*Staff positions currently under DEC which support the SERC move to DMVA, so that the Fiscal note is neutral. (Section 23: AS 46.08.040(a)(3))

*Allows DEC to annually review and REVISE AS NECESSARY the State Master Plan and the regional contingency plans. Retains the parameters the Commissioner uses to determine if plans should be revised. Does not do away with public input. (Sec19, Sec. 20)

*It's hidden in the legalese, but this bill coordinates all planning and gives the State Emergency Response Commission the ability to look at any disaster plan in the state to ensure that rural and urban Alaska are as prepared as possible at the local level and know where to turn when those sources are exhausted. (Secs. 4, 6, 10, 11, Sec. 26.23.075, Sec. 19, and 25)

*Ensures cooperation among the State Emergency Response Commission, the Local Emergency Planning Committees and local governments by establishing clear lines of communication and expectations. (Section 7, 9, Sec 26.23.071 (b)Sec. 26.23.073(d), (g)(4)(6)and(7), Sec. 19 AS 46.04.200 (c)(1).

*To the extent that money is available allows Department of Military and Veterans Affairs to give grants (federal and state) to the Local Emergency Planning Committees. (Sec.3 (AS 26.23.040(3)(12)

*Much housekeeping of statutes dealing with the Division of Emergency Services, for example, we added a five-page amendment in finance to just delete reference in statute to 'DISASTER AGENCIES" which were supposed to be created by ADES, but never were created. (Sections 1, 2, 3, 6, 7, 8, 9,13, 15)



HOUSE COMMUNITY AND REGIONAL AFFAIRS

DATE: 3/10/94

PLACE: Rm. 124

SUBJECT OF MEETING:

SB 33
HB 467

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?		WHAT SUBJECT/ WHICH BILL?
ERV MARTIN	DES/DMVA	P.O. Box 5750, Ft. Richardson	99505		428-7000	Y ANSWER	N QUESTIONS	SB 33 - ANSWER QUESTIONS
A. KRETZEL	SENATOR LEMAN - SPONSOR				465-3711	<input checked="" type="radio"/>	N	SB 33
MIKE CONWAY	DEC	JUNEAU			465-5250	<input checked="" type="radio"/>	N	SB 33
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	



Alaska Fire Chief's Association

P.O. Box 8508 • Nikiski, Alaska 99635 • (907) 283-4202 • FAX 283-8404

Billy W. Harris
President

March 8, 1994

TIMOTHY J. BIGGANE
1st Vice President
(907) 488-3400
North Pole

MICHAEL G. MCGOWAN
2nd Vice President
(907) 474-7916

TERI CARTER
Secretary / Treasurer
(907) 283-4388
Nikiski

DEWEY WHITESHELL
Director
(907) 424-6117
Cordova

GREG BARCLAY
Director
(907) 262-4792
Soldotna

MIKE HOLZMUELLER
Director
(907) 474-7721
Fairbanks

MIKE DOLPH
Director
(907) 486-8040
Kodiak

ROBERT PURCELL
Director
(907) 235-3155
Homer

ANDREW POSTISHEK
Past President
(907) 265-8794
Wasilla

Dear Committee Members:

You will be looking at House Bill 33 which has some serious concerns to the fire chiefs throughout the State of Alaska. We feel like our representation on the State Emergency Response Committee will be eliminated if this bill passes as it is.

We encourage you to propose that a seat be specified for the Alaska State Fire Chiefs Association. We are sure that you receive many requests asking for these seats but if you look at reality, the first people to respond to any emergency is the fire departments. With this in mind, why shouldn't we be allowed to help make the decisions we have to carry out once an emergency happens. I'm sure that everyone of you have been involved in an emergency in your lifetime - who has been there when you needed them - fire departments. Look at the recent disasters throughout the United States - who do you see digging people out of collapsed buildings and working day and night to rescue them - fire departments. Even though we didn't have an official position on the last SERC board, who did the boards look towards to carry out their decisions? All we are asking is to give us the opportunity for a position on the SERC board to voice our opinions in order to be able to perform what the public expects us to do. Without a designated position, I'm afraid the voice of the fire service will not be heard.

As President of the Alaska Fire Chief's Association, I request your consideration of this position to the SERC board from this association.

Sincerely,

Billy W. Harris
President
Alaska Fire Chief's Association

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. CSSB33 (STA)

Revision Date: _____	Dept. Affected: <u>Environmental Conservation</u>
Title: <u>An Act relating to disaster emergency planning and response.</u>	BRU: <u>Spill Prevention and Response</u>
Sponsor: <u>Senator Leman</u>	Component: <u>Government Preparedness and Response</u>
Requestor: <u>Senator Leman</u>	COMPONENT SERIAL NO. <u>1923</u>

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES	(181.3)	0.0	0.0	0.0	0.0	0.0
TRAVEL	(24.4)	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	(435.2)	0.0	0.0	0.0	0.0	0.0
SUPPLIES	(4.0)	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	(1.8)	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	(646.7)	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other: 1052 Oil/Haz "470" Fund	(646.7)	0.0	0.0	0.0	0.0	0.0
TOTAL	(646.7)	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY94) cost: \$ not applicable

POSITIONS

FULL-TIME	(3.0)	0.0	0.0	0.0	0.0	0.0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

See attached pages for analysis

Prepared by:	<u>Robert Poe, Director</u> <i>RGP</i>	Phone: <u>465-5010</u>
Division:	<u>Information and Administrative Services</u>	Date: <u>1/13/94</u>
Approved by:	<u>John Sandor, Commissioner</u> <i>RGP For</i>	Date: <u>1/13/94</u>
Agency:	<u>Environmental Conservation</u>	

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ATTACHMENT TO FISCAL NOTES TO CSSB 33 (STA)

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Spill Prevention and Response (SPAR)

By amending the Alaska Disaster Act, CSSB 33 (STA) will expand the responsibility of the State Emergency Response Commission (SERC), and Local Emergency Planning Committees (LEPC) to prepare plans for local and State government response to declared disasters or emergencies. Staff support for the SERC would be transferred from the Department of Environmental Conservation (DEC) to the Department of Military and Veterans Affairs (DMVA). CSSB 33 would additionally direct DMVA to provide financial assistance to LEPCs and require all State agencies to provide technical planning assistance to the LEPCs.

CSSB 33 would reduce DEC staff assistance to the SERC and administrative assistance to LEPC on behalf of the SERC. This workload reduction would also reduce the level of funding proposed for the State Emergency Response Commission project (PJ # 5503), and the Local Planning Project (PJ #5502) proposed in DEC's FY 95 budget under the Government Preparedness and Response Component. The following briefly describes the proposed FY 95 project tasks that DEC would no longer be required to perform under CSSB 33, the corresponding reduction in funding and staff positions budgeted for that work, and the associated work and resources retained by DEC.

SERC Project

DEC's FY 95 budget request includes \$105,800 and 1.1 FTE to provide staff support to the State Emergency Response Commission (SERC), public member travel costs, and SERC meeting expenses. Since CSSB 33 would eliminate DEC's staff responsibility for the SERC, DEC's FY 95 SERC project request would be eliminated.

Local Planning Project

DEC's FY 95 local planning project budget request includes \$1,107,900 and 4.9 FTE to provide technical and financial assistance to LEPCs established by the SERC for preparing plans in compliance with State and federal requirements.

Of this request, \$400,000 is for LEPCs to develop plans, and \$140,900 with 1.9 FTE is for DEC to administer the funds awarded to LEPCs by the SERC, and to assist communities wishing to form LEPCs. Since CSSB 33 would eliminate DEC's administrative assistance to LEPC's on behalf of the SERC, DEC's FY 95 request would be reduced by \$540,900 and 1.9 FTE.

The remaining budget request for the local planning project (\$567,000 and 3.0 FTE) is for DEC to provide technical assistance to LEPCs and local governments in identifying local, State and federal response resources necessary to implement a local response plan. DEC also assists local communities in designing spill response drills to test local response readiness and provides communities with information regarding local oil and hazardous risks, and ways to prevent or reduce identified risks. CSSB 33 would not affect DEC's current responsibilities or budget request for this element of the local planning project.

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. CSS833 (STA)

Revision Date: <u>January 12, 1994</u>	Dept. Affected: <u>Military and Veterans Affairs</u>
Title: <u>An Act relating to emergency planning and response</u>	BRU: <u>Disaster Planning and Control</u>
	Component: <u>Disaster Planning and Control</u>
Sponsor: <u>Senator Leman</u>	
Requestor: <u>Senator Leman</u>	COMPONENT SERIAL NO. <u>1808</u>

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES	240.0					(111.8)
TRAVEL	85.3					
CONTRACTUAL	423.2					
SUPPLIES	10.0					
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	758.5					(111.8)

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE

(Thousands of Dollars)

FUND SOURCE	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
1002 Federal Receipts						
1003 GF Match						
1004 GF	111.8					(111.8)
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other: 1052 470 Fund	646.7					
TOTAL	758.5					(111.8)

Estimate of any current year (FY94) cost: \$ not applicable

POSITIONS

POSITIONS	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
FULL-TIME	5.0					(2.0)
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)
See attached pages for analysis

Prepared by: Jeff Morrison, Director
Division: Administrative Support Services Division
Approved by Commissioner: Morrison for Hugh L. Cox III
Agency: Military and Veterans Affairs

Phone: 485-4730
Date: January 14, 1994
Date: January 14, 1994

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ATTACHMENT TO FISCAL NOTE TO CSSB 33 (STA)
 DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
 Division of Emergency Services
 Disaster Planning and Control Component

Fiscal Summary: This fiscal note combines the following: 1) the transfer of three positions and funding (\$241.9) from DEC to provide support to the State Emergency Response Committee (SERC); 2) the transfer in of 400.0 from DEC to fund Local Emergency Planning Committee (LEPC) direct assistance; and 3) the establishment of two new general funded positions to accomplish the additional work assisting LEPCs required by this legislation. This totals a transfer of 641.9 from DEC, with an additional 111.8 in state general funds. The funding being transferred from DEC comes from the Oil and Hazardous Substance Release Response Fund ("470 Fund"). The net result on this component of the fiscal actions required by this legislation is as follows:

Expenditure Account	SERC Support	LEPC Assistance	LEPC Staff	Total
Pers Svcs	128.2		111.8	240.0
Travel	85.3			85.3
Contractual	23.2	400.0		423.2
Supplies	10.0			10.0
Total	246.7	400.0	111.8	758.5
Positions	3		2	5

Please refer to the DEC fiscal notes for an explanation of the fiscal impact on DEC. There is a net zero effect on the 470 fund compared to the FY95 operating budget request; and a net savings of 396.6 in 470 funds compared to FY94 due to a 396.6 decrease in the DES operating budget funding from 470 Fund from FY94 to FY95. The following paragraphs explain in more detail each of the areas summarized above:

SERC Support: Three staff positions within DEC which provide support to the SERC will be transferred into this component. These positions are located in the Spill Prevention and Response BRU, Government Preparedness component. The DEC fiscal note identifies the separate projects in which these positions are budgeted (DEC uses project budgeting). The total amount of funds to be transferred from DEC for this function is \$241,900. The line-item breakout within the DMVA/DES budget has been adjusted in this fiscal note to show how the funds are projected to be needed.

The three transferred positions would continue to support the SERC through coordinating regularly scheduled meetings, implementing SERC decisions and directions, and staff review and preparation of agenda items. They would also work with the current DES staff to ensure integration of local (LEPC) plans with the state emergency operations plan. The remainder of the funding for SERC support is used for public members' travel, advertising, room rentals, and other meeting costs. Some of the funds transferred in for SERC support will also be used to support the two LEPC staff positions also created by this fiscal note (e.g. travel, communications).

The three transferred positions would be reclassified as needed in order to provide the best overall support to the SERC. The needed support can best be provided by a restructuring of the support staff to have one professional planner II (range 17, \$54,468), one administrative assistant III (range 14, \$45,241), and one clerk typist III (range 8, \$33,773). A 4% vacancy rate is built into the budgeted personal services costs of these positions for purposes of the fiscal note, for a total personal services budget of \$128,200.

LEPC Assistance: DMVA will assume responsibility for providing planning assistance to the LEPCs. This will be met by a combination of contracts with LEPCs and staff support to work directly with the LEPCs.

Contracts with LEPCs have been a major element of previous budget submissions from DEC. \$400,000 for LEPC contracts is currently included in the FY95 DEC budget (SPAR BRU, Government preparedness component). This money will be transferred to DMVA and administered by the Division of Emergency Services.

These contracts will be used by local groups to train community responders to respond to releases of hazardous substances and oil spills, and to provide for administrative support of local planning efforts related to disaster emergencies. The additional staff to be added to DES in this fiscal note will reduce or eliminate the need for local entities to contract for planning services.

LEPC Staff: The direct staff support to LEPCs will be accomplished by the addition of two new general funded planner positions: one range 17 planner II (\$54,468 annual salary cost), and one range 19 planner III (\$61,953 annual salary cost). A 4% vacancy rate is built into the budgeted personal services costs of these positions for purposes of the fiscal note, for a total personal services budget of \$111,800. The planners will work with LEPCs to perform on-site surveys to analyze local hazards and assess capabilities, write disaster response and mitigation plans, assist in local review, and promulgate the finished plans. The hazards included in the plans will include oil spills, hazardous substances, and all other types of natural and man-caused disasters. Travel and other support costs for the LEPC planners will be reallocated from the SERC support funds as needed.

With the staffing to be added by this fiscal note, combined with the technical staff currently in DEC and the current staff of DES, we project that the initial plans for the Local Emergency Planning Districts (LEPDs) established by the SERC will be completed by the end of FY99. The LEPDs will cover the entire state of Alaska. Developing the required plans will involve working closely with the political subdivisions of all sizes located throughout Alaska. There will be an ongoing need to periodically review and revise the plans, and to train and drill to test the adequacy of the plans. Annual local reviews are a federal requirement (SARA Title III).

It is likely that after the initial plans for the LEPDs are completed (FY99), the amount needed for state-provided planning support to LEPCs will decrease. DES staff will be reduced proportionately as the formalization of emergency planning capabilities is achieved in the anticipated 25-30 LEPCs by FY99. This fiscal note reflects that reduction by the elimination of two positions and 111.8 in general funds starting in FY 2000.



SENATOR LOREN LEMAN

Northwest Anchorage

311 "C" Street Anchorage, AK 99503 561-7614 During Session: State Capitol Juneau, AK 99801 465-2095

SPONSOR STATEMENT

CSSB33(FIN): An Act relating to emergency planning and response; transferring the Hazardous Substance Spill Technology Review Council to the Department of Environmental Conservation; transferring the State Emergency Response Commission, including its duty to designate local emergency planning districts and appoint local emergency planning committees, to the Department of Military and Veterans' Affairs; and eliminating a requirement that the state and regional oil discharge prevention and contingency plans be revised annually."

WHY SB 33?

SB 33 is introduced at the request of the departments of Environmental Conservation and Military and Veterans' Affairs. The intent of this legislation is to facilitate a better working relationship between the Local Emergency Planning Committees and local governments; to more efficiently accomplish the goals of emergency planning and planning for oil and hazardous substance discharges by reducing opportunities for duplication of effort at the state level; and to enhance the abilities of local communities to plan for disasters.

HISTORY

The Emergency Planning and Community Right-to-Know Act of 1986, 42 U.S.C.A. ss 11001-11050 (1991) (Title III of the Superfund Amendments and Reauthorization Act of 1986), commonly known as SARA Title III, was passed largely in response to the chemical accident in 1984 at Bhopal, India.

SARA Title III has two distinct parts: an emergency planning mechanism and community right-to-know provisions. The emergency planning provisions require each state's governor to establish an emergency planning commission. The commission sets up emergency planning districts and appoints an emergency planning committee for each district. The committees are required to prepare emergency plans.

In 1990, the Legislature created the State Emergency Response Commission. The SERC has appointed to date 18 local emergency planning committees.

WHERE WE ARE NOW

In 1990, SB 503 and HB 566 provided ample opportunity for the Legislature to discuss where the response corps and depots ought to be located, how the SERC should operate and where the Hazardous Substance Technology Review Council fit in to the statewide picture.

Moving the SERC and the LEPCs into DMVA/DES should not be construed as legislative pingpong. In the aftermath of a disaster there is always a debriefing - a session where the participants review how well the response system works and what could be done to make it work more efficiently.

Soon it will be five years since the Exxon Valdez oil spill. It's time to review the process and make adjustments for a more streamlined, more efficient planning and response system. The departments have reviewed their responsibilities and have made recommendations to improve the process, the State Emergency Response Commission has reviewed the process, the local emergency planning committees have reviewed the process as have local governments. They all feel improvements can be made to the system and that is why Senate Bill 33 is before you now. I appreciate the efforts of the volunteers at the local level and the local governments to plan for their fellow citizens. I want to make their jobs less difficult as I'm sure you do, too.

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
and
DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

JOINT POSITION PAPER FOR CSSB 33 (STA)

BACKGROUND:

In 1990, the Alaska Legislature established the State Emergency Response Commission (SERC). In the Department of Environmental Conservation (DEC) (SLA 1990, Ch 190), under AS 46.13, the SERC is responsible for designating the boundaries of Local Emergency Planning Districts (LEPDs), and appointing Local Emergency Planning Committees (LEPCs) to develop local emergency plans for responding to the accidental release of hazardous substances that may or may not be of disaster proportions. AS 46.13 complements federal contingency planning under Title III of the Superfund Amendments and Reauthorization Act (PL 99-499; also known as SARA Title III) which requires states to establish a SERC to ensure communities are aware of hazardous substance threats within their borders.

To date, the SERC has established 26 LEPDs and 18 LEPCs have been appointed. None of the LEPCs have approved local emergency plans.

Under the Alaska Disaster Act (AS 26.23) the Department of Military and Veterans Affairs, Division of Emergency Services (DMVA/DES) is responsible for disaster emergency planning for the State of Alaska and to service all of its political subdivisions through local or interjurisdictional disaster planning agencies or the liaison officials of local governments. To date, DMVA/DES has assisted several municipalities in developing disaster emergency operations plans which address multiple hazards. AS 26.23.060(e) requires each local or interjurisdictional disaster agency in the State to prepare and keep current a disaster emergency plan for its area.

Both DEC and DMVA recognize the existing overlap of responsibilities related to disaster emergency planning and response for oil and hazardous substance releases. The departments have worked jointly to establish Memorandums of Agreement (MOAs) to clarify duties in responding to disasters which involve an oil or hazardous substance release.

PROBLEMS WITH CURRENT STATUTES:

1. Duplication of planning efforts under AS 46.13 and AS 26.23.

The majority of emergencies or disasters which result from natural events such as earthquakes or flooding pose a greater public health threat than oil or hazardous substance releases. As proposed in CSSB 33, consolidating the local planning requirements for oil and hazardous substances releases with the local disaster planning requirements under AS 26.23 would simplify coordination and integration of local emergency planning efforts, and would improve overall preparedness of Alaskan communities to respond to all potential disasters.

2. Duplicative and inefficient disaster planning for oil and hazardous substance response.

Following the Exxon Valdez release in 1989, the legislature amended AS 48.04 to require the DEC to develop a statewide master plan and regional master plans for responding to all potential types and sizes of oil or hazardous substance releases. Under AS 26.23, the Department of Military and Veterans Affairs, Division of Emergency Services (DMVA/DES) is responsible for preparing a statewide plan for all potential disasters, including technological disasters such as a disaster-scale oil or hazardous substance release.

Between June 1977 and January 1994, 166 disaster emergencies were declared by the Governor. Only two declarations - approximately 2% of all declared disasters during that period - resulted solely from the release of oil or a hazardous substance (the EXXON Valdez oil spill and formaldehyde release at Crown Point).

Non-disaster oil and hazardous substance response is managed on a day-to-day, routine basis by DEC by overseeing the responsible party's cleanup of a spill, or employing contractors or local governments to cleanup a spill if the responsible party refuses or can't be found. Most, if not all, oil and hazardous substance spills in any one year are not declared disasters.

CSSB 33 would amend Alaska statutes to clarify DMVA's interagency planning responsibilities for all disasters including catastrophic oil and hazardous substance releases. CSSB 33 would also clarify all state agencies' responsibilities for planning and response to all disasters declared by the Governor.

EFFECTS OF CSSB 33:

CSSB 33 would transfer the State Emergency Response Commission from DEC to DMVA. The SERC's planning responsibilities for non disaster emergency oil and hazardous substance releases would be repealed and replaced with the responsibility for disaster and emergency planning for all natural and man-made hazards. DMVA would also assume responsibility for administering State funding awarded to LEPCs, and all State agencies on SERC would be required to provide technical planning assistance to LEPCs as it pertains to their programs and responsibilities.

The proposed legislative changes will enable DMVA to systematically facilitate local disaster emergency plan development and maintenance. In Alaska, much of the unorganized boroughs and some less populated boroughs have no local municipal or interjurisdictional disaster agencies. In these cases, DMVA will service the communities directly with planning, training, and other preparedness activities in accordance with AS 26.23.060.

FISCAL IMPACT OF PROPOSED BILL:

Fiscal notes for both DEC and DMVA are attached.


BENEFITS OF PROPOSED BILL:

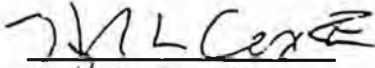
This bill substantially contributes to improved preparedness for all Alaskans when faced with a disaster emergency, regardless of the type.

By making the SERC an all-hazards disaster preparedness Commission, the bill integrates the federal SARA Title III requirements for oil and hazardous substance release planning with the other local disaster planning requirements of AS 26.23.060. This will reduce the duplicative demand now faced by communities and consolidate all State disaster planning functions within the DMVA/DES to improve overall preparedness.

CONCLUSION:

The Commissioners of DEC and DMVA support this bill and conclude that the safety and welfare of the people of Alaska and Alaska's environment will be greatly enhanced by its passage.


FOR JAS
John A. Sandor
Commissioner
Department of Environmental
Conservation


Hugh L. Cox III
Commissioner
Department of Military
and Veterans Affairs

SPONSOR SECTIONAL ANALYSIS
Senate Bill 33

FOR CS SB 33(FIN): 3/1/94 BY: Annette Kreitzer, Aide
DISTRIBUTION: House Community & Regional Affairs Committee

Title:

Transfers SERC and its responsibilities from DEC to DMVA; transfers the Hazardous Substance Spill Technology Review Council to DEC; and it eliminates the annual revision requirement for the state and regional oil discharge prevention plans (annual REVIEW still necessary).

Sections 1, 2, 3(in part):

Amendment adopted in Senate Finance Committee: Amends DMVA statutes to delete reference to disaster agencies. This housekeeping measure appears throughout the bill in Sections 1, 2, 3, 6, 7, 8, 9, 13, and 15.

Section 3(in part):

*Amends DES duties to include granting authority (to the extent that money is available) for:

1. Forming LEPCs,
2. Awarding federal Hazardous Materials Transportation Uniform Safety Act (HMTUSA) funds to LEPCs for developing and maintaining emergency plans,
3. Making funds available to comply with Community Right-to-Know criteria (including Tier II information); and
4. Awarding grants for training LEPCs, training and equipping emergency response organizations and for executing the plans developed by the LEPCs.

Sections 4, 10, and 11:

These sections result from repealing AS 26.23.215 which says that all related plans must mesh. New language is inserted in AS 26.23.040 to ensure cohesion in all plans prepared within the duties of ADES and in those plan's relationship to DEC's state and regional master plans. New language is inserted under AS 26.23.060 and AS 26.23.070 for the same purpose.

Section 5:

Adds response corps and depots into the explicit responsibilities of DMVA.

Section 6:

Finance Committee Amendment. Housekeeping amendment to make reference to the unified term: political subdivision, rather than a variety of other terms and removes reference to disaster

agencies.

Section 7:

Clarifies that each political subdivision has the responsibility for disaster preparedness and coordination of local response, and removes reference to disaster agencies.

Section 8:

Political subdivisions unable to plan for local disaster preparedness must designate a liaison to work with the state Division of Emergency Services in planning disaster response.

Section 9:

Clarifies that each political subdivision must have a plan prepared and maintained and that the plan is provided to all appropriate officials (including LEPC's, and all entities named in the plan).

Section 10, 11 and 4:

These sections result from repealing AS 26.23.215 which says that all related plans must mesh. New language is inserted in AS 26.23.040 to ensure cohesion in all plans prepared within the duties of ADES and in those plan's relationship to DEC's state and regional master plans. New language is inserted under AS 26.23.060 and AS 26.23.070 for the same purpose.

Section 12:

(a) *Establishes the SERC under the Department of Military and Veterans' Affairs;

(b) *Defines SERC membership, specifies 4 LEPC members to be on SERC, two from rural LEPC and two from urban LEPC; specifies two seats for political subdivisions (**Finance Committee Amendment on behalf of Municipalities of Anchorage and Fairbanks added in mayor, or person nominated by mayor or governing body**); leaves one unspecified public seat.

(c) *Removes the requirement for the oil and hazardous substance response office (AS 46.08.100) to serve as staff for the commission. DMVA shall provide staff support. The proposed fiscal note shows three positions from DEC would transfer to DMVA/ADES, with DMVA/ADES asking for two additional planners.

(d) Keeps requirement that SERC is co-chaired by DMVA and DEC. Keeps the current staggered terms, per diem and travel.

(e) Commission duties -

(1) Meets SARA Title III requirement;

(2) *References the ALL HAZARDS clause (8), maintains the SERC's responsibility for hazardous substance discharge and

prevention contingency state and regional master plans (46.04.200-210) and ALL plans prepared under AS 26.23.;

(3) SERC should consider incident command system, and integration of LEPC plan with related plans; removes SERC approval authority for these plans, retains review and recommendation authority. Local governments found the approval authority of the SERC to be a stumbling block. Emphasis is on planning at the local level, local governments have an approval process with public input. SERC approval/disapproval complicates that local planning and approval process.

(4) Designate LEPC boundaries; the SERC retains the ability to mandate boundaries IF political subdivisions CANNOT come to agreement on boundaries; removes previous requirement that the boundaries be based on DEC's oil and hazardous substance regions (of which there are 10).

(5) Same as current law - SERC must create an LEPC for each LEPC (SARA Title II);

(6) Same as current law (wording comes from SARA Title III 11001(a);

(7) Same as current law.

(8) *SERC presently does not review reports about responses, if it is to make appropriate recommendations, it should review how the plan worked in a disaster.

(9) *Makes the SERC an ALL HAZARDS COMMISSION;

(10) Integration of federal planning with state plan.

(11) Same as current law; and

(12) Adopt regulations to carry out these duties.

***Sec. 26.27.073: EMERGENCY PLANNING DISTRICTS AND COMMITTEES**

(a) *Commission sets boundaries of LEPCs; (current law). Intent is to make boroughs the LEPCs, but if the Commission wants to set boundaries other than borough lines, it must consult the local emergency response organizations and any governing body of political subdivisions in the proposed district.

(b) *Creates one single LEPC out of what is left.

(c) *If political subdivisions are combined into one LEPC, the Commission shall recommend the governor designate the area an interjurisdictional disaster planning and service area, also. This facilitates the all hazards planning concept. The LEPCs are only responsible for oil and hazardous substance planning, so although the LEPC could elect to also plan for other disasters/emergencies, it doesn't have to take on that burden. The coextensive interjurisdictional disaster planning and service area allows ADES to assist in disaster/emergency planning for the same area served by the LEPC. This should result in a ordered planning approach.

(d) *SERC APPOINTS members of LEPCs. SERC SHALL follow recommendations of the political subdivision for the LEPC (Finance Committee Amendment removed "governing body"). In the case of an LEPC made up of several political subdivisions, the

SERC will consider the recommendations of each political subdivision to the extent that the political subdivisions are in agreement and the recommendations would constitute a legal committee. Also, the political subdivisions must devise a process of working together to coordinate their recommendations. IF the LEPD is not affiliated with a political subdivision, the SERC will consider recommendations of emergency response organizations in the district. For the single, rest-of-state LEPD, the SERC will strive for equitable geographic representation on the LEPC.

*COMMITTEE MEMBERSHIP: 7 categories (Meets Sara Title III requirements) No state elected officials in Alaska may constitutionally hold a seat on an LEPC; added categories six and seven; *Finance Committee Amendment of 2/3/94 removes disaster agency.*

(e) Media position has been the most difficult to fill, this allows the LEPCs to continue operating.

(f) Allows for individual petitions to the SERC over membership (SARA Title III).

(g) LEPCs shall -

(1). Same as current law.

(2). *ADDS "public advertising of positions available on the committee".

(3). *ADDS ... "in a manner that includes coordination with the political subdivisions covered by the plan", to ensure cooperation between the LEPCs and the local governments.

(4). *REWRITTEN to reflect that evaluating the need for resources necessary to the plan doesn't necessarily mean ADDING resources - it could mean scaling down response if there aren't sufficient responders - but this is and should be a LOCAL decision to be made with all parties knowing the cost of the decision.

(5). Same as current law (delete [and])

(6). *Allows LEPCs to not have to become all hazards, they can participate in community planning to the extent they are capable. *Finance Committee Amendment of 2/3/94 removes disaster agencies.*

(7). *NEW LANGUAGE: puts in statute the cooperation between the LEPC and the political subdivision. Makes the LEPC an "advisory committee" to the benefit of the political subdivisions and the LEPCs.

(h) *All agencies represented on the SERC shall provide technical assistance to LEPCs if requested by the LEPC. There is no additional funding for this section, but it is anticipated that the primary agencies requested to provide assistance would be DEC/DMVA-DES.

Section 26.23.075: EMERGENCY PLANS

Same as current law (46.13.090), except the cite for 42 U.S.C. 11002(a) is corrected from 42 U.S.C. 302(a); and in (3) the designation of emergency coordinator as required under 26.23.060(d), is added. 26.23.075(b) references the coordination of hazardous substance planning with disaster planning.

Section 26.23.077 PLAN REVIEW; INCIDENT COMMAND SYSTEMS.

(a) *Reflects the change from a commission charged only with hazardous substance release planning to an ALL HAZARDS SERC. Current law (46.13.045) stipulates the commission reviews and exercises approval authority over plans for "hazardous substance discharge response". *Changes SERC's authority to review and recommend instead of "approve".

(c) Changes ADES to DMVA, assures DMVA/DES role in a[n imminent or actual hazardous substance discharge] disaster or other emergency.

Section 13:

Removes reference to disaster agency.

Section 14:

AS 26.23.150 is amended to substitute environmental for [air].

Sections 15 and 16:

Removes reference to disaster agency.

AS 26.23.900 is amended to define the SERC, and hazardous substance in DMVA statutes.

Section 17:

AS 46.03.865(a) The incident command system no longer exists under 46.13.

Section 18:

AS 46.03.865(c) The incident command system no longer exists under 46.13.

Section 19:

AS 46.04.200 - (a) State Master Plan -Deletes the requirement to annually revise the master plan. Intent is to annually review and revise if necessary. In 46.04.200(F), ICS identifies other state agencies' responsibilities only if the release involves a declared disaster; removes requirement for DEC to designate in the state master plan where oil and hazardous substance emergency response depots and corps should be located.

(a)(5)(c)(1) *ADDS LOCAL EMERGENCY PLANNING COMMITTEE officials to those the Commissioner will consult if plan is revised.

Section 20:

Criteria for deciding plan revision.

Section 21:

AS 46.04.210(a) is amended -Same changes to the Regional master plan - revise as necessary instead of revise annually.

Section 22:

AS 46.04.210(c)

*ADDS NEW SECTION - giving the department latitude to group communities which likely would work together in responding to a discharge.

Section 23:

AS 46.08.040 - Amendment

2) *Adds the costs incurred under current statutes for depots and corps set up by DEC in cooperation with DMVA.

3) *Pay the expenses incurred by ADES for "SERC activities, including staff support, (Finance Committee amendment added: when the activities and staff support relate to oil and hazardous substances) and for the costs of being prepared for and responding to a request by the DEC for support in response and restoration activities; EXCEPT the costs of the response corps and emergency response depots".

Section 24:

AS 46.08.150

Deletes DEC's authority to enter into contractual agreements to establish depots and corps, notwithstanding AS 46.04.090 and 46.09.040.

Section 25:

AS 46.09.040

This parallels the language in AS 46.04.090 which calls for coordination with DMVA to avoid duplication of effort.

Sections 26 and 27:

AS 46.13.100-110

Refers to the Hazardous Substance Spill Technology Review Council and establishing it within DEC.

Section 28:

Repeal: 26.23.060(f) - Refers to disaster agencies.

Repeal: 26.23.190(b) - Emergency powers dealing with actual or imminent discharge of oil or hazardous substance is redundant to AS 26.23.040(d).

Repeal: 26.23.195(a) - Is redundant to language in AS 26.23.070(d), as added by SB 33. Is redundant to multiple portions of AS 26.23.040. (Finance Committee Amendment 2/3/94 repealed all of 26.23.195.)

Repeal: 26.23.215 - Relationship to other planning statutes, relationship has been further defined in 26.23.040,

26.23.060 and 26.23.070.

Repeal: 46.08.110, 46.08.120, 46.08.190(1), (2) and (3):
Deletes reference of response corps and depots and takes DES out
of definitions section of DEC statutes.

Repeal: 46.13.010 - 46.13.090 - Repeals establishment of SERC
and LEPCs under DEC.

Repeal: 46.13.120(6) -Repeals responsibility for the
Hazardous Substance Technology Review Council to accept
assignments from SERC.

Repeal: 46.13.900(1) - Removes SERC from definitions section
of DEC statute.

Section 29:

TRANSITION:

Litigation, hearings, investigations and other proceedings
pending under law may continue.

Outstanding contracts, liabilities, and obligations remain in
effect.

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. CSSB33 (FIN)

Revision Date: March 3, 1994 Dept. Affected: Military and Veterans Affairs
 Title: An Act relating to emergency planning and response BRU: Disaster Planning and Control
 Component: Disaster Planning and Control
 Sponsor: Senator Leman
 Requestor: _____ COMPONENT SERIAL NO. 1808

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES	240.0					(111.8)
TRAVEL	85.3					
CONTRACTUAL	423.2					
SUPPLIES	10.0					
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	758.5					(111.8)
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ()						

FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 GF	111.8					(111.8)
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other: 1052 470 Fund	646.7					
TOTAL	758.5					(111.8)

Estimate of any current year (FY94) cost: \$ not applicable

POSITIONS						
FULL-TIME	5.0					(2.0)
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)
 See attached pages for analysis

Prepared by: Jeff Morrison, Director Phone: 465-4730
 Division: Administrative Support Services Division Date: March 3, 1994
 Approved by Commissioner: *J Morrison for* Hugh L. Cox III Date: March 3, 1994
 Agency: Military and Veterans Affairs

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ATTACHMENT TO FISCAL NOTE TO CSSB 33 (FIN)
DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
Division of Emergency Services
Disaster Planning and Control Component

Fiscal Summary: This fiscal note combines the following: 1) the transfer of three positions and funding (\$246.7) from DEC to provide support to the State Emergency Response Committee (SERC); 2) the transfer in of 400.0 from DEC to fund Local Emergency Planning Committee (LEPC) direct assistance; and 3) the establishment of two new general funded positions to accomplish the additional work assisting LEPCs required by this legislation. This totals a transfer of 646.7 from DEC, with an additional 111.8 in state general funds. The funding being transferred from DEC comes from the Oil and Hazardous Substance Release Response Fund ("470 Fund"). The net result on this component of the fiscal actions required by this legislation is as follows:

Expenditure Account	SERC Support	LEPC Assistance	LEPC Staff	Total
Pers Svcs	128.2		111.8	240.0
Travel	85.3			85.3
Contractual	23.2	400.0		423.2
Supplies	10.0			10.0
Total	246.7	400.0	111.8	758.5
Positions	3		2	5

Please refer to the DEC fiscal notes for an explanation of the fiscal impact on DEC. There is a net zero effect on the 470 fund compared to the FY95 operating budget request; and a net savings of 396.6 in 470 funds compared to FY94 due to a 396.6 decrease in the DES operating budget funding from 470 Fund from FY94 to FY95. The following paragraphs explain in more detail each of the areas summarized above:

SERC Support: Three staff positions within DEC which provide support to the SERC will be transferred into this component. These positions are located in the Spill Prevention and Response BRU, Government Preparedness component. The DEC fiscal note identifies the separate projects in which these positions are budgeted (DEC uses project budgeting). The total amount of funds to be transferred from DEC for this function is \$246,700. The line-item breakout within the DMVA/DES budget has been adjusted in this fiscal note to show how the funds are projected to be needed.

The three transferred positions would continue to support the SERC through coordinating regularly scheduled meetings, implementing SERC decisions and directions, and staff review and preparation of agenda items. They would also work with the current DES staff to ensure integration of local (LEPC) plans with the state emergency operations plan. The remainder of the funding for SERC support is used for public members' travel, advertising, room rentals, and other meeting costs. Some of the funds transferred in for SERC support will also be used to support the two LEPC staff positions also created by this fiscal note (e.g. travel, communications).

The three transferred positions would be reclassified as needed in order to provide the best overall support to the SERC. The needed support can best be provided by a restructuring of the support staff to have one professional planner II (range 17, \$54,468), one administrative assistant III (range 14, \$45,241), and one clerk typist III (range 8, \$33,773). A 4% vacancy rate is built into the budgeted personal services costs of these positions for purposes of the fiscal note, for a total personal services budget of \$128,200.

LEPC Assistance: DMVA will assume responsibility for providing planning assistance to the LEPCs. This will be met by a combination of contracts with LEPCs and staff support to work directly with the LEPCs.

Contracts with LEPCs have been a major element of previous budget submissions from DEC. \$400,000 for LEPC contracts is currently included in the FY95 DEC budget (SPAR BRU, Government preparedness component). This money will be transferred to DMVA and administered by the Division of Emergency Services.

These contracts will be used by local groups to train community responders to respond to releases of hazardous substances and oil spills, and to provide for administrative support of local planning efforts related to disaster emergencies. The additional staff to be added to DES in this fiscal note will reduce or eliminate the need for local entities to contract for planning services.

LEPC Staff: The direct staff support to LEPCs will be accomplished by the addition of two new general funded planner positions: one range 17 planner II (\$54,468 annual salary cost), and one range 19 planner III (\$61,953 annual salary cost). A 4% vacancy rate is built into the budgeted personal services costs of these positions for purposes of the fiscal note, for a total personal services budget of \$111,800. The planners will work with LEPCs to perform on-site surveys to analyze local hazards and assess capabilities, write disaster response and mitigation plans, assist in local review, and promulgate the finished plans. The hazards included in the plans will include oil spills, hazardous substances, and all other types of natural and man-caused disasters. Travel and other support costs for the LEPC planners will be reallocated from the SERC support funds as needed.

With the staffing to be added by this fiscal note, combined with the technical staff currently in DEC and the current staff of DES, we project that the initial plans for the Local Emergency Planning Districts (LEPDs) established by the SERC will be completed by the end of FY99. The LEPDs will cover the entire state of Alaska. Developing the required plans will involve working closely with the political subdivisions of all sizes located throughout Alaska. There will be an ongoing need to periodically review and revise the plans, and to train and drill to test the adequacy of the plans. Annual local reviews are a federal requirement (SARA Title III).

It is likely that after the initial plans for the LEPDs are completed (FY99), the amount needed for state-provided planning support to LEPCs will decrease. DES staff will be reduced proportionately as the formalization of emergency planning capabilities is achieved in the anticipated 25-30 LEPCs by FY99. This fiscal note reflects that reduction by the elimination of two positions and 111.8 in general funds starting in FY 2000.

Dr. Eric M. Kolbe
Chair
22866600 Telephone

PO Box 6688
Ketchikan, Alaska 99901
247-86299 Fax

Alaska

Local

Representative Harley Olberg
Delta Junction, Alaska

Fax 465-6790

March 10, 1994

Dear Representative Olberg;

The Local Emergency Planning Committee (LEPC) Association, has unanimously endorsed SB 33 at the last State Emergency Response Committee (SERC) meeting. The SERC also endorsed the bill with both the Dept. of Veterans and Military Affairs and the Dept. of Environmental Conservation in agreement that this bill would stream line emergency response operations for the state.

The association of LEPC's strongly recommend that you pass SB 33 in its entirety without additional or substantial changes through amendments. Thank you for your support on this important legislation.

Sincerely;

James Studley
Vice Chair

Emergency

Planning

Committee

association

Aleutians East
Aleutians/Pribilof Is.
Anchorage
Copper Center

Denali
Fairbanks
Juneau
Kenai

Ketchikan
Kodiak
Lake & Peninsula Bor.
Mal-Su

Northern SE
NW Arctic
Petersburg/
Wrangell

Prudhoe Bay
Sitka
Southern SE
Yakutat

THE DIVISION OF EMERGENCY SERVICES (DES)
REQUIRES FIVE (5) POSITIONS TO EXECUTE SB 33

DES will be accepting the responsibility for the State Emergency Response Commission (SERC); its 5 Committee's; planning and training for twenty-six (26) LEPC's and their supported communities; their quarterly meetings and workshops; and supervision/management of monies "passed through" to LEPC's and their supported communities. There are over twenty-four (24) annual activities and events associated with the execution of CSSB 33, not taking into account field travel to assist local government/LEPCs produce local disaster response plans.

Section 16 of SB 215, which would go into effect if both 33 and 215 pass, constrains use of 470 funds on only that portion of the above activities related to oil and hazardous substances.

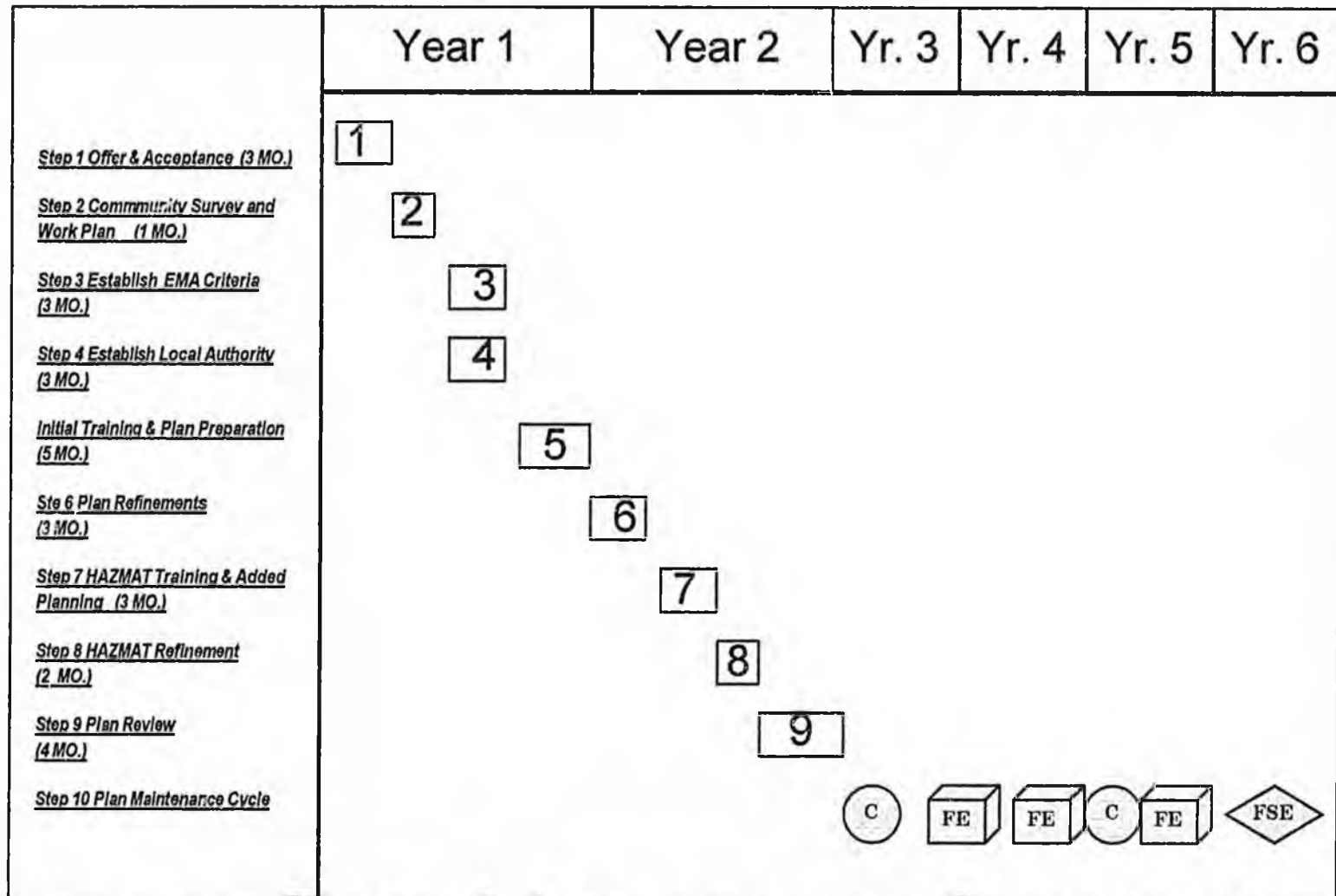
The SERC as an "all hazard" Commission must be adequately supported if it is to accomplish legislative mandates. DES correspondingly must be resourced to support the SERC and all activities delineated above.

The three (3) positions transferred from DEC to DMVA (DES) represent only 50% of the positions DEC devoted to SERC/LEPC issues. DES recognizes DEC retains responsibilities for technical advice/assistance to LEPC's and all communities in Alaska, as well as the Community Right-to-know provisions of the Superfund Amendment and Reauthorization Act, 1986.

Whether the two (2) additional positions requested by DES are funded by General Funds or other funding is irrelevant to the necessity for support of them to accomplish the mandates of SB 33 in a qualitative and timely manner. All five (5) positions are critically essential to the service performance level expected and anticipated by State and local entities associated with the statutorially mandated functions.

Without all five (5) required positions DMVA will fail to perform at expected levels.

Comprehensive Multi-Hazard EOP Development and Maintenance Cycle



Numbers = Step (C) = CHIP (FE) = Functional Exercise (FSE) = Full Scale Exercise

Department of Military and Veterans Affairs - Division of Emergency Services
Five-Year Plan

Plan Development and Maintenance:

Of the 30 previously identified planning entities, no two are at the identical stage of their plan's development. They range from communities which have not yet established an emergency management agency or planning organization to those who are very close to finalizing their plans and submitting them for SERC review. For the purpose of this plan and as a guide to future local planning initiatives, the following systematic approach applies to development and upkeep of comprehensive, multi-hazard plans.

STEP 1: An initial offer of plan development/upgrade assistance from DMVA/DES to appropriate local chief executives in which DES explains the plan development and maintenance process. The reply from community leaders should state their desire to participate or not participate.

STEP 2: An on-site workshop conducted by the appropriate DES planning staff members to acquaint community leaders in greater detail as to the assistance being offered and the cooperative response and involvement needed on behalf of the community or communities involved. Part of this workshop will include a community survey of its hazards and resources to develop the planning factors necessary for full plan development. Additional time will be spent on a mutually agreeable work plan to cover the plan development period.

STEP 3: If not already available, the community will be expected to develop or make a serious start on local disaster legislation. Such legislation should:

- establish a local or interjurisdictional planning organization.
- give it authority for planning and coordinating resources.
- provide disaster proclamation authority, if other than chief executive, with a line of succession.
- provide for leadership of emergency organization with a line of succession and emergency powers.

STEP 4: Community takes needed steps to establish eligibility for EMA funding (see criteria, above).

STEP 5: DES planning staff visits community to train local planning staff. Training consists of a composite of the Introduction to Emergency Management Course and the Emergency Planning Course. Practical exercises conducted as part of the training will yield a draft Basic Plan and as many functional annexes (less the hazardous substance portions) as can be developed in one, six-day block or two, three-day increments with a mutually agreed upon time separation. Note: The incremental approach may not be economically feasible.

STEP 6: Community, with DES planning assistance, refines planning products before next training segment is delivered.

STEP 7: DES planning staff revisits community to deliver the Hazardous Materials Contingency Planning Course. Again, practical exercises, utilized to reinforce learning will be used to craft parts of the actual plan. The training will require four to five days.

STEP 8: Community, with DES planning assistance, refines all planning products and prepares the complete plan for review and signature.

STEP 9: The plan review process occurs at three levels of government. The local planning organization coordinates the plan with tasked agencies, obtains local approval/signature, and forwards the plan for SERC review. State level review is completed according to SERC policy (procedure). DMVA/DES will forward the plan to FEMA, Region 10 for federal review - a necessary element for complying with federal programs and obtaining federal funding.

STEP 10: The next step in a plan's "life cycle" is plan upkeep or maintenance. This step is unending; it continues until the plan is rescinded or replaced by another plan. There is, however, an established pattern that repeats at four-year intervals. The pattern contains two separate parts: a programmed approach to periodically exercise (practice) the plan and a prescribed method to reassess the hazards/ conditions that will cause plan implementation and the resources (people, equipment, facilities, systems) needed to carry out the plan. This reassessment process is contained in the Capability and Hazard Identification Program (CHIP). For State and local planning purposes, CHIP is accomplished every two years. The State and Local Exercise (SLE) program has five basic elements and is structured on a four-year cycle. Its elements consist of:

- Orientation seminars are used to indoctrinate new personnel and reinforce/refresh the knowledge of older personnel with respect to the plan's general contents and their assigned roles and responsibilities.
- Drills are used as brief, live tests of new or seldom used equipment, supplies, facilities, or procedures. (ie: telephone notification of key personnel, specialty team mobilization, set-up of emergency operations center)
- Table-top exercises are used to "debug" a procedure or solve new or recurring problems. Solutions are the by-products of table-tops; the participation of decision makers is essential.

Note: There are no suggested recurring times for orientation seminars, drills, and table tops. Each is a separate tool of the overall exercise program to be used as needed.

- Functional exercises are used at least once in each of the three years following a plan's development to practice and evaluate a group of

related emergency management functions, ie: (warning, notification, communications, coordination and control, and emergency public information) or (coordination and control, emergency services, emergency public information, communications, evacuation, sheltering, and human services). They are simulated, "on-paper" exercises, conducted at the command post or emergency operations center level. They involve no actual mobilizations or deployments of resources; hence, their cost in terms of manhours, currency, and consumed resources is comparatively small.

- Full-scale exercises, on the other hand, can be very expensive. They require more time to plan and conduct, their "live" activities must be sufficiently funded, and consumed resources must be replaced to avoid any degradation in response capability. Full scale exercises are the culmination of all the other exercise elements (drills, table tops, etc.) All exercise elements present an opportunity to evaluate some aspect of the plan, but the full scale exercise offers the best test, short of an actual event. One full scale exercise should be conducted every four years to practice and evaluate all emergency management functions.

Once a plan is completed, one of the initial activities of the plan maintenance step will be a DES staff visit to deliver the Exercise Design Course and assist local emergency managers develop a community exercise program. The exercise program and several scenarios to initiate the exercise program will be produced during practical exercises which commonly reinforce instruction.

The following chart illustrates this ten-step approach to plan development and maintenance. Subsequent charts indicate how this sequence will be applied to the local planning organizations expected to evolve in the state's Southeastern, Southwestern and Northern regions.

Northern Planning Organizations

	95	96	97	98	99
<i>NW Arctic Borough</i>			1 thru 9		(C) FE
<i>North Slope Borough</i>	(C) FE 2,3 6 7 FE 8 9		FSE	(C) FE	FE
<i>Prudhoe Bay District</i>			1 thru 9		(C) FE
<i>Nome</i>	(C) FE 2,3 6 7 FE 8 9		FSE	(C) FE	FE
<i>McGrath</i>				1 thru 9	
<i>Delta Junction</i>				1 thru 9	
<i>Denali Borough</i>			1 thru 9		(C) FE
<i>Copper River</i>				1 thru 9	
<i>Mat-Su Borough</i>	2,3 6 (C) FE 7 8 9 FE		(C) FSE	FE (C) FE	
<i>Fairbanks North Star Borough</i>	2,3 6 (C) FE 7 8 9 FE		(C) FSE	FE (C) FE	

Numbers = Step (C) =CHIP FE =Functional Exercise FSE = Full Scale Exercise

Southwestern Planning Organizations

	95	96	97	98	99
<i>Anchorage</i>	9 (C) FE	FE (C)	FSE	FE (C)	FE
<i>Kenai Peninsula Borough</i>	(C) FE	6 7 8 9 (C)	FSE	FE (C)	FE
<i>Kodiak Island Borough</i>	FE	7 8 9 (C) FE	FSE (C)	FE	FE
<i>Bristol Bay Borough</i>	(C) FE	FSE	2, 3 6 (C) FE 7 8 9 FE (C)		FE
<i>Dillingham</i>	(C) FE	FSE	2, 3 6 (C) FE 7 8 9 FE (C)		FE
<i>Lake and Peninsula Borough</i>				1 thru 9	
<i>Bethel</i>	(C) FE	FSE	2, 3 6 (C) FE 7 8 9 FE (C)		FE
<i>Aleutians E. Borough</i>				1 thru 9	
<i>Aleutian Islands-Pribilof</i>			1 thru 9	(C)	FE

Numbers = Step (C) =CHIP FE =Functional Exercise FSE = Full Scale Exercise

Southeastern Planning Organizations

	95	96	97	98	99		
<i>Whittier</i>				1 thru 9			
<i>Valdez</i>		1 thru 9			C	FE	
<i>Cordova</i>		1 thru 9			C	FE	
<i>Yakutat</i>				1 thru 9			
<i>Northern SE Dist.</i>	2 thru 9		C	FE	FE C	FE	
<i>Juneau</i>	C	FE	5 thru 9		FE	C	FE
<i>Sitka</i>	2-4	6 thru 9		C	FE	FE C	FE
<i>Petersburg</i>	9	C	FE	FE	C	FE	FSE
<i>Wrangell</i>		1 thru 9			C	FE	FE
<i>So. SE Dist</i>		1 thru 9			C	FE	FE
<i>Greater Ketchikan Dist.</i>	9	3-4	C	FE	FE	C	FE

Numbers = Step C =CHIP FE =Functional Exercise FSE = Full Scale Exercise

STATE OF ALASKA

WALTER J. HICKEL, GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

OFFICE OF THE COMMISSIONER
410 Willoughby Avenue, Suite 105
Juneau, AK 99801-1795

Telephone No. (907)465-5050
FAX No. (907)465-5070

MARCH 10, 1994 HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE HEARING ON CSSB 33(FIN) -- DEPARTMENT OF ENVIRONMENTAL CONSERVATION STATEMENT

Mr. Chairman, thank you for the opportunity to testify on this proposed legislation. The Department appreciates the Legislature's efforts to improve disaster preparedness in Alaska and ensure the safety of Alaskans and their environment.

The State Emergency Response Commission, also referred to as the SERC, was established in state law in 1990, a year after the Exxon Valdez oil spill. The SERC's current responsibilities are limited to ensuring state and local preparedness for oil and hazardous substance releases in the State. Oil and hazardous substances used in the state do pose a threat to the safety of Alaskans and the environment; however, the dangers of natural events pose an even greater risk to all Alaskans.

Alaska is not a heavily industrialized state and that fact is reflected in the preliminary results from our studies to evaluate the hazards due to chemicals used in the state. Our analysis of chemical hazards shows that chlorine (typically used for water treatment facilities and swimming pools) and ammonia (typically used by seafood processors) are of greatest concern. Our findings further suggest that working with facility owners to prevent releases is the most cost-effective strategy for addressing oil and hazardous substance threats.

In contrast, television coverage of the Northridge (California) earthquake two months ago gave us a graphic reminder of the potential threat Alaskans face from natural events such as earthquakes. March 27 will be the 30th anniversary of the 1964 earthquake that devastated the Anchorage area and caused tsunamis that destroyed several coastal communities including Valdez, Seward, and Kodiak. We cannot prevent an earthquake or a flood. But, through planning we can work to ensure that Alaskans understand the potential dangers of such events, and that we are prepared when disaster strikes.

The Administration supports CSSB 33. This bill will help ensure Alaskans are prepared for all potential disaster emergencies through a State-Local government partnership. Specifically, the proposed legislation will:

- 1) **Establish a disaster planning program that reflects the particular needs of Alaska communities; strengthen overall**

disaster emergency preparedness; and, foster measures which help reduce risks associated with all potential hazards in the State.

In Alaska, threats from natural events often outweigh those posed by hazardous substances, particularly in the state's many small, isolated communities. In contrast, more than two thirds of the state's population live within urban areas where hazardous substances pose a relatively larger threat.

Broadening the SERC's responsibilities to include all natural and technological (man-caused) hazards will improve overall disaster preparedness in all areas of the state, and will make efficient use of state and local planning and response resources.

Risk reduction (prevention) is an important part of the SERC's strategy for addressing threats posed by hazardous substances in Alaska. The all hazards approach will give high priority to identifying ways to reduce risks associated with all types of potential disasters (e.g., recommended building codes for construction on flood plains or areas known to be prone to failure during an earthquake).

- 2) Strengthen the relationship between local governments and LEPCs in order to enhance local emergency preparedness and risk reduction.**

Local governments are necessarily involved in local preparedness and risk reduction efforts for natural hazards and potential oil and hazardous substance releases. CSSB 33 will clarify local governments' responsibility for ensuring emergency preparedness for potential disasters.

CSSB 33 will amend state law to give greater deference to local governments, empowering them to to implement local programs which best fit their communities. We believe this change will foster a healthy partnership between the State, local government and LEPCs.

- 3) Establish and maintain clear roles for DMVA and other state agencies to ensure State government disaster preparedness and providing assistance to local governments and LEPCs.**

The SERC is currently established in and staffed by the DEC. Expanding the scope of the SERC's work to include emergency planning for all hazards will require greater involvement by other agencies and greater inter-agency coordination. Several organizational changes are proposed to facilitate this.

Under the proposed legislation DMVA will assume responsibility for the SERC, SERC Committees and LEPCs. As described in the Department's fiscal note, FY 95 funding appropriated by the Legislature for these purposes would be deleted from our budget and included in DMVA's FY 95 budget. DEC will retain funding

and staff positions necessary to provide technical assistance to the SERC, LEPCs and local governments on oil and hazardous substance release preparedness. DEC and other agencies will continue to provide their expertise as members on the SERC and will also provide technical assistance to LEPCs and local governments.

Mr. Chairman, the Administration is prepared to work in partnership with the Legislature to ensure Alaskans are prepared for all potential disaster emergencies, not only oil and hazardous substance releases.

Thank you for the opportunity to participate in this hearing.

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