

# CITY OF OGDENSBURG

## DISASTER PREPAREDNESS PLAN



**CITY OF OGDENSBURG**  
**DISASTER PREPAREDNESS PLAN**

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## SECTION I

### GENERAL INFORMATION

#### A. Purpose and Objectives of the Plan

This Disaster Preparedness Plan is intended to set forth all of the information required by persons involved in a declared emergency due to the occurrence of a natural or man-made disaster in the City of Ogdensburg. Such information will include: alerting, communicating, and operating procedures; authority structure and organization; human resource and material availability; and comprehension by City officials of remedial actions required for recovery.

The objectives of the plan are to:

1. Prevent or minimize hazards to life, health, and damage to property posed by a disaster.
2. Provide a thorough understanding of the recovery phase in the event of a largescale disaster.

#### B. Definition of Emergency Management

Comprehensive Emergency Management includes three inter-related critical phases.

1. Prevention/Mitigation: Prevention refers to those short- or long-term activities which eliminate or reduce the number of occurrences of disasters. Mitigation refers to all activities which reduce the effects of disasters when they do occur. The latter also includes preparedness measures such as the development of plans and the conduction of training to save lives and minimize disaster damage. Many such measures enhance the quality of response operations.
2. Response: Response activities follow the initial impact of emergency or disaster. Generally, they are designed to minimize casualties and protect property to the extent possible through emergency assistance. They also seek to reduce the probability of secondary damage and speed recovery operations.
3. Recovery: Recovery activities continue until all systems return to previous levels or better. Short-term recovery returns vital life support systems to minimum operating standards. Long-term recovery may continue for many years after a disaster. Recovery activities should include measures to prevent or mitigate a recurrence.

C. Legal Authority

1. Local Chief Executive: The Chief Executive or Administrative Head of a County, City, Village or Town is responsible for natural and man-made disaster operations in his jurisdiction. Under Article 2-B of the Executive Law, State of New York, the Chief Executive may proclaim a local state of emergency within any part or all of the territorial limits of that local government and is authorized and empowered to use any and all facilities, equipment, supplies, personnel and any other resources of his political subdivision to cope with the disaster or any emergency resulting therefrom.
2. Disaster Planning is based on the New York State Defense Emergency Act, Article 2-B of the New York State Executive Law, the regulations and orders of the State Defense Council and the State Civil Defense Commission, and the New York State Disaster Preparedness Plan.

Section 23 of Article 2-B of the New York State Executive Law authorizes the City of Ogdensburg to prepare disaster preparedness plans. Pursuant to Section 23 of Article 2-B the City of Ogdensburg has adopted the following disaster preparedness measures, designed to better enable City officials to more effectively prevent, respond to and recover from the effects of a disaster.

3. The City Manager of the City of Ogdensburg will be responsible for the interpretation of this procedure and for the assurance that the information set forth is current. Names, addresses and access numbers will be updated annually.

## SECTION II

### PREVENTION & MITIGATION

#### A. Purpose

Prevention and mitigation policies are established to develop and implement projects which can prevent disasters from occurring, or will lessen or limit the effects and impact of a disaster on people, property, and vital services when an emergency does occur. Prevention and mitigation programs are generally undertaken in the preparedness phase of the emergency management process so that systems and structures can be set in place prior to a disaster and are usually targeted to address vulnerable areas and deficiencies identified by a hazard analysis or critique of past events.

#### B. Activities

1. Compliance/Enforcement Programs: Disasters can be prevented or mitigated by regulatory actions. For example: the regulation of transportation prevents and reduces accidents; the inspection of food prevents distribution and consumption of unwholesome goods; the inspection of buildings, bridges and dams prevents their collapse or at least provides warning.
2. Public Awareness: Information can be provided to the public which will allow them to take action to reduce the effects of disasters. A well-informed public will be more self-sufficient and better prepared to act on official instructions.
3. Resource Allocation: Identification, acquisition, and priority placement of equipment and supplies used to respond to disasters is a prevention and mitigation activity. Radio systems, generators, monitoring equipment, and vehicles are examples.
4. Zoning and Land Use Control: Management of land use and development can prevent construction or other growth in areas prone to disasters and it can impose development standards designed to withstand disaster impact, essentially preventing incompatible development in areas of known or potential hazards. Programs controlling development in flood plains or those preventing a mix of residential and hazardous industrial applications are examples.

5. Hazard Analysis: Identify vulnerable locations, facilities, and services which could be affected by disasters and also anticipate situations or potential problems that can develop during emergencies. Evaluation and planning systems can be established to implement changes and improvements prior to disasters while reporting and assessment policies are instituted during emergencies to analyze threats, impacts, and protective measures.
6. Plans: Emergency plans are developed and implemented to establish policies, identify roles and responsibilities, institute management and organization structures, and to incorporate standard procedures and guidelines. The emergency plan and its provisions are designed to increase the effectiveness and efficiency of disaster preparedness response, and recovery activities, while it also acts as a training outline and policy guide for those involved in emergency management.
7. Training: Training of personnel and other key participants involved in disaster preparedness response and recovery activities is an essential component of an effective emergency program. Application of the skills and experience routinely used by personnel and agencies in their regular duties is always critical to emergency management. However, the specific skills, organizational requirements and information needs demanded during disasters require specialized emphasis and focus.
8. Protective Systems: Structures or systems can be put in place to prevent or reduce the impact of some disasters. They can be temporary or permanent and might include retainers, ditches, emission control devices, or specialized road and building construction.

C. Assignments

Responsibilities for prevention and mitigation activities related to potential disaster and emergency events are outlined in Table 3. The department or agency identified has responsibilities for participation or coordination in the development and implementation of prevention and mitigation programs.

**TABLE 3  
PREVENTION AND  
MITIGATION ASSIGNMENTS**

	<b>EMERGENCY MANAGE- MENT</b>	<b>POLICE</b>	<b>FIRE</b>	<b>PUBLIC WORKS</b>	<b>HEALTH</b>	<b>PLANNING</b>	<b>ATTORNEY</b>	<b>UTILITIES</b>	<b>COAST GUARD</b>	<b>RESCUE SQUAD</b>
<b>CONTAMINATION (Air and Water)</b>		3			1,2,3,5 6,7,8					
<b>CIVIL DISTURBANCE</b>		1,2,3,5 6,7,8					1			
<b>EARTHQUAKE</b>	2,3,5 6,7	3		3,5,6,8		4,5	1,4	5,6,8		3
<b>ENERGY EMERGENCY</b>	2,3,5 6,7	3		3,5				5,8		
<b>EPIDEMIC</b>					1,2,3,5 6,7,8					3
<b>EXPLOSION</b>	3,5,6	2,3,5 6,7	1,2,3,5 6,7				1	3,5,6, 8		
<b>FIRE</b>		3	1,2,3,5 6,7				1			3
<b>FLOOD/HIGH WATER/ DAMS</b>	2,3,5 6,7	3		3,5,6,8		4,5	1,4	3,5,6, 8		3
<b>HAZARDOUS MATERIALS</b>	2,3,5 6,7	1,3,6,7	1,2,3,5 6,7		1,2,3,5 6,7	4,5	1,4			
<b>ICE JAMS</b>	2,3,5 6,7		3	3,5,6,8			1,4	2,3,5 6,8		
<b>OIL SPILL</b>	3,5,6	1,3,6,7		3,5,6,8	1,2,3,5 6,8		1,4		1,2,3,5 6,7	
<b>RADIOLOGICAL EMERGENCIES</b>	2,3,5 6,7	1,2,3,5 6,7	3,5,6,7		1,2,3,5 6,7					
<b>SNOWSTORM/BLIZZARD/ICE STORM</b>	2,3,5 6,7	1,2,3,5 6,7	3	3,5,6,8				2,3,5 6,8		3
<b>TRANSPORTATION EMERGENCIES</b>	2,3,5 6,7	1,2,3,5 6,7	3,6,7	3,5,8		4,5	1,4			3,6,7
<b>WINDSTORM/HURRICANE/TORNADO</b>	2,3,5 6,7	2,3,5		3,5,8				2,3,5 6,8		3
<b>SHIPPING ACCIDENTS (SEAWAY)</b>	2,3,5 6,7	3							1,2,3,5 6,7	

1. Compliance and Enforcement  
5. Hazard Analysis

2. Public Awareness  
6. Plans

3. Resource Allocation  
7. Training

4. Zoning and Land Use  
8. Protective Systems

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## SECTION III

### THE CITY EMERGENCY OPERATING CENTER (EOC)

#### A. Statement

The City Emergency Operating Center (EOC) is the KEY INSTALLATION from which coordination of responses to and the recovery from the disaster condition emanates

#### B. Understandings

It should be understood that the City EOC is the emergency operational headquarters during disaster mitigation. The flow of information both into and out of the EOC during emergency operations is critical to the coordination of the total response effort. The Chief Executive Officer (CEO) is the responsible coordinating agent. The department heads command and control field operations.

The City EOC shall be located at the Police Department in an area protected from the potentials of flooding, high winds, etc. The EOC is to be equipped with emergency power and life support facilities. Telephone and radio communications equipment are an integral part of the EOC capability. The EOC may well serve as a multi-purpose, dual-use facility for local government. The space might be used on a daily basis as office space for clerical workers or staff meetings.

Administratively, the EOC will house key emergency documents, including City maps, charts, resources, files, department SOP's and copies of the City Disaster Preparedness Plan.

The EOC is also the KEY COMMUNICATIONS CENTER in the City. Telephone and radio base station units are to be maintained and operational for Police, Fire and Public Works communications. It will be necessary for the EOC to maintain radio contact with local emergency service units at work in the field.

#### C. Alerting

When the time arises for the EOC to be activated, the on-scene incident commander shall instruct the Police dispatcher to notify the City Manager who in turn will activate the EOC.

#### D. Mobilization

Mobilization of the EOC staff will immediately follow notification of a disaster strike.

E. EOC Staff

The EOC will be staffed by representatives of the following departments and agencies (Service Chiefs), as available, and unless relieved of such responsibility by the City Manager.

1. City Manager
2. Mayor
3. Police Dept.
4. Fire Dept.
5. Public Works Dept.
6. Office of Planning & Development
7. Ogdensburg Rescue Squad
8. Public Health Officer
9. Red Cross
10. City Clerk
11. Public Information Officer
12. St. Law. Co. Office of Emergency Services

EOC operational readiness has been reached when:

1. The EOC is activated and operational.
2. The Chief Executive Officer and the Service Chiefs are mobilized.
3. Reference materials (maps, SOP's, files) are being reviewed.

EOC operational response is in effect when:

1. Reconnaissance by Police and Fire units has been initiated.
2. Emergency services teams and equipment are at the scene.
3. Disaster missions have been assigned to all Service Chiefs.

F. EOC Operations

1. The Chief Executive Officer is the responsible head of local government.
2. The Emergency Manager assists the CEO in managing response and recovery missions.

3. The Service Chiefs are responsible for the command and control of emergency teams (and/or support units) in the field.
4. The Service Chiefs in the EOC must receive a continuous flow of information from the disaster scene in order to make valid judgements and decisions.
5. Major problems incoming from the disaster scene will be visually posted in the EOC for all Service Chiefs to view.
6. Decisions made by Service Chiefs in the EOC will need to be transmitted to operational units at the disaster scene.
7. Decisions made in the EOC will need to be logged down for action or reference.
8. All personnel (both management and workers in the field) will, under pressure of an emergency, need to be relieved by competent replacements on a regular basis, ideally after no more than 12 hours of duty. The Service Chiefs shall be responsible for devising relief schedules for their personnel.
9. A Declaration of a State of Emergency may need to be proclaimed once the emergency condition is known to affect most (or all) of the community.

## SECTION IV

### EMERGENCY RESPONSES

#### A. EOC

1. Mission(s):

Primary: Public Warning and disaster coordination  
Secondary: Disaster mitigation and recovery

2. Leadership: City Manager

3. Disaster  
Manager: Police Chief

4. Clerk: City Clerk

5. Alerting & Mobilization:

Alerting: Emergency Vehicles, Police Dispatcher,  
public address 315-393-1551, who  
radio, T.V. alerts leadership  
signal (means)

Mobilization: City Hall 330 Ford Street 315-393-6100

6. Emergency Response:

Task #1. Warn the public  
Task #2. Mobilize EOC staff  
Task #3. Insure operational readiness of EOC  
Task #4. Dispatch Police & Fire reconnaissance units  
Task #5. Initiate City Disaster Plan  
Task #6. Locate perimeters of disaster scene  
Task #7. Identify routes of ingress and egress  
Task #8. Coordinate emergency services activities at scene  
Task #9. Establish key emergency installation, as required  
Task #10. Insure effective disaster scene management by EOC staff  
Task #11. Insure full use of community resources  
Task #12. Inform the public regarding disaster operations  
Task #13. Announce a "Declaration of State of Emergency", if required  
Task #14. Prepare, with EOC staff, recovery plans

#### B. Emergency Services

1. Statement: The City Emergency Services include: Police Department, Fire Department, Rescue Squad, Department of Public Works.

2. Understandings: It should be understood that the Emergency Services will automatically respond to the disaster scene immediately upon notification that an emergency condition exists in the community.

The Chiefs of the Emergency Service Units are key staff officers on the Chief Executive Officer's Emergency Operating Center Staff. The Chief or his Deputy is responsible for coordination of disaster operations with other service chiefs in the EOC during emergency conditions.

The call-up of Mutual Aid by the Chief of an Emergency Service Unit will be made with the clear knowledge and understanding by the City's Chief Executive Officer. Mutual Aid teams, equipment and manpower will be directed to the disaster staging area and will be assigned to disaster duty upon orders by the CEO and a Service Chief.

Finally, the Service Chiefs will have full responsibility for commitment, command and control of Service teams and equipment at work at the disaster scene, including personnel, rest periods, feeding and replacement workers in order to insure maximum, effective response to the emergency problems.

3. Functions:

- a) **POLICE DEPARTMENT**

- 1) Mission(s):

Primary: Reconnaissance and Traffic/Crowd Control,  
Ensuring Public Safety, Protection of Property  
Secondary: Security of Key Installations

- 2) Leadership:

Police Chief  
Patrol Lieutenant  
Investigative Lieutenant

- 3) Emergency Response:

Task #1. Reconnaissance of disaster scene  
Task #2. Locate disaster scene perimeters  
Task #3. Contact back to local EOC  
Task #4. Identify blocked roadways, bridges, etc.  
Task #5. Initiate crowd control activity  
Task #6. Contact Sheriff's Department and State Police;  
request mutual aid  
Task #7. Assist in evacuation operations  
Task #8. Provide security at key installations

b) **FIRE DEPARTMENT**

1) Mission:

Fire and Hazardous Materials Containment and Rescue

2) Leadership:

Fire Chief  
1st Ass't Fire Chief

3) Emergency Response:

Task #1. Reconnaissance of disaster scene  
Task #2. Fire containment  
Task #3. Contact back to local E.O.C.  
Task #4. Request Mutual Aid  
Task #5. Assist in evacuation operation

c) **RESCUE SQUAD**

1) Mission:

Para-medical aid and transport of injured

2) Leadership:

President  
Director

3) Emergency Response:

Task #1. Rescue  
Task #2. Provide para-medical aid  
Task #3. Transport of injured

d) **DEPARTMENT OF PUBLIC WORKS**

1) Mission(s):

Primary: Debris clearance and restoration of roadways and bridges  
Secondary: Emergency vehicular rescue and drinking water procurement

2) Leadership:

Public Works Director  
DPW Supervisor  
Facilities Manager

3) Emergency Response:

- Task #1. Reconnaissance of disaster scene
- Task #2. Locate blocked roadways, damaged bridges, etc.
- Task #3. Open roadways for emergency service units
- Task #4. Remove debris; demolish buildings hazardous to public safety
- Task #5. Rescue disabled emergency service vehicles
- Task #6. Maintain a liaison with area construction agencies
- Task #7. Provide community with portable drinking water, if required.
- Task #8. Maintain a directory of equipment that will be needed at the time of a disaster, such as heavy equipment, etc.

C. Emergency Support Services

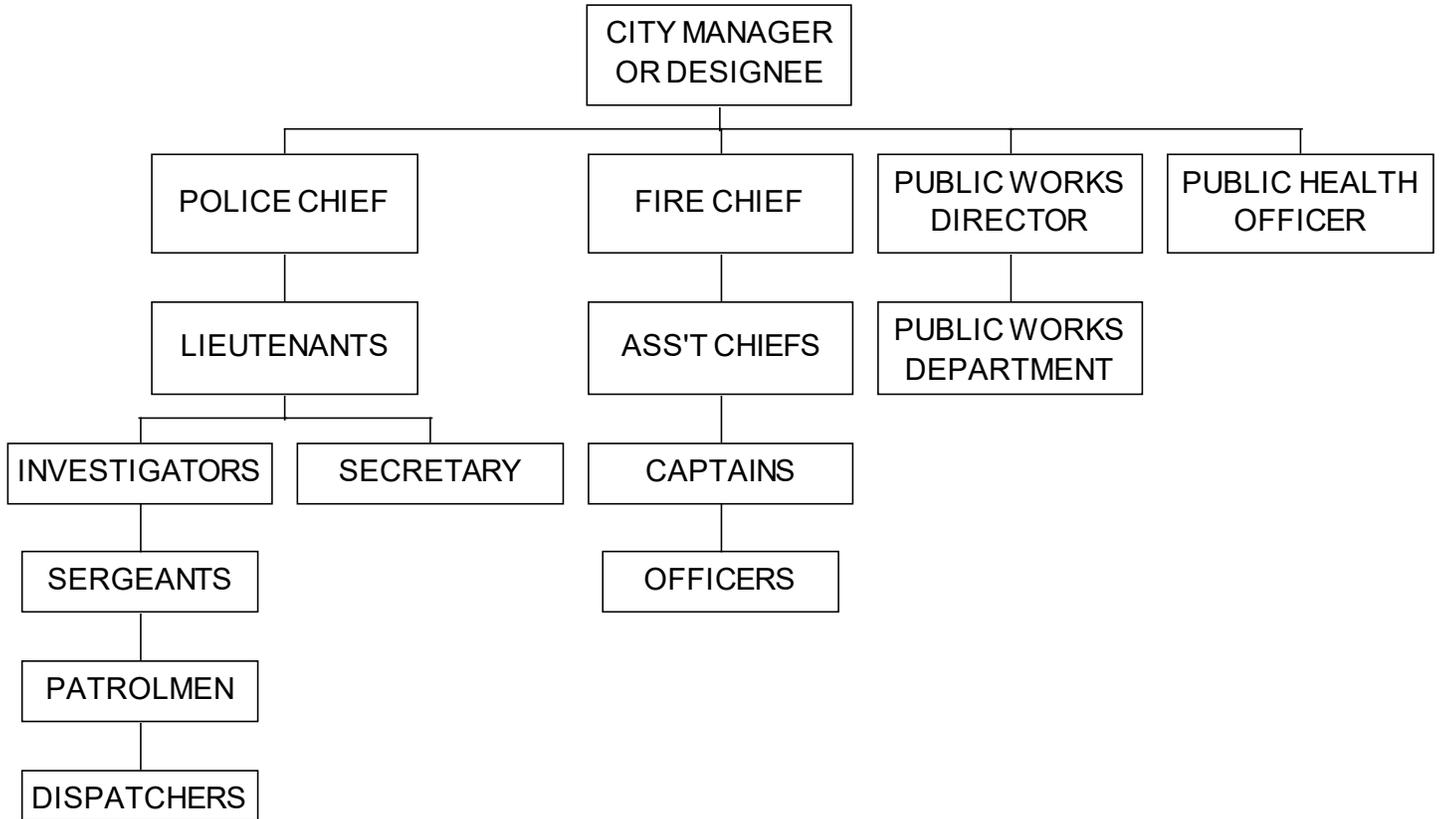
	<u>Agency</u>	<u>Phone Number</u>
1.	St. Lawrence County Sheriff.....	315-379-2222 or 315-379-9435
2.	New York State Police.....	315-393-0531 or 315-379-0012
3.	U.S. Border Patrol.....	315-393-1150 or 315-393-0770
4.	National Grid .....	1-800-867-5222
5.	Verizon .....	315-890-7711
6.	Red Cross .....	315-268-0102
7.	Enbridge St. Lawrence Gas.....	1-800-673-3301
8.	Claxton-Hepburn Hospital.....	315-393-3600 (ER) 315-393-3887
9.	U.S. Coast Guard.....	315-482-2574 or 1-800-418-7314
10.	N.Y. National Guard .....	315-393-0750
11.	N.Y. State Dept. of Transportation.....	315-393-4420
12.	Salvation Army .....	315-393-3351
13.	SLC Office of Emergency Services.....	315-379-2240 fax: 315-379-0681
14.	Dept. of Environmental Conservation .....	1-800-457-7362
15.	U.S. Environmental Protection Agency..... (Toxic Chemicals & Oil Spills)	1-800-424-8802
16.	CANUTEC .....	1-613-996-6666
	Information .....	1-613-992-4624
17.	Op-Tech Environmental Services, Inc.....	315-764-1917 or 1-800-225-6750
18.	INVISTA – Maitland Facility.....	613-532-3624

**SECTION V**

**ORGANIZATIONAL CHARTS**

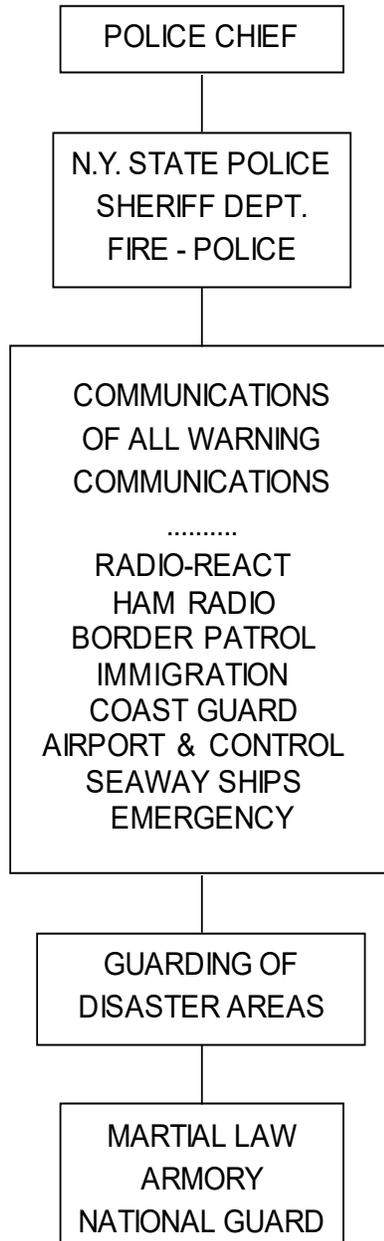
# DISASTER PREPAREDNESS PLAN

## ORGANIZATIONAL CHART



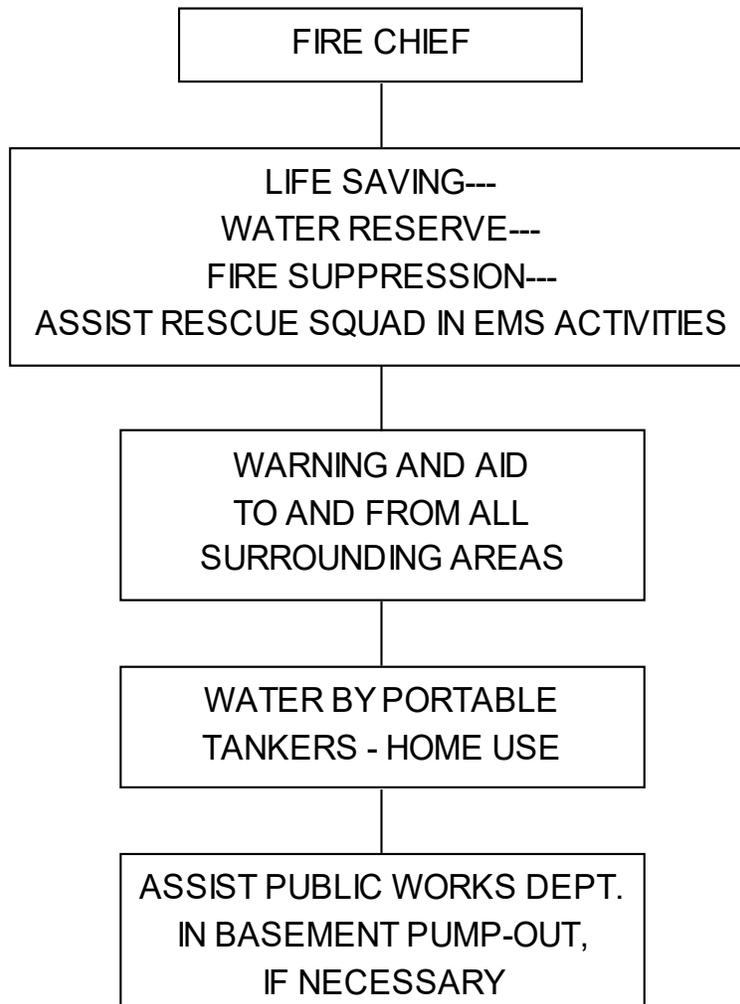
# ORGANIZATIONAL CHART

## POLICE DEPARTMENT



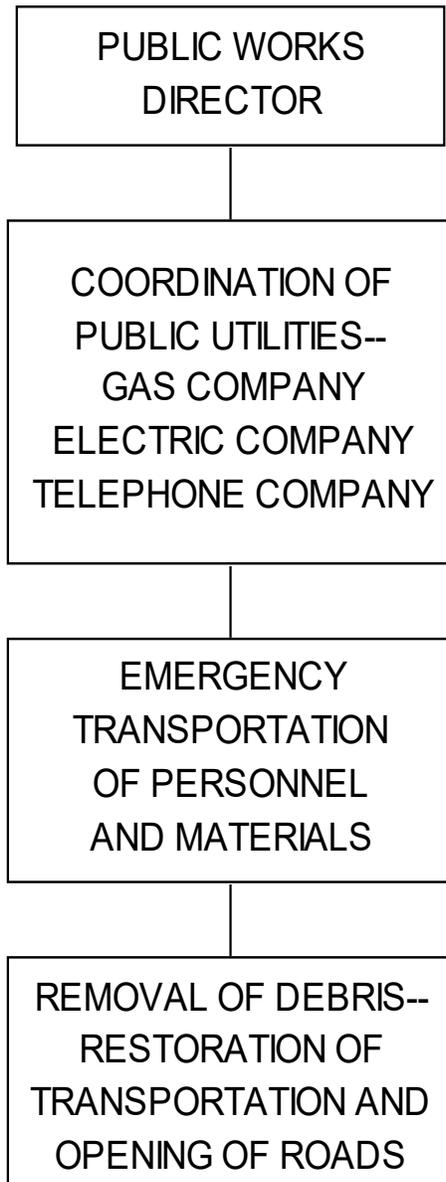
# ORGANIZATIONAL CHART

## FIRE DEPARTMENT



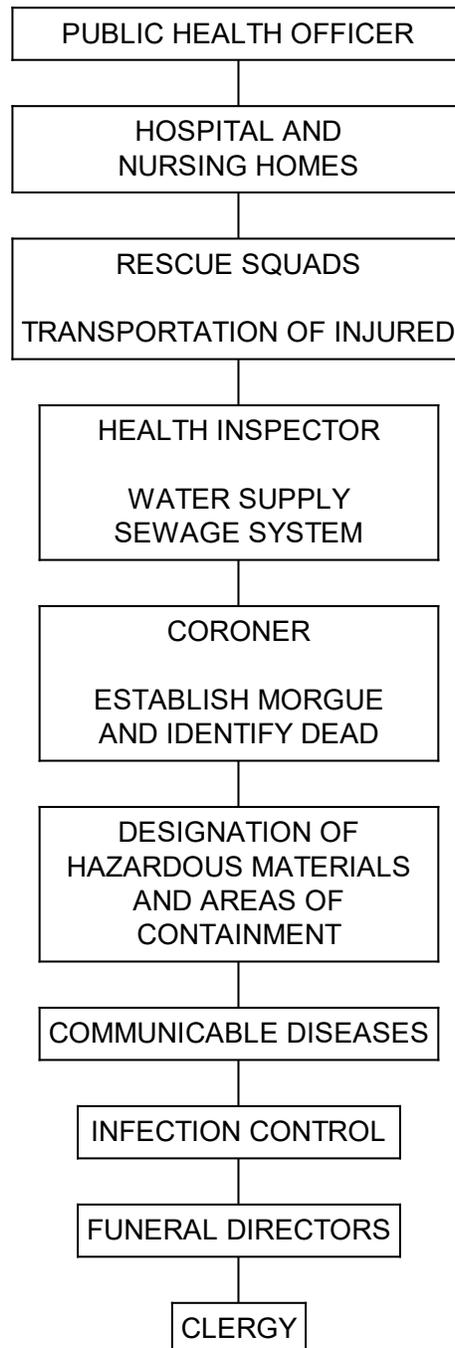
# ORGANIZATIONAL CHART

## PUBLIC WORKS DEPARTMENT



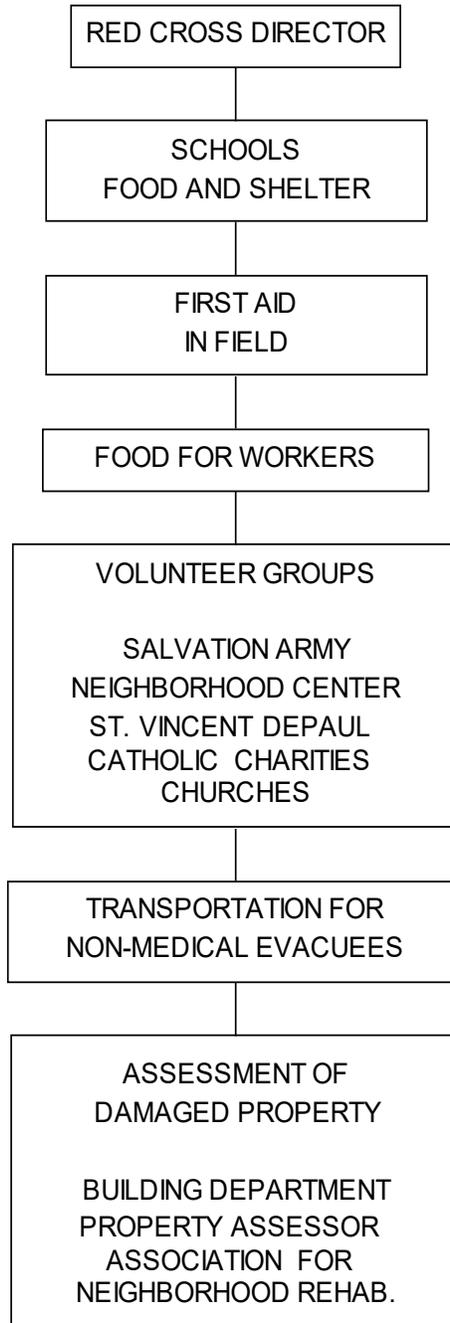
# ORGANIZATIONAL CHART

## PUBLIC HEALTH



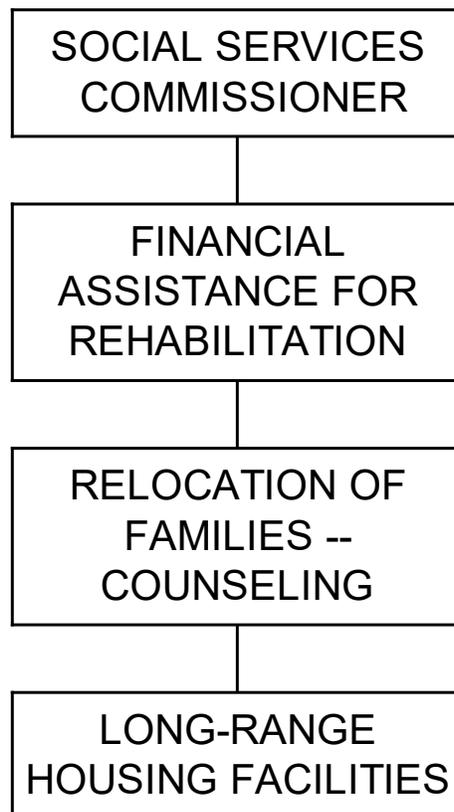
# ORGANIZATIONAL CHART

## RED CROSS



# ORGANIZATIONAL CHART

## SOCIAL SERVICES



## SECTION VI

### ESTABLISHMENT OF EMERGENCY SCENE COMMAND POST

A primary responsibility of the initially arriving Police Supervisor or Fire Supervisor will be the designation of an area to be used as a local command post. In the first instance the command post may be a police vehicle, together with a fire vehicle. These two vehicles will provide radio capabilities with joint police and fire communications.

The local command post shall be the on-scene control center for the entire operation. The commanding officers (police and fire) will conduct liaison with the EOC, requesting and advising the EOC of what materials, equipment, and personnel are needed to contain and eliminate the situation.

The highest ranking police officer shall take immediate charge of police activities at the scene. The highest ranking fire officer at the scene will be responsible for the assignment of fire duties. He will coordinate with police all fire activities at this local command post.

#### A. Command Post Records

A police representative, designated by the command post supervisor, will be responsible for keeping records as follows:

1. The local command post blotter used at the scene of the emergency shall be maintained in the same manner as the official station blotter. Entries shall be made in chronological order in the hand writing of the blotter recorder assigned thereto.
2. The following shall be entered in the command post blotter:
  - a) The first entry concerning the emergency shall include the badge number of the member assigned to maintain the blotter and a concise, but complete, description of the occurrence.
  - b) Record of notification made to the other departments and/or agencies.
  - c) Requests for additional personnel and equipment.
  - d) Assignment of personnel and changes thereof.
  - e) Identity of officials of police, city, county, state or federal agencies represented at the scene.

- f) Record of all messages transmitted and received (including time, authority and identity of persons receiving and/or transmitting messages).
  - g) Orders given, actions taken, procedures adopted and other developments of importance at the scene.
  - h) Visits of officials of any of the departments involved in the operations.
3. When the local command post is secured, the date, time and authority for the termination of operations shall be entered in the blotter. The police officer in charge shall close out the local command post blotter.

In addition to the blotter, the following records may also be kept:

- 1. If required, the command post shall prepare lists of injured, dead and evacuees. In forwarding the lists, instructions should be included stating that victims whose identities have not been verified be considered as unidentified.

The individual in charge of the rescue squad responsible for transportation of the injured in that area must keep records of:

- 1. All aided persons and, if transported to hospitals, which hospital they were taken to and by what ambulance or other conveyance.
- 2. In using the Triage Tag system it will also be his/her responsibility to monitor the use of tags.

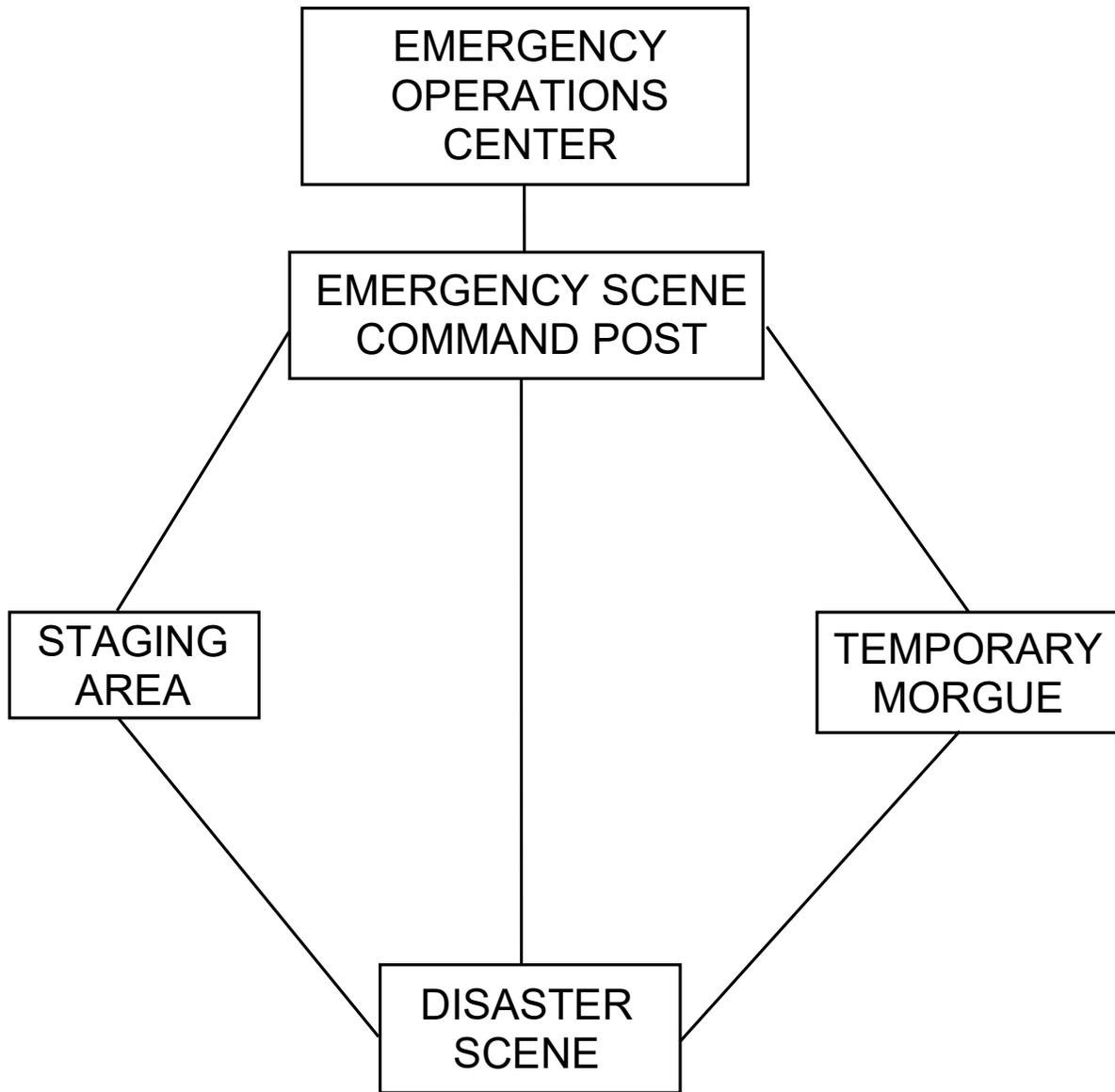
#### B. Command Post Authority

The initially arriving Police or Fire Supervisor at the scene will be the most knowledgeable as to what action has been taken to handle the situation. He will remain as advisory officer to the officer who assumes command.

The highest ranking police or fire officer will be responsible for maintaining a current flow of information to the EOC, who will advise all necessary higher authorities of the status of the situation.

Immediately upon establishment of the command post the following support groups will be designated and police and fire supervisors shall be assigned as commander for each of the groups, as follows:

1. Traffic control & perimeter support group (Police)
2. Ambulance staging support group (Police & Fire)
3. Medical aid and evacuations support group (Police & Fire)
4. Rescue operations support group (Fire Supervisor)
5. Fire suppression support group (Fire Supervisor)
6. Fire equipment staging area (Fire Supervisor)
7. Parking of non-essential vehicles (Police Supervisor)



## SECTION VII

### DISASTER ASSISTANCE AND RECOVERY PROCESS

#### A. Local Responsibility

A disaster may occur locally at the village, town, city, or county level, or it might be regional in scope. Each level of government has the first line of responsibility to address such an emergency, as well as an obligation to utilize all available resources to protect their citizens. Should an emergency require resources beyond the capability of a local government, assistance and support can be requested from other levels of government.

The County Emergency Management Office should be notified of any emergency situation so that:

1. the potential need for assistance can be monitored and identified;
2. potential sources of assistance can be notified and prepare for activities;
3. limited sources of immediate assistance can be summoned; and
4. the State Emergency Management Office can be notified.

#### B. Requested Assistance

If the emergency is of such an impact where it requires other than ordinary response, or if it is beyond the capability of local resources, the Chief Executive Officer of a political subdivision may request assistance from other levels of government. Article 2-B of New York State Executive Law enables the County Executive to coordinate requests for assistance within the county. In St. Lawrence County requests for assistance shall be coordinated by the County Executive through the County's Emergency Management Office.

Article 2-B of New York State Executive Law enables a subdivision to request disaster assistance from any other political subdivision. The terms and conditions of such assistance are mutually agreed to by the chief executives of the requesting and assisting subdivisions. A subdivision offering assistance may provide services, equipment, facilities, supplies, personnel, or other resources of the subdivision on terms and conditions mutually agreed to by the chief executive of the participating jurisdictions.

#### C. Assessment and Documentation

##### 1. Categories of Disaster Assessment and Documentation:

- a) That needed to determine the extent and impact of the disaster and the

accompanying demands and priorities for local resources.

- b) Information required to justify and request assistance from other levels of government.
- c) Estimates and documentation required for participation in financial assistance programs, if applicable.

2. Priorities for Disaster Assessment and Documentation:

Detailed assessment and documentation of disaster effects, impact and damage should begin early in the emergency response and recovery stages in order to:

- a) evaluate the degree and extent of disaster effects on people, property, and the ability to provide essential services;
- b) determine potential effects of the disaster on people, property, and the ability to provide essential services;
- c) identify the types and priorities of resources required to address the emergency response and recovery effort, including their specific area of application and duration of use;
- d) assure complete and efficient application of resources and services to areas and groups of critical need;
- e) identify the extent and use of local resources committed to the response and recovery effort;
- f) determine the need for assistance from other levels of government or the private sector, including the specific type of aid and the duration for which it is required; and
- g) support and justify requests for assistance from other levels of government.

3. Responsibilities for Disaster Assessment and Documentation:

Coordination of assessment and documentation efforts is the responsibility of the Emergency Management Office. Support for disaster assessment and documentation efforts will be provided by the following departments on an "as needed" basis at the direction of the County Executive:

- Public Works
- Health
- Social Services
- Economic Planning & Development

All departments and agencies identified in this plan should be prepared to

assess and document their losses, costs, or damages related to the disaster and its effect on their personnel, equipment, resources, and budgets. This includes descriptions of costs and damages resulting from the direct effects of the disaster, as well as the resources used and costs incurred in providing services and assistance during the emergency response and recovery periods.

4. Assessment and Documentation Procedures:

As part of the assessment and documentation process, departments and agencies may be called upon to:

- a) provide written or verbal summaries and briefings;
- b) complete, submit, and maintain disaster assessment forms and reports;
- c) perform field surveys or conduct detailed inspections and analysis of disaster effect and impact;
- d) provide independent evaluation or participate as members of disaster assessment teams; and
- e) assist State and Federal agencies in local disaster assessment, analysis, and documentation.

D. Recovery:

Recovery activities continue until all systems return to previous levels or better. The beginning of the major recovery activities is the Disaster Assistance assessment and documentation process.

Short-term recovery is intended to bring the infrastructure and life support systems to the operational status so the community can continue to function.

Long-term recovery will continue for years following a major disaster in order to bring about a community that will function as well as or better than it did prior to the disaster.

Section 28-a of Executive Law - 2B calls for the preparation of a recovery and redevelopment plan following a State disaster declaration. This adopted plan for recovery will be the official policy of the community as set forth in Section 28-a-6. The recovery plan developed at that time will relate to the specific disaster and its effects on the community.

# REQUESTS FOR DISASTER ASSISTANCE FLOW OF CONTACTS AND INFORMATION

FLOW	STEP	ACTIONS
<pre> graph TD     A[CITY] --- B[ST. LAWRENCE COUNTY]     C[TOWN] --- B     D[VILLAGE] --- B     B --- E[DISTRICT OFFICE NEW YORK STATE EMERGENCY MANAGEMENT OFFICE]     E --- F[GOVERNOR]             </pre>	1.	<p>Notify County of existing/ potential emergencies. Utilize all local resources. Declare local emergency. Evaluate disaster effects, impact and need of assistance.</p>
	2.	<p>Notify State Emergency Management Office. Coordinate and support local response and resource allocation. Coordinate evaluation of disaster effects, impact and need for assistance. Receive local request for disaster assistance and forward to other agencies. Declare County emergency. Utilize all County resources.</p>
	3.	<p>Coordinate requests for State and other assistance from counties. Collect disaster assessment and evaluation reports from counties. Coordinate use of State and multi-county resources. Forward reports, requests and advisories for State and Federal action. Recommend State action or involvement.</p>
	4.	<p>Receives reports and advisories from State agencies and commissions regarding State involvement. Issues State Declarations. Authorizes use of State resources and assistance. Requests Federal Assistance.</p>

## SECTION VIII

### SEQUENCE OF EVENTS

#### A. Disaster Threat

1. A disaster threat may initiate at the village, town, city, or county level. Each level of government has the first line of responsibility to address such an emergency, as well as the obligation to utilize all available resources to protect its citizens. Should the emergency escalate beyond the capability of the government involved, the next level of government will be apprised of the need for support.
2. The County Office of Emergency Services should be notified of any emergency situation. This office will keep the State District Office of Disaster Preparedness apprised of the situation.
3. If conditions continue to expand to where the County is required to take other than ordinary emergency response actions, the County Executive may consider a declaration of a "Local State of Emergency" and/or a request for assistance from the State. Through either consideration the State will be alerted to the potential need of direct aid from the State.
4. **Figure A** indicates "Informational Contact and the Centralized Direction of Requests for Assistance".
5. The following charts present the State's coordination of effort during disaster emergency situations. Each chart reflects the manner in which existing resources and State agencies will be used.

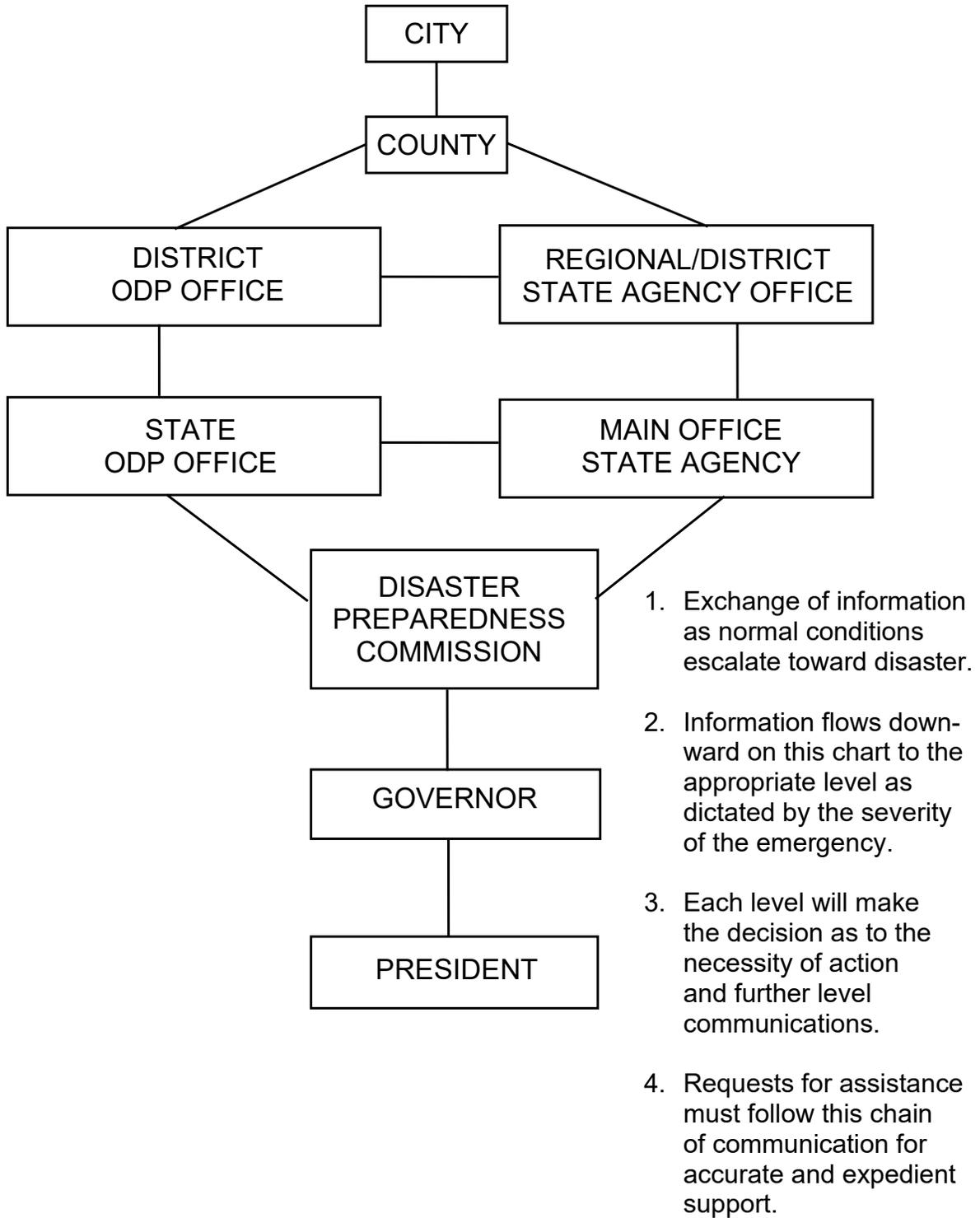
**Figure B:** Prior to Gubernatorial Declaration of a "State Disaster Emergency".

**Figure C:** After a Gubernatorial Declaration of a "State Disaster Emergency".

**Figure D:** After Governor declares a "State Disaster Emergency" and after the Presidential Declaration.

**FIGURE A**

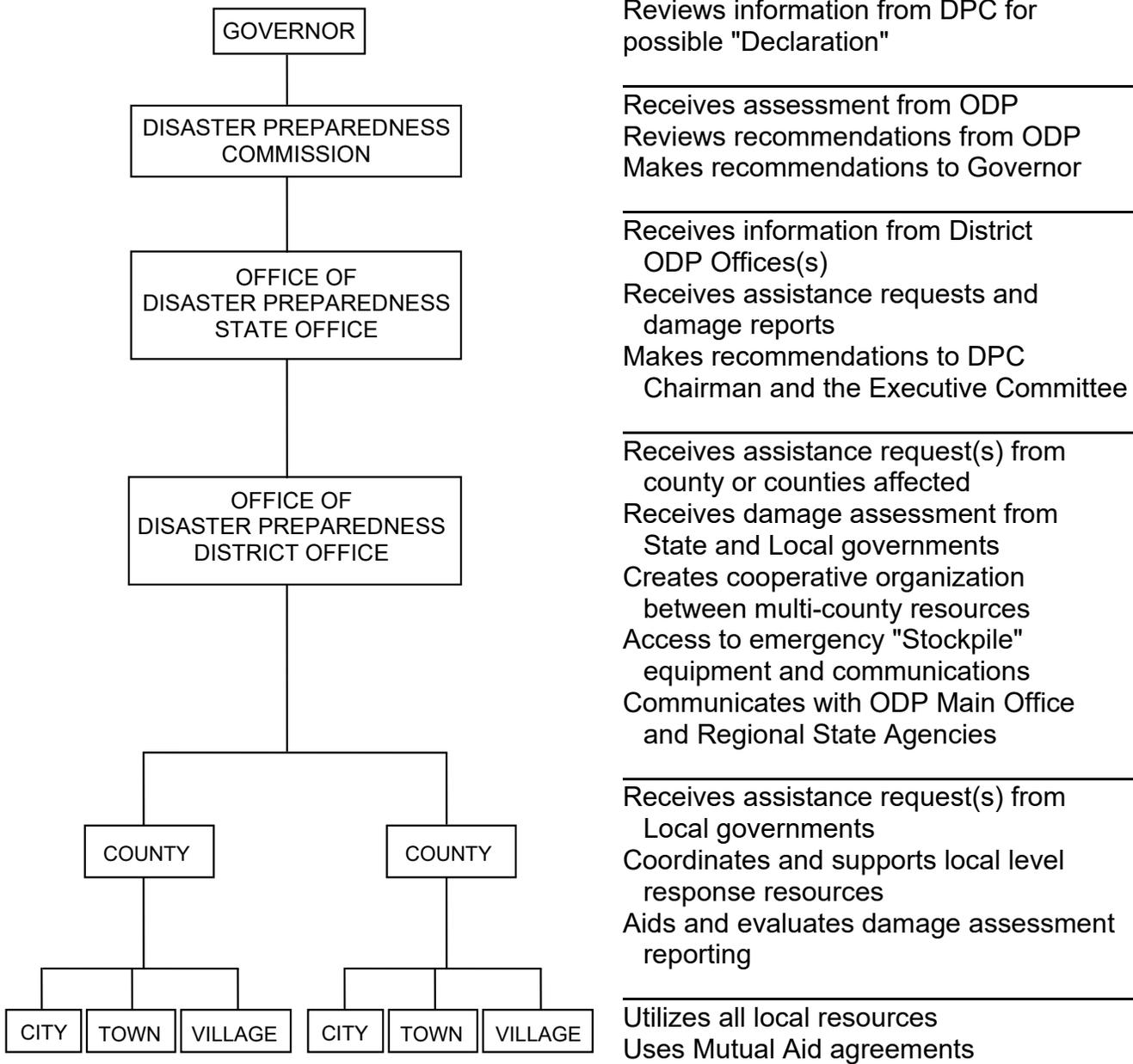
**INFORMATIONAL CONTACT AND THE CENTRALIZED  
DIRECTION OF REQUESTS FOR ASSISTANCE**



**FIGURE B**

**PRIOR TO GUBERNATORIAL DECLARATION OF  
"STATE DISASTER EMERGENCY"**

**RESPONSE ORGANIZATIONAL STRUCTURE**

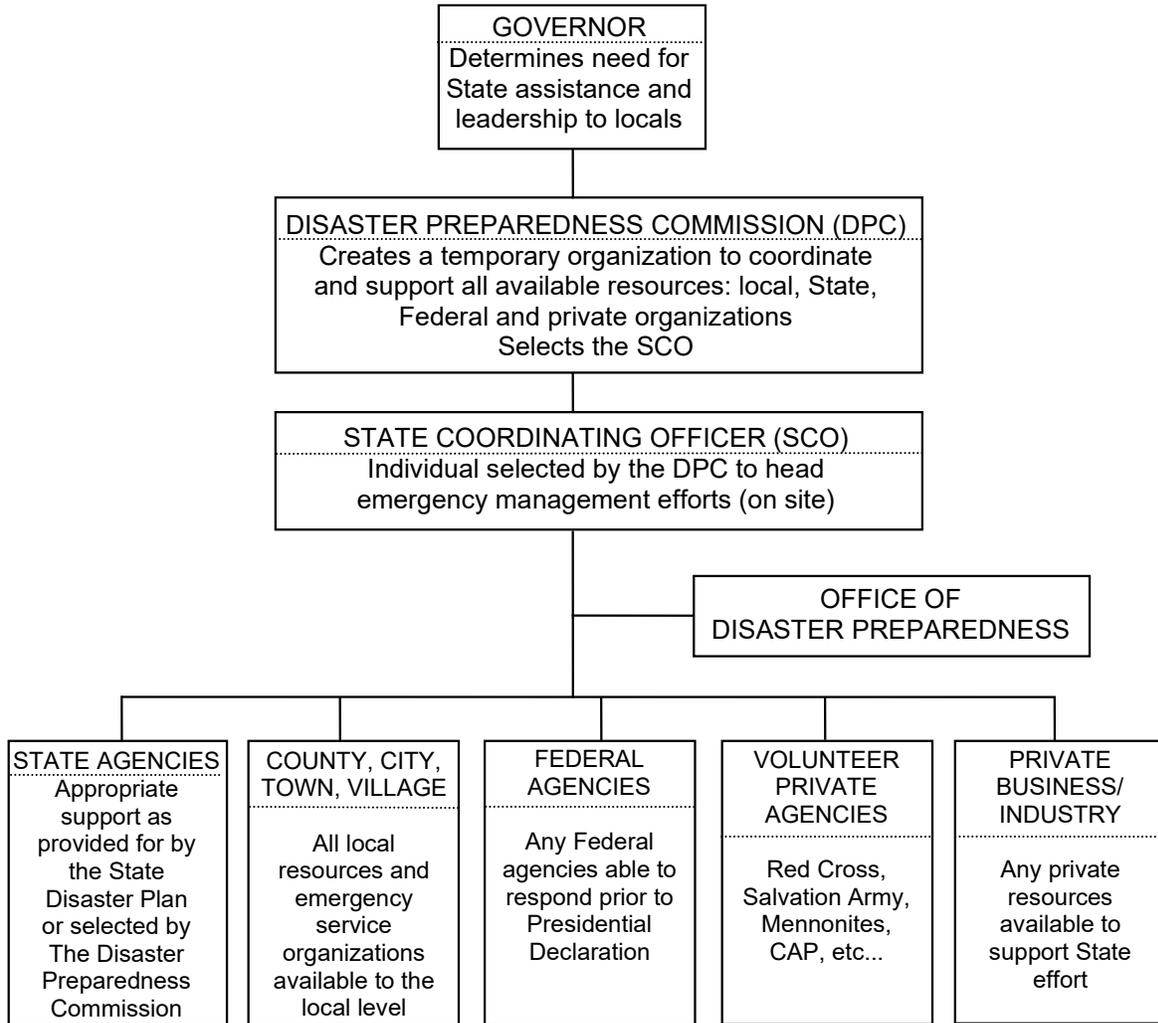


The State responds to an emergency situation of localized scope with no special organizational change. The existing State Agencies working primarily through the Office of Disaster Preparedness on a routine basis will continue to do so and to provide initial emergency assistance to one or more affected counties.

**FIGURE C**

**AFTER GUBERNATORIAL DECLARATION OF  
"STATE DISASTER EMERGENCY" \***

**RESPONSE ORGANIZATIONAL STRUCTURE**



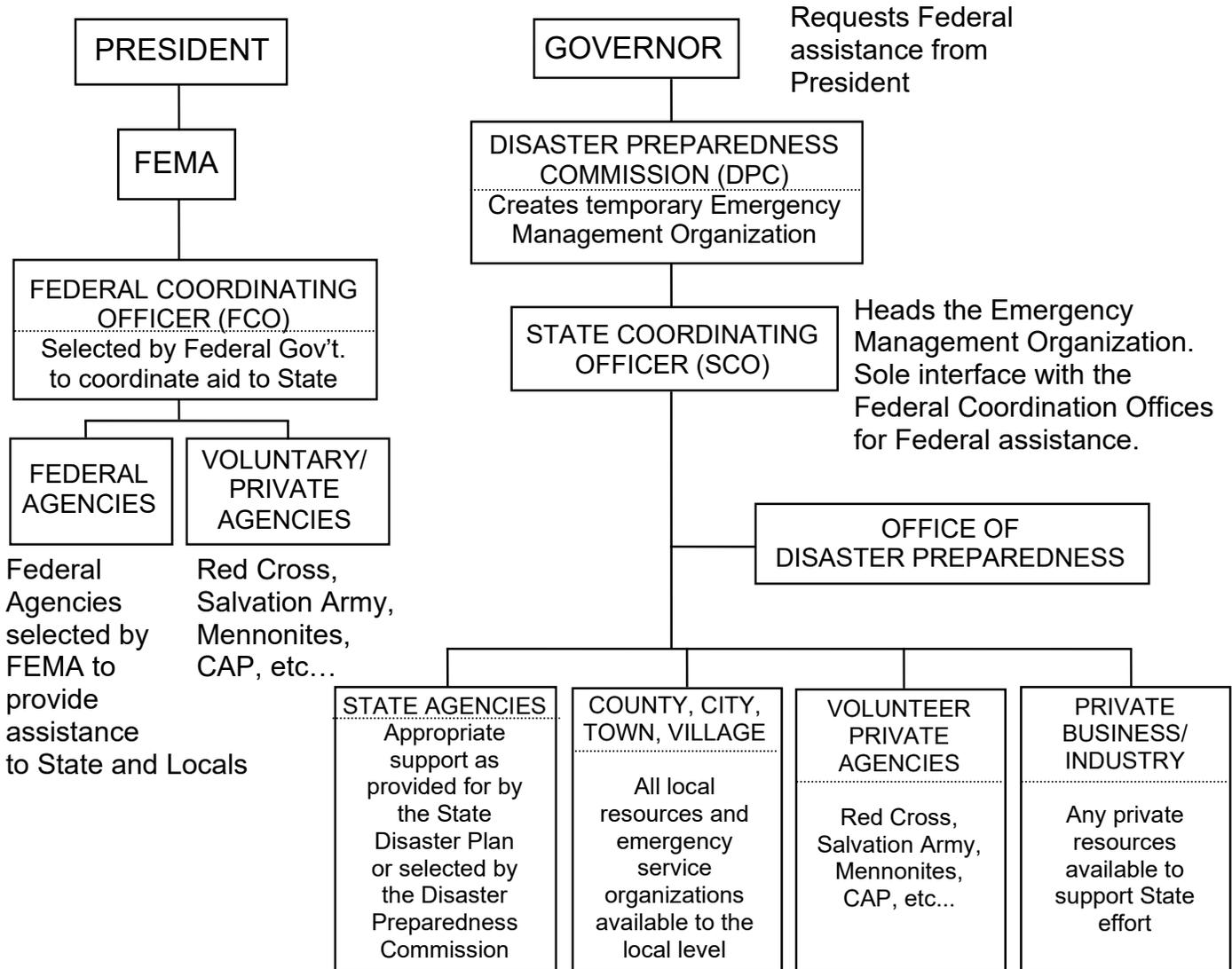
When conditions become serious enough to require the Governor to declare a "State Disaster Emergency" the Executive Law provides, under Section 21, that the Disaster Preparedness Commission consider creating an organization to manage the necessary response efforts. The Commission will assign functions and activities to this organization by selecting appropriate State Agencies to cooperate in the provision of the resources necessary to the make up of the organization. The integration and coordination of the organization's responsibilities will function under the leadership of the individual, selected by the Commission, referred to in text as the State Coordinating Officer (SCO).

\*Subject to Section 21.3(f), Article 2B, Executive Law

**FIGURE D**

**AFTER GOVERNOR DECLARES A  
"STATE DISASTER EMERGENCY"  
AND AFTER THE PRESIDENTIAL DECLARATION**

**RESPONSE ORGANIZATIONAL STRUCTURE**



Further escalation, requiring the Governor to request Federal assistance, necessitates an organizational adjustment to integrate the State and Federal efforts. The State Coordinating Officer will function not only as the manager of the State coordination, but will also be the interface with the Federal government through the Federal Coordination Officer (FCO).

## SECTION IX

### SECURITY AT THE SCENE OF A DISASTER

A restricted area will be established at the scene of the emergency. **UNDER NO CIRCUMSTANCES WILL THE PRESS OR ANY OTHER PERSONNEL NOT INVOLVED IN LIFESAVING OR FIREFIGHTING OPERATIONS BE PERMITTED INSIDE SECURITY LINES UNTIL ALL RESCUE OPERATIONS HAVE BEEN COMPLETED.** These security lines will be established in the best interest of news coverage, insofar as operations permit.

There is a tendency for large crowds, even in sub-zero weather, to assemble at the scene of a disaster. This presents a problem to police and it necessitates the assignment of personnel to maintain order and restrict movement. There is always danger of personal injury, hysteria, obstruction and looting. Where feasible, barriers such as snow fence or rope, or other type of barrier, should be erected to contain any crowds that form.

In the event that a situation develops which requires removal of individuals from a building or some areas where large crowds gather, police personnel will evacuate the area.

In any evacuation situation, consideration must be given to providing shelter for the people who are evacuated.

## **EXHIBIT A**

### **POLICE RESPONSE TO HAZARDOUS MATERIALS INCIDENTS**

#### **OVERVIEW**

Since police agencies are often dispatched before the nature of the problem is known, police personnel are likely to be the first emergency service at the scene of an accident involving hazardous materials. They may arrive before fire or other emergency agencies. If the police officer is the first on the scene of a hazardous materials accident, the officer will need to identify the chemical involved in the incident. Many chemicals can be lethal and explosions can occur before fire equipment can reach the scene. The police officer may have to make decisions which will affect the lives and safety of a great number of people.

#### **PHASES OF EMERGENCY RESPONSE**

The response to, and control of, any emergency incident can be broken down into several phases. These basic phases will be similar in any type of incident. The basic phases of response to a hazardous materials incident might include:

1. Receipt of notification of incident
2. Response
3. Arrival at the scene
4. Types of situations encountered
5. Recognition of dangerous cargo and potential hazard
6. Necessary action
7. Determine need for outside assistance
8. Re-opening highways to traffic

There may be other considerations due to local conditions or special emergencies, but these basic phases will apply to most police responses.

#### **RECEIPT OF NOTIFICATION OF INCIDENT**

Dispatchers must be aware of the potential danger of hazardous materials incidents. They should be alert for clues which would indicate that hazardous materials may be involved. In case of highway accidents involving trucks, dispatchers should ask if tank trucks are leaking, fumes are present or placards noticed. In case of rail accidents, it can be assumed that some hazardous material will be involved. Access to rail accidents may be limited and it would be helpful if dispatchers could get exact location.

## RESPONSE

Response to an incident involving Hazardous Materials shall be in accordance with Ogdensburg Police Department General Order #2.04.00 (see Appendix A). Assigned units should proceed to the scene as rapidly and safely as possible.

## ARRIVAL AT THE SCENE

Upon arriving at the scene, be alert for any unusual circumstances which might indicate that hazardous materials are involved. Vapor clouds, leaks or fire would be indicators. The officer should park his vehicle, if possible, in a location that does not expose the officer to hazardous materials, yet protects the scene. The officer should attempt to determine the need for assistance and so instruct dispatch. Follow the procedures outlined in Ogdensburg Police Department General Order #2.04.00 (see Appendix A).

## TYPES OF SITUATIONS FOUND

The first arriving officer may encounter different situations. There may be injuries, fire, confusion, inclement weather, traffic congestion or other situations. The officer's main objective should be to control the scene. The officer must be calm, flexible and make sound decisions quickly.

## RECOGNITION OF DANGEROUS CARGO--POTENTIAL HAZARDS

Try to move into the area from upwind and uphill, if possible. Look for placards. Follow the procedures outlined in Ogdensburg Police Department General Order #2.04.00 (see Appendix A). Be cognizant that less than 1,000 pounds of Table 2 materials does not require a placard. Materials transported as "Other Regulated Materials", while in small containers, may still present a hazard. Once the type of material/freight is ascertained this, and any other important information, should be immediately passed on to other responding units.

## NECESSARY ACTION

Necessary response activity shall be in accordance with Ogdensburg Police Department General Order #2.04.00 (see Appendix A). Initial response, evacuation, and perimeter security measures are the primary responsibilities of Police personnel. The handling of the spill and immediate contaminated area are the responsibility of the Fire Department supervisor on the scene.

Police personnel may initiate, or participate in, emergency rescue efforts, while exercising due caution. This may include fire suppression utilizing patrol vehicle extinguishers.

Evacuate the area. Evacuation up to one-half mile may be appropriate, particularly if explosives are involved.

Be cognizant of electrical hazards. Downed wires may be hidden from view. Underground wires may also pose a threat.

Do not eat, drink or smoke in the area of an accident, spillage or fire. Do not permit anyone else to do so. Do not allow unauthorized persons within the perimeter. Detour traffic as needed.

Obtain the names and contact information of any person, especially those injured who may be contaminated with hazardous chemicals, and so advise ambulance, rescue and hospital personnel.

### OUTSIDE ASSISTANCE

Determine the need for outside assistance which has not already been called. This includes such things as heavy wreckers or cranes, public utilities, rail or truck company personnel and the medical examiner or coroner.

### REOPENING HIGHWAYS

Keep highways closed until all cleanup is complete. Contamination could be spread by traffic over a large area, exposing many people.

If you have been exposed to hazardous chemicals, attempt to identify the material and have a medical checkup as soon as possible. Do not ignore it and take the risk of exposing your family, friends, and co-workers.

### SUMMARY

The following is a summarization of the general responsibilities of police officers at the scene of an emergency or disaster:

1. Survey the scene; determine conditions and notify all agencies required.
2. Protect life and property.
3. Rescue injured or trapped persons.
4. Prevent further injury and property damage.
5. Establish a frozen area and prevent unauthorized entry.

6. Maintain order in and around the emergency area.
7. Control traffic.
8. Safeguard property and prevent looting.
9. Evacuate unsafe areas.
10. Investigate to see if a crime has been committed.
11. Cooperate with other agencies.
12. Act as a coordinating agency at the scene.
13. Act as public information source.
14. Care for fatalities.
15. Prepare proper records.

## **APPENDIX A**

### **OGDENSBURG POLICE DEPARTMENT GENERAL ORDER**

EFFECTIVE DATE: 4/1/99

ORDER NUMBER: 2.04.00

SUBJECT: Hazardous Materials Response Procedure

#### **POLICY**

To establish guidelines that will insure prompt and accurate officer response to incidents involving hazardous and radioactive materials, to insure proper control and removal of hazardous materials, while maintained officer and general public safety.

#### **DISCUSSION**

A hazardous material is any element, compound or combination thereof that is flammable, corrosive, detonable, toxic, radioactive, an oxidizer, an etiological agent or highly reactive and that, because of handling, storage, processing or packaging, may have detrimental effects upon operating and emergency personnel, the public, equipment, and/or the environment.

Radioactive materials are in current use in hospitals, research laboratories, and numerous industrial and military applications, and are transported throughout the State by truck, rail, air and waterborne transportation.

In addition, numerous hazardous materials are transported throughout the State every day. While many of these are in common use, accidents or spills present a serious threat to the health and safety of the general public, especially the officer who happens to be first on the scene.

Many accidents and other emergencies involve more than one agency, and require a cooperative emergency response. It is of extreme importance for all officers to be aware of what actions they should take during material emergencies. Officers should familiarize themselves with the North American Emergency Response Guidebook, a copy of which shall be in each patrol vehicle.

#### **PROCEDURES**

(A) Evacuation and perimeter security measures are the responsibilities of the Police Department. The handling of the spill and immediate contaminated area are the responsibility of the Fire Department supervisor on the scene.

(1) Response – First Officer

- (a) Do not approach the immediate area of any leaking container or spilled material.
- (b) Obtain the four digit ID number from the placard or label on the container, vehicle, tank or rail car from as safe a distance as possible, approaching from upwind. Do not expose yourself to any materials, if at all possible. The operator of the vehicle should be able to provide a manifest of carried materials. Not all hazardous materials are marked as such.
- (c) Advise communications of the ID number or material name. The Emergency Response Guidebook should also be utilized.
- (d) If it is determined that a hazardous material situation exists, request a supervisor.
- (e) Request Fire Department and Rescue Squad response. Notify EMS dispatch (911 Response Center).
- (f) Establish perimeters to isolate area and protect public.

(2) Supervisory Personnel

- (a) Insure that safe perimeters are established.
- (b) Insure that proper response (i.e. Fire Department, ambulance, etc.,) is obtained.
- (c) Coordinate with Fire Chief at scene.
- (d) Utilize Emergency Response Guidebook for specific duties.
- (e) Notify Chief of Police or a Lieutenant.

(B) Radioactive Materials

- (1) Advise communications as soon as possible of all pertinent information, which may include:
  - (a) type of incident (i.e. railway, highway, etc.);
  - (b) basic description of incident (i.e. explosion, fire, etc.);

- (c) exact location;
  - (d) depending on the type of incident, any information regarding the materials involved. Trains and trucks should be placarded with a U.N. Class (or division) number which may be displayed at the bottom of a placard or label or on the shipping paper after the listed shipping name(s). The class for radioactive material is: Class 7;
  - (e) persons who may have been in contact with the incident area.
- (2) Communications personnel, upon being notified of any incident, shall notify the following agencies and record when contacted in a timely manner:
- (a) CHEMTREC – (800) 424-9300;
  - (b) CHEM-TEL – (800) 255-3924;
  - (c) National Response Center – (800) 424-8802;
  - (d) Department of Defense (military shipments),  
Defense Logistics Agency – (800) 851-8061

NOTE: CHEMTREC and CHEM-TEL maintain current lists of State and Federal radiation authorities who provide information and technical assistance on handling incidents involving radioactive materials.

(C) Radioactive Materials Spilled or Released

Immediate and proper responses are necessary for preservation of life and to minimize contact of emergency personnel with radioactive materials. The following are recommended as precautions that should be taken upon arrival at the scene.

- (1) Until the extent of the hazard can be determined, keep all persons the greatest practical distance away. The perimeter should be set at a minimum of 1,500 feet or more.
- (2) If the incident involves wreckage and a person is believed to be alive and trapped, make every effort to rescue him/her with minimum risk to personal safety. Persons not properly protected against radiation must not be permitted to approach the vicinity.
- (3) If material is involved in fire or there are fumes, avoid exposure to smoke or dust by staying upwind. Do not handle suspected material until it has been monitored and released by radiological personnel.

- (4) Do not attempt rescue or evacuation of persons in the area until the chemical or hazard has been identified and confirmed. If a rescue must be attempted, move the injured away from the accident with as little contact as possible, and they should be decontaminated as soon as possible. Take any measures necessary to save a life, but carry out as minimal first aid as possible until help is obtained from EMT's and physicians familiar with radiation medicine. All persons likely to come into contact with contaminated persons should be notified of the possible hazards.
- (5) In those instances involving a motor vehicle accident, detour all traffic around the scene. If this is not possible, move the vehicle the shortest distance possible to clear the necessary right of way. If radioactive material is spilled, prevent passage through the area unless absolutely necessary. If a right of way must be cleared before radiological assistance arrives wash spillage with minimum dispersal of water, to the shoulder of the right of way. Make sure vehicles traveling through the suspected area do so without stopping and without scattering spilled material.
- (6) Do not eat, drink or smoke at the scene. Food and drink from the scene or that may have been in contact with contaminated personnel should not be ingested.
- (7) Do not take action unless you are aware of the nature of the incident and are qualified to handle it as too much action, prior to the arrival of qualified radiation specialists, may compound the problem.

(D) Atomic Weapons

In any incidents involving a possible atomic weapon or weapon component, identify the branch of military service involved and proceed with guidelines as set forth in (A)(2) of this section. Also request appropriate military assistance.

(E) Etiologic Agents

When any packages involving an "etiologic agent" are discovered to be involved in an accident or leaking in transit, all necessary movement of that vehicle or area must cease and the area isolated. Notify as per guidelines in (A)(1) of this section and immediately contact Disease Control in Atlanta, Georgia, at (404) 639-3311. Other personnel may be notified if the emergent nature of the situation warrants. The U.N. Class Number for Etiologic (infectious) Materials is 6.2.

(F) Hazardous Materials

- (1) The initial responding officer should make every effort to identify the hazard through placard, container label, shipping papers (manifest), and knowledgeable persons on the scene. Contact CHEMTREC for verification of the hazard and handling of the material or if information is unavailable on material involved. CHEMTREC can be reached at (800) 424-9300.

To assure proper response of CHEMTREC, they will need:

- (a) name of caller and call back number;
  - (b) nature and location of problem;
  - (c) if you have located the material involved and are responding according to a Hazardous Material Guide number, give that number to CHEMTREC;
  - (d) shipper or manufacturer;
  - (e) container type;
  - (f) rail car or truck number;
  - (g) carrier name;
  - (h) consignee;
  - (i) local condition (weather, wind direction).
- (2) If unable to reach CHEMTREC for any reason, call CHEM-TEL at (800) 255-3924.
  - (3) Locate and call the telephone number listed on the shipping document, if not CHEMTREC or CHEM-TEL. The person answering the phone at the listed emergency response number must be knowledgeable of the materials and mitigation action to be taken, or must have immediate access to a person who has the required knowledge.
  - (4) If a military shipment of ammunition or explosives, notify the Department of Defense at (703) 697-0218.

## **EXHIBIT B**

### **FIRE DEPT. RESPONSE TO HAZARDOUS MATERIALS INCIDENTS**

All dispatchers should be aware of the potential danger. Where hazardous materials may be involved, dispatchers should attempt to get all available information. In case of rail, highway or other accidents, dispatchers should try to determine if vehicles are placarded. Extra effort should be made to determine the type of incident. It may be possible for the dispatcher to find out what material is involved. If so, this information should be relayed to responding units and CHEMTREC should be contacted.

#### **DISPATCH**

The appropriate type and number of units to be sent to a hazardous materials incident will vary greatly. Provisions should be made for automatic additional alarms or, if necessary, mutual aid. Accidents involving blocked access, spills or vapor clouds may require equipment to be dispatched from a different direction. In all cases, all available information should be relayed to responding units as soon as possible. Information on the type of incident or material involved should be relayed to responding units.

#### **RESPONSE**

Routing of apparatus to a hazardous materials incident must be based on knowledge of hazards. Depending on the situation, consideration may have to be given to wind direction, terrain, blocked access and other factors. All decisions must be made with safety as the first consideration. Always remember that damaged apparatus and injured firefighters only add to the problem. Approach from upwind whenever possible, even if it means a detour. Try to keep apparatus and personnel uphill from the incident. In case of ignition of spill or vapor, do not place apparatus close enough to be damaged. Make use of features such as embankments and walls to protect personnel and apparatus. Keep all unnecessary personnel out of the area.

#### **SIZE-UP**

Life safety must be the prime consideration when making decisions at the scene of a hazardous materials incident. Safety of rescue personnel must be assured since injury to firefighters will compound the problem.

The officer in charge must size up the situation and determine what material is involved and can the situation be controlled. If either of these cannot be determined, the decision must be made to evacuate.

The concept of evacuating and allowing the fire to burn is contrary to tradition. However, the increasing number of accidents involving hazardous materials has necessitated new concepts.

The decision tree entitled "Making Decisions at Tank Fires" has been developed based on several tank car fires that resulted in many injuries and deaths.

The decision tree, although it is only a guesstimate, is based on case studies and clearly gives you a basis for making a decision to fight the tank fire or evacuate.

## FIREFIGHTING

If the decision is made to fight a fire involving hazardous materials, the fire ground commander must be well prepared. After identifying materials involved and referring to the action guides, firefighting may be the recommended course of action. In that case, the fire ground commander must make decisions regarding placement of hose streams, manpower and apparatus. It must be kept in mind that such operations may become large and may last for days. This is the time to use the master emergency action plans previously discussed.

The first step is to set up a command post. Assemble all of the necessary personnel, communications and references as soon as possible. Notify all other agencies involved. Assistance calls in the form of greater alarms or mutual aid should be in progress. If no set plan is in effect for such alarms, fire ground commanders must make decisions as to type and amount of aid needed. Such decisions should be based on long-term needs. A staging point should be set up away from the hazard area. Extra apparatus and manpower should be available at the staging point to provide relief or assistance quickly.

The actual mechanics of producing hose streams or fire attack will not be discussed here. However, it must be kept in mind that hazardous materials incidents may persist for a long time. Fire ground commanders must be aware of the need for large water supplies. In many cases, this can overtax the water system. When operating from draft, the need for fuel supplies, backup apparatus and manpower must be considered. The manpower situation can become critical. Firefighters exposed to high heat or constrained by the need for breathing apparatus must be relieved frequently. A pool of manpower will be necessary. Provision must be made to feed and rest those coming off the fire line. All fire ground decisions must favor safety and consider the long-term effects.

Many types of leaks or spills have the potential of creating long-term environmental problems. Firefighting personnel should be aware of the possible environmental impact of runoff, tracking of dusts, or other contaminants. Precautions must be taken not to contaminate family members and others outside the immediate area.

## OVERHAUL AND RETURN TO SERVICE

As with any fire, overhaul must be thorough to ensure complete extinguishment before apparatus leaves the scene. The particular problem with hazardous material incidents is the time required. Many departments would have difficulty keeping apparatus and manpower supplied for days or weeks. The logistics of keeping a crew supplied would tax almost any department and could overwhelm many. Outside help may be needed and planning should take this into account.

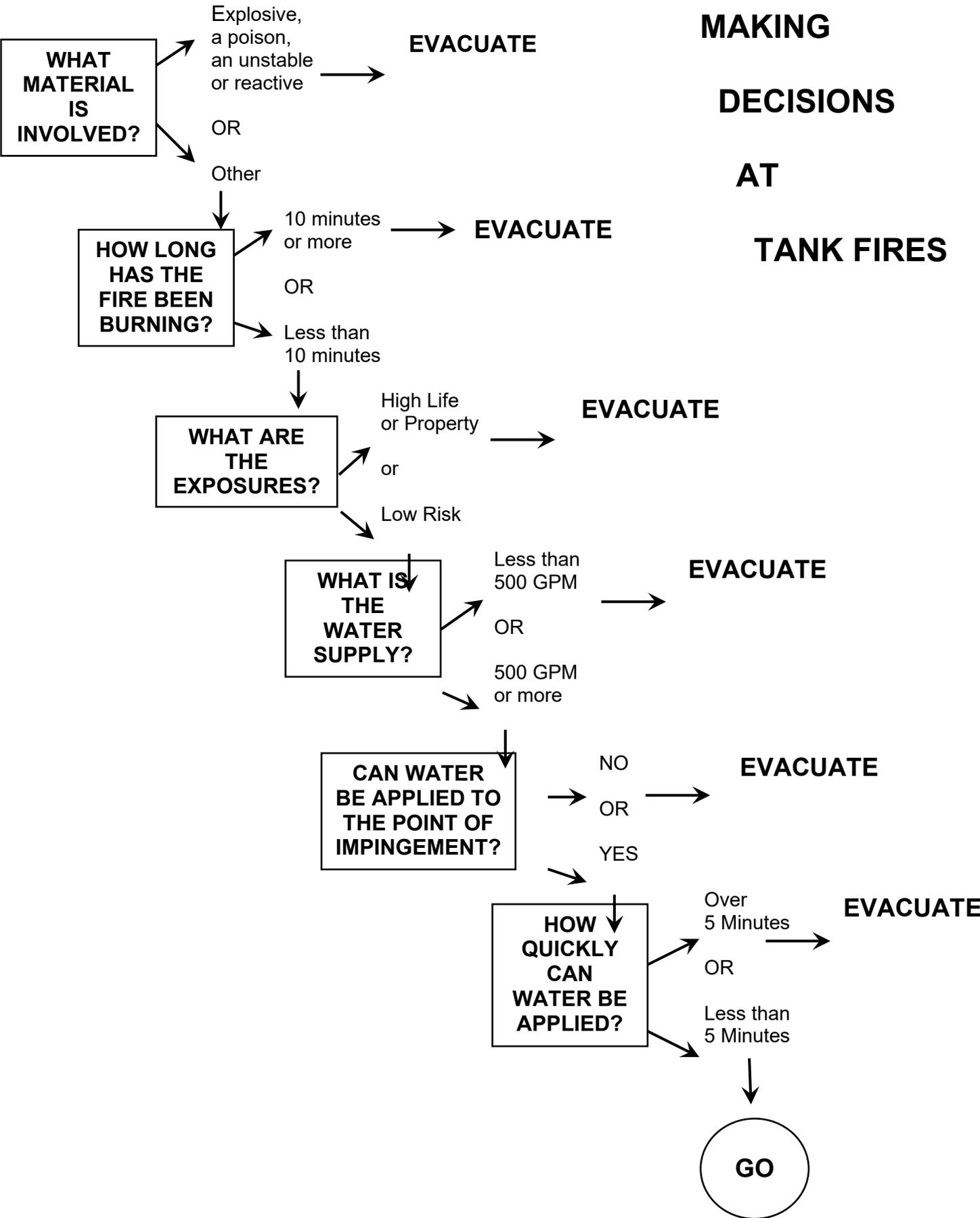
If radiologic, toxic or corrosive materials are involved, the potential exists for long-term hazards. In these cases, a frozen area must be established and decontamination handled by the appropriate agencies. All tools, clothing and equipment may need decontamination. Personnel may require physical examinations to ensure against future health problems.

### SUMMARY

Some materials may require large quantities of water to control fire, dilute liquids, or wash vapors from the air. Other materials may burn with greater intensity or even explode if they come in contact with water.

The danger of possible explosion exists with many materials. Poisons come in many types and forms and may poison by inhalation, ingestion or skin contact -- corrosives attack the skin or mucus membranes. Be aware of the potential hazards and take precautions to protect yourself.

**MAKING  
DECISIONS  
AT  
TANK FIRES**



## EXHIBIT C

### EMERGENCY CONTROL OF HAZARDOUS MATERIALS INCIDENTS

#### EMERGENCY RESPONSE CHECKLIST:

ALWAYS expect hazardous materials to be involved in any incident.

#### CONTROL ACCESS

- STAY OUT until hazardous materials have been identified and advice on personal protection and emergency action has been obtained

#### ESTABLISH A COMMAND POST

- AT A SAFE DISTANCE FROM THE INCIDENT
- ALL response actions MUST be coordinated through the command post
- RECORD ALL decisions and actions with a time log

#### ARE HAZARDOUS MATERIALS INVOLVED?

- AT FIXED FACILITIES
  - Check pre-plan for the facility to locate hazardous materials storage and use locations.
  - Contact the management of the facility.
- AT TRANSPORTATION INCIDENTS
  - Check for placards, H.I.S. numbers, labels, markings, container shapes and colors which may indicate the presence of hazardous materials.
  - Consult with transportation employees for information on shipping papers. Check vehicle identification numbers (VIN) or other identification which may help identify the product.

#### MAKE CERTAIN YOU HAVE CORRECTLY IDENTIFIED THE MATERIAL!

- CHECK SPELLING CAREFULLY!

#### DETERMINE HAZARDS AND PROPERTIES OF EACH MATERIAL

- USE
  - CHEMTREC with its contacts with shippers
  - EMERGENCY RESPONSE MANUALS or other on-scene data

ESTIMATE THE POTENTIAL HARM FROM THE SITUATION

- PREDICT - The area affected by the situation; wind speed and direction and other weather conditions should be considered.
- DETERMINE - The risk to people, property and the environment within the affected area.

DETERMINE IF INVOLVEMENT WILL FAVORABLY CHANGE THE OUTCOME OR WILL IT MAKE THINGS WORSE

- IF NOTHING is to be gained, do not get involved. Seek additional assistance.

DO YOU HAVE THE RESOURCES, PERSONNEL AND EQUIPMENT AVAILABLE TO FAVORABLY CHANGE THE OUTCOME?

PRIORITY FOR YOUR INVOLVEMENT IN A HAZARDOUS MATERIALS INCIDENT

- PEOPLE
  - ARE people exposed to risk?
  - Can trapped or exposed people be safely removed from the danger area?
  - If you must enter the danger area to rescue people, can you do it without becoming trapped, injured or killed yourself?
  - How will you protect yourself and those you hope to rescue from the effects of the materials involved?
- PROPERTY
  - If property, buildings or systems are exposed to risk, be very careful. Can you prevent or reduce damage to exposed property without harm to yourself or others?
  - Is your involvement worth the risk?
- ENVIRONMENT
  - Can you safely prevent or reduce harm to the environment?
  - Can you safely stop a leak or contain a spill
  - Do you know how to safely accomplish what you want to do?

CONTACT FIXED FACILITY OR CARRIER SUPERVISORS AND DISCUSS YOUR PROPOSED ACTIONS

IF YOU FEEL UNSURE OF WHAT TO DO NEXT, OR IF YOU FEEL THE SITUATION IS GETTING OUT OF CONTROL

- WITHDRAW to a safe location
- KEEP OTHERS AWAY from the hazard
- GET HELP or advice

#### USE PERSONNEL PROTECTIVE EQUIPMENT

- Use turnout gear and self-contained breathing apparatus
- Avoid breathing of vapors and skin contact. If clothing or equipment becomes contaminated, leave the danger area and remove the contaminated items. Wash material from skin.

#### ONE PERSON SHOULD BE IN COMMAND

- Consult specialists who know the hazards of the products involved
- Consult officials of the facility or carrier
- Consult contingency plans

#### ESTABLISH A PATROLLED PERIMETER AT A SAFE DISTANCE FROM THE INCIDENT

- The perimeter for emergency personnel should be at the distance listed in emergency guides.
- Another perimeter at a greater distance must be established to keep the public and other non-essential personnel away from the hazard.

#### ESTABLISH COMMUNICATIONS

- Radio and phone communications: Transmit and receive capability on all radio frequencies in use. Telephone service may be necessary for security and flexibility.
- Public Information: Appoint a public information office to conduct news conferences at specified times and locations. Factual information should be provided, but no opinions given on the cause of the problem or responsibility. News media can be helpful if evacuation is necessary.

#### HOW WILL YOU CONTAIN SPILLED MATERIAL IF IT IS SAFE AND POSSIBLE TO DO SO?

- If the material is on fire, the best course of action may be to let it burn.
- Other control and containment methods should be considered.

## EXHIBIT D

### INFORMATION NEEDED BY CHEMTREC

800-424-9300

1. What has happened
2. Where
3. When
4. Chemical(s) involved by four-digit number and/or name
5. Type and condition of containers
6. Shipper and shipping point
7. Carrier
8. Consignee and destination
9. Nature and extent of property damage
10. Nature and extent of injuries to people
11. Prevailing weather
12. Composition of surrounding area
13. Who caller is and where he is located
14. How and where telephone contact can be re-established with caller or another responsible person involved

## CHEMTREC

CHEMTREC stands for Chemical Transportation Emergency Center, a public service of the Chemical Manufacturers Association at its offices in Washington, D.C.

CHEMTREC provides immediate advice for those at the scene of emergencies, then promptly contacts the shipper of the chemicals involved for more detailed assistance and appropriate follow-up.

CHEMTREC operates around the clock - 24 hours a day, seven days a week. It receives direct-dial, toll-free calls from any point in the continental United States through a wide area telephone service (WATS) number, 800-424-9300 (1-703-527-3887 for calls originating outside the continental U.S.).

Shippers, including CMA members and non-members, are notified through pre-established phone contacts providing 24-hour accessibility, via information operators, or through cooperation of fire and police services.

As circumstances warrant, the National Transportation Safety Board or appropriate offices of other agencies may be notified.

CHEMTREC's capabilities have been recognized by the Department of Transportation and a close and continuing relationship is maintained between CHEMTREC and DOT.

Because chemicals have so many uses and such a wide range of characteristics, information about them is needed--composition and purity, physical and chemical properties, effects on people and the environment, sources of supply, etc. It is important to understand that CHEMTREC is not intended nor equipped to function as a general information source, but, by design, is confined to dealing with chemical transportation emergencies. Drivers should not call CHEMTREC on problems other than chemical cargo emergencies.

### MODE OF OPERATION

CHEMTREC's number has been widely circulated in professional literature distributed to emergency service personnel, carriers, the chemical industry, bulletins of governmental agencies and trade associations.

Shipping documents of participating companies are requested to include the following: "For help in chemical emergencies involving spill, leak, fire or exposure, call toll-free (800) 424-9300 day or night."

An emergency reported to CHEMTREC is received by the communicator on duty who records details both in writing and by tape recorder. The communicator then attempts to determine the essentials of the problem, which enables him to provide the best available information on the chemical(s) reported to be involved. This gives a specific indication of the hazards and what to do (as well as what not to do) in case of spills, fire or exposure as the immediate first steps in controlling the emergency. Information on the various chemicals, as furnished by the producers, is easily available. Trade names and synonyms of chemical names are cross-referenced for easy identification.

CHEMTREC's communicators are not scientists. They are chosen for their ability to remain calm under emergency stresses. They are instructed to abide by the information prepared by technical experts.

Having advised the caller, the communicator notifies the shipper by phone. The responsibility for dispatching personnel to the scene, etc. passes to the shipper.

If the shipper is unknown, the communicator has other resources available. One example concerns radioactive materials. CHEMTREC can call on the Energy Research and Development Administration (ERDA). This was formerly the Atomic Energy Commission.

Identification of product and shipper is important. Shipping papers are carried by truck drivers and in the engine or caboose of trains. Car and truck numbers and carrier names can be useful in tracking unknown cargoes.

Mutual aid programs exist for some products. One producer will service field emergencies involving another producer's product. In such cases, initial referral may be in accord with the applicable mutual aid plan rather than directly to the shipper. These arrangements are established on chlorine through the Chlorine Institute and on pesticides through the National Agricultural Chemicals Association.

The former was CHLOREP, the Chlorine Emergency Plan, in which the nearest producer responds to a problem. NACA has a Pesticide Safety Team Network of some 40 emergency teams distributed throughout the country. CHEMTREC serves as the communication link for both programs.

In Canada, the Canadian Chemical Producers Association operates a Transportation Emergency Assistance Program (TEAP) through regional teams prepared to give phone and field response.

Many individual companies have well organized response capabilities for their own products. Some of these preceded CHEMTREC by several years. This program does not seek to displace these, but rather collaborate with them and enhance their effectiveness. CHEMTREC's single telephone number affords this opportunity.

## EXHIBIT E

### TABLE 1

<u>Classifications</u>	<u>Placard Required</u>
Explosive A	Explosive A
Explosive B	Explosive B
Poison A	Poison Gas
Flammable Solid (Dangerous When Wet)	Flammable Solid (Water Reactive)
Radioactive III	Radioactive III

The remaining classifications are considered Table 2 materials and the 1,000 pounds requirement applies. These materials are listed on TABLE 2 along with the type of placard required for each class. (It is necessary to note the exceptions and variances at the bottom of the list.)

### TABLE 2 Materials

Less than 1,000 pounds does not require Placards!

## TABLE 2

<u>Classifications</u>	<u>Placard Required</u>
Class C Explosive	Dangerous
Non-flammable gas	Non-flammable gas
Non-flammable gas (Chlorine)	Chlorine <sup>2</sup>
Non-flammable gas (Fluorine)	Poison <sup>3</sup>
Non-flammable gas (Oxygen pressurized liquid)	Oxygen <sup>5</sup>
Flammable gas	Flammable gas
Combustible liquid	Combustible
Flammable liquid	Flammable
Flammable solid	Flammable solid
Oxidizer	Oxidizer
Organic peroxide	Organic peroxide
Poison B	Poison
Corrosive material	Corrosive
Irritating material	Dangerous <sup>5</sup>
Radioactive I and II	No placards required

### Exceptions and Variances

1. Class explosives carry dangerous placards for quantities of 1,000 pounds or more.
2. Chlorine placard is required only for a package having a rated capacity of more than 110 gallons. Use the non-flammable gas placard for packagings having a rated capacity of 110 gallons or less.

3. Fluorine carries a poison placard for quantities of 1,000 pounds or more.
4. Oxygen placard is required for pressurized liquid oxygen in quantities of 1,000 pounds or more.
5. 1,000 pounds or more of irritating material requires dangerous placards. The dangerous placards are also used when a vehicle contains two or materials from Table 2 with a combined weight of 1,000 pounds or more. Other than the dangerous placards for mixed loads of 1,000 pounds or more, when 5,000 pounds or more of one class of material is loaded at one facility the placard for that class must be applied.

(NOTE: Any material in Table 1 must have their specific placard applied when involved in mixed loads.)

## OTHER REGULATED MATERIALS (ORM)

- ORM-A A material which has an anesthetic, irritating, noxious, toxic or other similar property and which can cause extreme annoyance or discomfort to passengers and crew in the event of leakage during transportation. (CFR Section 173.500 (a)(1))
- ORM-B A material (including a solid when wet with water) capable of causing significant damage to a transport vehicle or vessel from leakage during transportation. Materials meeting one, or both, of the following criteria are ORM-B materials:
1. a liquid substance that has a corrosion rate exceeding 0.250 inch per year (IPY) on aluminum (non-clad 7075-T6) at a test temperature of 130°F. An acceptable test is described in NACE Standard TM-01-69, and
  2. specifically designated by name in CFR Section 172.101.
- (Section 173.500(a)(2))
- ORM-C A material which has other inherent characteristics not described as an ORM-A or ORM-B but which makes it unsuitable for shipment, unless properly identified and prepared for transportation. Each ORM-C material is specifically named in CFR Section 172.101. (Section 173.550(a)(4))
- ORM-D A material, such as a consumer commodity, which, though otherwise subject to the regulations of this subchapter, presents a limited hazard during transportation due to its form, quantity and packaging. They must be materials for which exceptions are provided in CFR Section 172.101. A shipping description applicable to each ORM-D material or category of ORM-D materials is found in Section 172.101. (Section 173.500(a)(4))

## EXHIBIT F

### PUBLIC UTILITIES EMERGENCIES

The shutoff of certain utilities may be directed by a responsible official of the agency concerned or, in an emergency, by the police official on the basis of information available that such action is necessary. Prior to such action, concurrences should be obtained from the other departments at the scene in order not to hamper operations.

#### A. Notification to Residents

All residents and commercial occupants in the affected area should, if possible, be notified prior to the actual shutoff of electric, gas and water utilities and be instructed to turn off appliances, extinguish pilot lights and arrange for water rations. Before services resume, residents will again be notified.

#### B. Responsibility for Shutoff

The utility company concerned shall be responsible for discontinuing service from the street, if a large area is affected. If such discontinuance is necessary, care must be exercised to insure that outlets in the affected buildings have been shut off. Similar care must be exercised when restoring service. The official who authorizes the shutoff is also responsible for the resumption of service. Representatives of the utility company concerned must be present when service is restored. When restoring service, care must be exercised that hazards are not created, such as an explosion hazard from open gas jets, a flooding hazard from open water outlets, etc.

#### C. Other Notifications

1. In the event it becomes necessary to shut off utility service in large areas, notification shall be made to the Command Post prior to the shutoff, if possible. The Command Post shall then notify:
  - a. Fire Department, if water is to be shut off
  - b. Press Center
  - c. Other agencies affected

2. Entries of shutoff shall be made in the Command Post blotter, including the following:
  - a. Type of utility
  - b. Area affected
  - c. Address of building affected
  - d. Name and identity of official ordering shutoff
  - e. Location of shutoff, e.g. location of main valve of terminal, etc.
  - f. Notifications made, including identity of person notified and agency concerned

## **EXHIBIT G**

### **AIRCRAFT ACCIDENTS AND INCIDENTS**

Emergency services personnel should be thoroughly versed in procedures relating to the management and coordination of aircraft accident sites.

Emergency services personnel responding to the scene of an aircraft accident or incident must keep the following goals in mind:

- A. Rescue and lifesaving of victims of the accident or incident.
- B. The safety of personnel and equipment not directly involved in the accident or incident.
- C. Firefighting and the salvage of equipment, cargo and other items of value.
- D. Unaffected areas of airport should, if possible, be kept in operation.
- E. The rapid return of the airport to complete operating status as soon as possible.

The following information has been prepared in order to provide the greatest safety for everyone involved at the accident or incident scene. Additionally, it will provide for the least amount of confusion at the scene. An aircraft emergency, particularly when a crash is imminent or has occurred, represents the greatest and most immediate potential for loss of life and equipment. The quick, effective response and coordinated actions by all emergency services personnel is imperative in preventing and/or minimizing loss of life and property. In this regard, it is of the utmost importance that each emergency services member has a clear understanding of his/her respective responsibilities and relationships with other agencies during the aircraft emergency.

The dispatcher receiving a report of an aircraft accident or incident should obtain enough information to report the following:

- A. Define the exact nature of the emergency.
- B. Request assistance from fire companies and rescue squads.
- C. Give the exact location of the emergency.
- D. Identify the aircraft by type and number, if known.
- E. Provide a brief assessment of the number of persons killed, injured, and damage to property, if applicable.

The information provided from the dispatcher will enable the emergency services to dispatch fire vehicles and ambulances in sufficient numbers so as to adequately handle the situation in the first instance. If requested by fire companies and/or ambulance units, additional fire companies and ambulance units may be called upon to remain on a standby alert basis.

In a situation of an aircraft accident there is a tendency for everyone to rush to the scene. This not only causes confusion in respect to emergency services, but hampers, in many instances, the orderly evacuation of the injured individuals. It is for this reason that emergency services personnel should not attempt to go to the aircraft accident unless specifically directed by supervisory personnel within their respective units.

Emergency services units arriving at the scene shall first report directly to the Emergency Site Command Post which will be set up to coordinate activities at the scene.

The following people shall report directly to the Command Post:

- A. Airport manager or his/her representative
- B. Ogdensburg Rescue Squad crew chief or his/her representative
- C. Fire Chief or highest ranking Fire Department member at the scene of the accident
- D. Highest ranking police member at the scene of the accident

The Command Post shall direct all operations until such time as the situation warrants differently. The personnel enumerated above shall remain at the Command Post, unless it is absolutely necessary for them to leave.

It will be the responsibility of the Command Post to notify the Federal Aviation Authority of the aircraft accident. Emergency services members shall be aware that when an investigation is referred to the FAA no part of the aircraft may be moved from the scene unless:

- A. The aircraft is lying in the street or public highway in a position that is creating a traffic hazard, or
- B. The aircraft is lying in a navigable waterway in a position that is impeding or endangering navigation, or
- C. The immediate removal or destruction of the aircraft is necessary to prevent injury to others.

The officer in charge of the Emergency Site Command Post will:

- A. Insure that only authorized persons are permitted to the accident scene.
- B. Isolate the scene to enable a complete and accurate investigation.
- C. If the FAA has been notified, insure that no article (whether part of the aircraft or personal property of the passengers or crew) is removed or released to any person until an FAA official authorizes removal.

Emergency services personnel are advised not to give out any information or speculate on the cause of the accident. The FAA will formally release the cause of the accident.

The ambulance crews responding to the accident scene at or near the aircraft shall follow the same procedure.

The chief in charge of the fire department responding to the aircraft accident shall make the determination as to whether their services are in any way required. In case of accident, the ranking fire department officer shall be in complete command of the immediate accident scene. He shall:

- A. Direct all rescue, firefighting and salvage activities during such period as the actual emergency condition exists.
- B. Notify the local Command Post of the severity of the incident and ask for additional support, if needed.
- C. Direct the emergency activities of all mutual aid or outside groups through coordination with their respective commanders and/or supervisors on the scene. This does not include security cover, airport operations, press control or other functions falling within the police jurisdiction.

## **MILITARY AIRCRAFT ACCIDENTS**

In the event of an accident involving military aircraft, the same general procedures as outlined under Aircraft Accidents will be followed. It is important to remember, however, that military aircraft often contain classified equipment. To avoid any possible breach of national security at a crash site:

- A. Record the name and address of any unauthorized person who has taken photographs.
- B. Inform the person that he/she is required to submit these photographs to the military personnel investigating the accident. (If the photographs do not contain classified material they will be returned.)
- C. Submit the names and addresses to the military personnel responding to the scene.

In the event that inquiries are received pertaining to the military accident, refer all inquiries pertaining to the accident to the military authorities charged with the responsibilities of the investigation. Military authorities have the sole responsibility for the release of information pertaining to a military aircraft accident.

## EXHIBIT H

### **BOMB THREAT PROCEDURES**

Frequently emergency services personnel are called upon to deal with explosive materials of various kinds under various conditions. The existence of explosives in each situation has a malicious or non-malicious intent. Regardless of the intent, any explosive material is to be considered extremely dangerous and should be handled only by experts.

Many bomb threats are the result of an individual's desire to initiate excitement or disruption as a result of the threat. The intention drawn by the arrival of emergency vehicles such as police, fire or ambulance is the end result desired by the person making the call.

Bomb threats are usually telephoned in to an emergency services headquarters such as the police station or other emergency services headquarters. Personnel assigned to receive incoming telephone calls should be alert to the fact that upon receipt of a bomb threat it is imperative to obtain as much information as possible from the caller. Information such as where the bomb is placed, what time it will go off, as well as what kind of explosive it contains and its general physical appearance will be most beneficial in the ensuing investigation. (See Form attached)

In the event that as a member of an emergency services organization, such as the fire department or a rescue squad, you are called to the scene of a reported bomb threat, the following procedures will be followed:

1. Upon arrival at the scene, report directly to the Police officer in charge of the scene.
2. In the event that a bomb threat involves a building and the building is being evacuated, render all necessary assistance to the individuals being evacuated.
3. To prevent injury to bystanders, it is recommended that they be kept outside a perimeter of not less than 300 feet from the facility during the time it is being searched.
4. Avoid the use of your two-way communication radio due to the fact that it is possible that the radio communications will detonate the explosive device.
5. In the event that while searching a facility you come upon a suspected bomb or explosive device, immediately notify the Police officer of your findings and **DO NOT TOUCH THE DEVICE OR ATTEMPT TO MOVE IT.**

6. During the time that you will be at the scene of a reported bomb threat take note of bystanders who are observing the operations and, in the event that you observe any unusual behavior, bring this to the attention of the nearest Police officer for further investigation.

A majority of bomb threats are made by telephone. It is for this reason that training should be emphasized to all personnel who will be answering the telephones, whether on a permanent or part-time basis. It is often possible to extract valuable information from the caller of a bomb threat if the person receiving the call remains calm. This is especially true when the bomber wishes to avoid injuries or death. If they are told that a building is occupied or a facility cannot be evacuated within the warning time provided, the bomber may be encouraged to provide more specific information pertaining to the location of the bomb. The presence of the checklist will suggest additional avenues of inquiry to the person talking with the caller. The checklist attached to this Exhibit should be placed at each phone.

**OGDENSBURG POLICE DEPARTMENT  
BOMB AND MISCELLANEOUS THREAT REPORT**

**INSTRUCTIONS:** When receiving a bomb, or other type of, threat, be calm and courteous. Do not interrupt the caller, but listen carefully. Attempt to signal other office employees as to what is happening. Then, pretend to have difficulty hearing to keep the caller on the line, and try to gain additional information. Notify the Police Department immediately. Complete this report fully.

Call Taker: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_ AM/PM  
Threat Type:  Bomb  Fire  Other \_\_\_\_\_  
Location Threatened: \_\_\_\_\_

**MESSAGE INFORMATION**

Text of Message: \_\_\_\_\_  
\_\_\_\_\_

When indicated that device will go off? Date: \_\_\_\_\_ Time: \_\_\_\_\_ AM/PM  
Where is the device located? Building: \_\_\_\_\_ Area: \_\_\_\_\_  
Origin of call:  Local  Long Distance  Booth  Internal  
Other information elicited: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CALLER INFORMATION**

Male  Female  Adult  Juvenile      Approximate Age: \_\_\_\_\_  
Name and address, if known: \_\_\_\_\_

**VOICE CHARACTERISTICS**

Loud  Soft  High Pitched  Deep  Raspy  Pleasant  Calm  Excited  
 Intoxicated  Other \_\_\_\_\_

**SPEECH**

Fast  Slow  Distinct  Distorted  Stutter  Slurred  Nasal  Lisp  
 Other \_\_\_\_\_

**LANGUAGE**

Excellent  Good  Fair  Poor  Foul  Other \_\_\_\_\_

**ACCENT**

Local Region  Not Local Region  Foreign  Race \_\_\_\_\_

**MANNER**

Calm  Angry  Rational  Irrational  Coherent  Incoherent  Deliberate  
 Emotional  Righteous  Laughing  Other \_\_\_\_\_

**BACKGROUND NOISES**

Factory Machines  Office Machines  Trains  Airplanes  Traffic  Quiet  Music  
 Voices  Party Atmosphere  Bedlam  Other \_\_\_\_\_

**POLICE ACTION TAKEN:** \_\_\_\_\_  
\_\_\_\_\_

## **EXHIBIT I**

### **BUS ACCIDENTS**

For the most part, the buses that will be used for transportation will be of the type and size used by the Greyhound and Trailways Bus Companies.

It is of the utmost importance that emergency services personnel be familiar with the method of entry into these types of buses. There are certain steps that should be taken upon arrival at the scene of a mishap involving a bus. The first thing that should be done is that the electricity from the batteries on the bus be shut off. This is accomplished by locating the battery compartment which is on the same side as the entry door and in back of the entry door approximately two feet. The battery compartment measures approximately three feet long by two feet high (3' x 2'). Entry into this compartment is obtained by depressing a plat switch located underneath the door housing the battery. Located inside the battery compartment is a master switch which can be turned to the "off" position, thus shutting off the electricity to the bus.

Entry to any of these models of buses may be made by any of the four following ways:

- A. Through the front windshield by means of prying out the windshield. This is accomplished by inserting a large screwdriver or crowbar in the corner of the windshield and exerting pressure in order to force the windshield to pop out.
- B. The side windows may be pried open in a similar fashion as the windshield. Each of the windows located on both sides of the bus are enclosed in metal frames. These frames may be sprung, thereby opening the window which is hinged at the top. A similar process of inserting a large screwdriver or crowbar in the corner or underneath the window and exerting pressure to pry the window out can be used.
- C. The escape hatch located on top of the bus and to the extreme rear has the same type of latch system as the side windows. This mechanism may also be pried open by using a large screwdriver or crowbar and exerting force on the tool, thereby popping the escape hatch open.
- D. Entry into the body of the bus can also be obtained through the floor. This is accomplished by using an ax or other similar tool and cutting the floor beneath the passenger seats on the bus. The floor material is a metal alloy and may be cut relatively easily by the use of a sharp instrument.

During a bus accident the possibility of fire on the bus exists. Information obtained from the bus company indicates that fire on the bus would most likely be confined to the electrical system which runs the length of the bus and is located enclosed in a metal casing in the center of the bus. This area may be viewed by opening the cargo doors located on either side of the bus. All members of emergency services units should be familiar with the methods that can be employed to enter a bus by the means described.

## **EXHIBIT J-1**

### **PLAN OF ACTION FOR LONG-TERM WATER SERVICE LOSS**

1. Notify the Fire Department that we have a water emergency, loss of service.
2. Have the Fire Department set up provisions to fill tankers at Central Fire Station. Depending on the location of the break, an alternate site to fill tankers will be at the Filtration Plant or at a neighboring community such as Heuvelton or Morristown.
3. Call the Fire Control Center, 911, and have stainless steel tankers from Heuvelton, Lisbon, Brier Hill and Waddington report to a staging area to be designated by the Fire Department.
4. Once in the staging area, have the tankers report to Losurdo Creamery at 34 Union Street, Heuvelton, to be cleaned and sanitized.
5. As the tankers are sanitized, they are to report back to the designated staging area.
6. Tankers are then to be filled inside the station with a sanitized hose; chlorine residual must be a minimum of 3.0. This can be accomplished by using bleach or hypochloride solution.
7. After they are filled, tankers will be dispatched to strategic locations throughout the City to dispense potable water to residents.
8. Each person dispensing water must wear sanitized rubber gloves and make every effort to dispense the water in a clean environment.
9. Once the water service has been restored, a boil water notice will be issued. This notice will remain in effect until two consecutive water samples are taken within consecutive twenty-four hour periods, as per NYS DOH regulations.



Water Pollution Control Plant  
Railroad Street

315-393-2810

Filtration Plant  
Jefferson Avenue

315-393-0490

## **EXHIBIT K**

### **RADIOACTIVE MATERIAL**

Radioactive materials are usually shipped in small quantities within protective containers. If the container remains intact there is no danger. The containers used to transport radioactive materials will withstand significant disturbances and usually will remain intact. A vehicle transporting a very small quantity of radioactive material will not have an identifying placard on it, however, the protective containers will be labeled RADIOACTIVE. The exterior of a vehicle transporting radioactive material of a larger quantity will have a placard reading RADIOACTIVE III.

In the event that a vehicle displaying the placard RADIOACTIVE III is involved in an accident, this must be considered an extreme emergency due to the potential involved. The New York State Police at the Command Center at Ray Brook must be immediately notified of the accident involving the radioactive material. It is essential that an accident involving radioactive material be considered as if radioactivity is present until testing shows otherwise.

Safety at the scene of an accident or other emergency involving radioactive material requires that all vehicular and pedestrian traffic be kept as far away from the scene as possible. In addition to this, detailed notes concerning the names and addresses of all persons who are or who have been in the immediate area and who have or who may have been exposed to radiation must be obtained by the City Police member or other law enforcement personnel at the scene. Fire department and ambulance personnel may be required to assist in this process. Under certain circumstances there may be a fire involved in the accident or emergency. In this case, stay up wind of the accident or emergency site and away from the smoke, dust or fumes. Smoking, eating and/or drinking will not be allowed in the area where the accident or other emergency took place. Follow the procedures outlined in Exhibits A, B, and C of this section.

The New York State Department of Health has the responsibility for establishing procedures in the event of a nuclear accident or incident.

The St. Lawrence County Office of Emergency Services has a Geiger Counter that measures radiation. In the event of a nuclear incident or accident, by using the Geiger Counter, an area measuring approximately 900 feet from the radiation should be roped off.

## **EXHIBIT L**

### **TRAVEL RESTRICTIONS AND CURFEWS**

Pursuant to the powers conferred by Article 2-B of the Executive Law of the State of New York, the City Manager, during a local State of Emergency, may promulgate local emergency orders prohibiting/controlling pedestrian and/or vehicular traffic and establishing curfews.

In the event that a county-wide State of Emergency has been declared by the Chairman of the St. Lawrence County Board of Legislators, the City of Ogdensburg shall recognize and honor emergency orders lawfully issued by the Chairman. Should the Chairman's emergency orders require some form of enforcement or implementation by City personnel (i.e. police, fire, public works), the Chairman shall communicate this need with the City Manager to ascertain the City's capability for such enforcement or other implementation. Should the Chairman fail to initiate such a communication, then it is the City Manager's obligation to communicate this capability to the Chairman of the County Legislature. Should such emergency order(s) be deemed by the City Manager to be inappropriate in some manner for the City of Ogdensburg, due to local circumstances, he may then appeal to the Chairman for modification of the order(s).

## EXHIBIT M

### PUBLIC BROADCAST OPTIONS

When an emergency situation exists, it is important to keep the community informed by means of regular news releases and updates, through area media outlets. Information to be disseminated may include situation status reports, special instructions to the public, and special restrictions.

Local media outlets which may be utilized include:

WSLB/WBDB/WGIX	315-393-1100
Watertown Daily Times	315-782-1000
WWNY TV, Channel 7	315-379-9110 or 315-788-3800
WWTI-News Watch 50, Channel 13	315-785-8850
WNCQ/WPAC/WYSX	315-393-1220
News 10 Now	315-234-1010 Option 2

The Spectrum E.A.S. system for cable television can be activated by St. Lawrence County Emergency Services. Upon activation the E.A.S. system will interrupt all cable television channels throughout the entire Ogdensburg system. To initiate this procedure:

1. Have news release ready containing situation status report, special instructions to the public, and special restrictions to be followed.
2. Contact St. Lawrence County Emergency Services Dispatch Center in Canton, New York at 315-386-4591 or 315-379-2431, dispatcher will activate E.A.S. cable system. Information may also be transmitted by 2-way radios to St. Lawrence County Emergency Services Dispatch Center.

In the event that a power outage disables the local radio station, WSLB/WBDB/WGIX, new releases may be made through alternative stations that have emergency generator back up. WSLU, located on the campus of St. Lawrence University in Canton, New York, is designated as the local hub for the North Country Public Radio and the Emergency Alert System (315-229-5356). WMSA in Massena, New York, also has generator back up (315-769-3333). Additionally, stronger AM radio reception may be available through CFJR in Brockville, Canada, at 830 AM (613-345-1666). If telephone lines are down, information may be relayed by the Police or Fire Departments via two-way radio, to St. Lawrence County EMS Dispatch, who will then relay to WSLU, also via two-way radio.

Tertiary communication methods which may be employed are broadcasts by Citizen Band Radio (Channel 9), broadcasts over Police or Fire frequencies addressed to those persons with scanner capability, mobile broadcasts via Police and Fire vehicle loudspeakers, and door-to-door notifications by Police and other City personnel.

## Reverse E-911

Reverse E-911 capability is possessed by the St. Lawrence County Office of Emergency Services. This system allows for messages to be transmitted to selected geographic areas through the landline telephone system. Cellular telephone contact may be a future option.

To activate this system, contact the St. Lawrence County Emergency Services Dispatch Center at 315-386-4591 or 315-379-2431. The requestor should identify him or herself and state the nature of the request.

A message may then be dictated to be transmitted to a specified geographic area or location, such as the City of Ogdensburg.

The Reverse E-911 system is capable of generating up to 10,000 calls per hour. It will repeat calls if there is no answer and leave a message on an answering machine.

## **EXHIBIT N**

### **SHELTER UTILIZATION** **(PRIORITIZATION AND CAPABILITY)**

The following steps will be taken once the need for emergency shelter(s) has been established by the City Manager or his designee.

1. Ogdensburg School District Superintendent will be contacted to begin the process of opening the shelters as necessary (Office: 315-393-0900, Ext. 1901, Cell:). If the School Superintendent is unavailable, the Director of Facilities, will be contacted (Office: 315-393-0900, Ext. 1927).
2. The schools will be opened on an "as needed" basis. Ogdensburg Free Academy, 1100 State Street (315-393-0900) will be the first shelter to open. It houses approximately 550 persons and has emergency generation equipment which provides heat, lights, hot water and food preparation capability. Kennedy School, 801-809 Park Street (315-393-4264) will be the second shelter to open. It houses approximately 500 persons and has emergency generation equipment for heat, lights and hot water. Madill School, 800 Jefferson Avenue (315-393-7729) will be the third shelter to open. It houses approximately 400 persons and has emergency generation equipment for heat, lights and hot water. Meals for Kennedy and Madill Schools will be shipped to each location by the kitchen at Ogdensburg Free Academy. Approximately 100,000 meals could be prepared from the food stuffs on hand in the school district other than during the summer recess period.
3. Appropriate staff for custodial and kitchen duties will be supplied by the Ogdensburg Enlarged School District. Supervision of the shelter will be supplied by the American Red Cross. An appropriate contract (see Attachment N-1) will be executed with the Ogdensburg Enlarged School District or the City of Ogdensburg as necessary. Additional supervision may be supplied by the City of Ogdensburg Fire or Police Departments.
4. Cots and blankets for the shelters will be provided by the St. Lawrence County Office of Emergency Services (Office: 315-379-2240). The Office of Emergency Services has an agreement with the American Red Cross for approximately 200 cots that are locally available. There is also an agreement with SEMO for several hundred additional cots. These cots are stored at the Clinton County Correctional Facility and would need to be transported here. The St. Lawrence Psychiatric Center (315-541-2171) has twelve roll away cots; there is also a potential for sleeping quarters there.
5. The Ogdensburg Neighborhood Center also has additional food supplies to supplement shelters as necessary. Personal items such as shampoo, soap, toothpaste, etc. are also available.

**ATTACHMENT N-1  
American Red Cross**

**SAMPLE STATEMENT OF AGREEMENT FOR  
THE USE OF FACILITIES AS MASS CARE SHELTERS**

This Agreement is made and entered into between the governing board of \_\_\_\_\_ (school district, church, other organization) \_\_\_\_\_ of \_\_\_\_\_ County, State of \_\_\_\_\_, and the \_\_\_\_\_ of Chapter of the American National Red Cross.

**Recitals**

Pursuant to the terms of federal statues, the Red Cross provides emergency services in behalf of individuals and families who are victims of disaster. \_\_\_\_\_ (Official) \_\_\_\_\_ is authorized to permit the Red Cross to use \_\_\_\_\_ (school district, church, other organization) \_\_\_\_\_'s buildings, grounds, and equipment for mass care shelters required in the conduct of Red Cross Disaster Services activities, and wishes to cooperate with the Red Cross for such purposes.

The parties hereto mutually desire to reach an understanding that will result in making the aforesaid facilities of \_\_\_\_\_ (school district, church, other organization) \_\_\_\_\_ available to the Red Cross for the aforesaid use. Now, therefore, it is mutually agreed between the parties as follows:

1. \_\_\_\_\_ agrees that, after meeting its responsibilities to pupils/parishioners/members/clients, it will permit, to the extent of its ability and upon request by the Red Cross, the use of its physical facilities by the Red Cross as mass shelters for the victims of disasters.\*
2. The American Red Cross agrees that it shall exercise reasonable care in the conduct of its activities in such facilities and further agrees to replace or reimburse \_\_\_\_\_ (school district, church, other organization) \_\_\_\_\_ for any foods or supplies that may be used by the Red Cross in the conduct of its relief activities in said mass shelters.
3. (If necessary). Notwithstanding any other agreements, the \_\_\_\_\_ Chapter of the American National Red Cross agrees to defend, hold harmless, and indemnify the \_\_\_\_\_ (school district, church, other organization) \_\_\_\_\_ against any legal liability in respect to bodily injury, death, and property damage, arising from the negligence of said chapter during its use of the property belonging to the said \_\_\_\_\_ (school district, church, other organization) \_\_\_\_\_.

In witness thereof, the governing board of the \_\_\_\_\_ (school district, church, other organization) has caused this agreement to be executed by the President of its governing board, and the American Red Cross has caused this agreement to be executed by the \_\_\_\_\_ Chapter, said agreement to become effective and operative upon the fixing of the last signature hereto.

Signatures to the Agreement:

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
President

\_\_\_\_\_  
Chapter/Red Cross Unit

\_\_\_\_\_  
School District/Church/Other Organization

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\*Add "and peacetime radiological emergencies/nuclear accidents" when applicable.

## Addendum to Shelter Agreement

### CAFETERIA AND CUSTODIAL LABOR

Between the \_\_\_\_\_ Department of Education  
and the \_\_\_\_\_ Chapter of the American Red Cross

The American Red Cross (ARC) may request the activation of hourly cafeteria and custodial staff to provide essential feeding and maintenance services in the school facility being used as a disaster shelter. Schools may be asked to continue feeding disaster victims after the shelter closes if there is widespread power outage in the area. Shelter staff and residents are also expected to assist with food service and maintenance.

ARC may reimburse wages for Department of Education (DOE) hourly cafeteria and custodial workers for their services provided during disaster ARC shelter operations or extended feeding operations. This reimbursement may include payment at the normal hourly rate for a number of workers if the workers were not scheduled to work those hours. It may also include overtime pay for hours worked in excess of the normal 40 hour work week after the normal 40 hour work week has been completed. The Red Cross agrees to reimburse cafeteria and custodial staff only. Reimbursement may include benefits if necessary. The number of paid DOE staff must be proportionate to the number of disaster victims in the shelter and the number of meals prepared. Detailed itemized accounts prepared in accordance with Red Cross procedures must be provided to allow for reimbursement. The Red Cross will not reimburse salaried employees.

#### **The ARC agrees to provide reimbursement as follows:**

1. Start-up Shelters: One (1) cafeteria worker and one (1) custodian until shelter population size is reasonably known.
2. Ongoing shelters: Two (2) cafeteria workers (one each for two 8-hour shifts) and three custodial workers (one each for three 8-hour shifts) for approximately 100 people per shelter. This may increase incrementally, not to exceed three cafeteria staff and three custodial staff per shift per shelter population of 500 people.

**The Department of Education agrees to:**

1. Activate and schedule the cafeteria and custodial workers as requested by the American Red Cross not to exceed the parameters described.
2. Maintain an accurate system of records for each shelter.
  - a. Provide daily reports on number of meals prepared and served at each shelter.
  - b. Provide a weekly summary of the number of staff and their hours in each shelter.
3. Submit a request for reimbursement of cafeteria and custodial labor to ARC within 30 days of the closing of each ARC shelter/feeding operation. The invoice shall list shelter/feeding site; dates of operation; each workers name, social security number, number of regular hours and number of overtime hours worked each day, weekly totals, hourly rate of pay, hourly overtime pay and total amount paid.

**Term of Agreement**

This Agreement shall be effective on \_\_\_\_\_ and terminate on [DATE NO LATER THAN THREE YEARS AFTER EFFECTIVE DATE]. Six months prior to termination, the parties shall meet to review the progress and success of the Agreement and negotiate the next Agreement. It is understood by both parties that at any time this Agreement may be terminated by written notification from either party to the other.

**The American Red Cross**

**The Department of Education**

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Date)

---

# American Red Cross

## MASS CARE FACILITY SURVEY

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Site Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Survey Completed:

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

Survey Update:

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

Main Telephone: (\_\_\_\_) \_\_\_\_\_

Directions to the Facility from the Chapter:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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To Open the Facility, Call:

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Business Phone:(\_\_\_\_) \_\_\_\_\_

Home Phone:(\_\_\_\_) \_\_\_\_\_

Person Who Opens the Facility:

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Business Phone:(\_\_\_\_) \_\_\_\_\_

Home Phone:(\_\_\_\_) \_\_\_\_\_

Alternate to Open the Facility:

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Business Phone:(\_\_\_\_) \_\_\_\_\_

Home Phone:(\_\_\_\_) \_\_\_\_\_

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Red Cross Chapter: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: (\_\_\_\_) \_\_\_\_\_

Contact: \_\_\_\_\_

## EXHIBIT O

### CITY HALL EMERGENCY EVACUATION PLAN

Potential emergencies at Ogdensburg's City Hall, such as fire, explosion, spill, chemical releases, criminal activity and all other emergencies, require employees to evacuate the building. An Emergency Evacuation Plan (EEP) and adequate occupant familiarity with a building minimize threats to life and property. This EEP is intended to communicate the policies and procedures for employees to follow in an emergency situation.

#### UNDER THIS PLAN, EMPLOYEES WILL BE INFORMED OF:

- preferred means of reporting fires and other emergencies
- emergency escape procedures and route assignments
- procedures to be followed by employees before they evacuate
- procedures to follow after evacuating the building

The Chief of Police is the Emergency Coordinator for this facility and has overall responsibility for the preparation and implementation of this plan. The Fire Chief is the Alternate Emergency Coordinator. The Emergency Coordinator will review and update the plan as necessary. Copies of this plan will be maintained in the City Manager's Office.

#### ALERTING OR SIGNALING BUILDING OCCUPANTS IN CASE OF FIRE or OTHER EMERGENCY

- 1) In case of a fire or other emergency, employees should actuate the nearest alarm box and/or utilize the telephone system by calling 911. City government offices may receive additional information through their "all call" intercom. The "all call" intercom can be activated from any City departmental phone by pressing the "E-Page" button (below the telephone display).
- 2) It may be necessary to activate additional fire alarm boxes, or shout the alarm, if people are still in the building and the alarm has stopped sounding, or if the alarm does not sound. This can be done while exiting.
- 3) Persons discovering a **fire, smoky condition, or explosion** should pull the fire box. Any pertinent fire or rescue information should be conveyed to the Fire Department.
- 4) To report all other emergencies, employees should call the Ogdensburg Police Department at 315-393-1551. State your name, location, and the nature of the call. Speak slowly and clearly. Wait for the dispatcher to hang up first. On occasion, the dispatcher may need additional information or may provide you with additional instructions.

## EVACUATION PROCEDURES FOR BUILDING OCCUPANTS

- 1) When fire alarm sounds, all employees should ensure that nearby employees and building occupants are aware of the emergency, quickly shutdown operating equipment, close doors and exit the building using stairwells. Cash drawers within offices that handle cash should be locked and placed in a safe or otherwise secured.
- 2) All employees should know where primary and alternate exits are located, and be familiar with the various evacuation routes available.
- 3) All employees should report to the northwest corner of the Caroline Street parking lot, at which time a quick head count will be conducted to ensure all personnel are accounted for. Personnel will then continue to move to the Ogdensburg Public Library on Washington Street until given further directives.
- 4) **Building occupants must NOT use elevators as an escape route in the event of a fire.**

### **Note and Precautions**

Small fires can be extinguished **only if you are trained to use a fire extinguisher**. However, an immediate readiness to evacuate is essential.

Never enter a room that is smoke filled or if the door is warm to the touch.

## DISABLED OCCUPANTS

If a disabled occupant is unable to exit the building unassisted, employees must notify the emergency responders of the person's location. Transporting of disabled individuals up and down stairwells should be avoided until emergency response personnel have arrived. Unless imminent life threatening conditions exist in the immediate area occupied by a non-ambulatory or disabled person, relocation of the individual should be limited to a safe area on the same floor, in close proximity to an evacuation stairwell.

## ACCOUNTABILITY PROCEDURES FOR EMERGENCY EVACUATION

**Designated Meeting site:** Groups working in the same area should meet outside in the Caroline Street parking lot, at which time a quick head count will be conducted to ensure all employees are accounted for. Employees will then continue to move to the **Ogdensburg Public Library** on Washington Street until given further directives.

All employees are to be made aware of employees with disabilities that may need extra assistance and of hazardous areas to be avoided during emergencies.

Once each evacuated group of employees has reached the Ogdensburg Public Library, each Department Head should:

- 1) Assemble his/her group.
- 2) Take head count of his/her group.
- 3) Report status to Emergency Coordinator or Incident Commander.
- 4) Instruct employees to remain at Library until further notice.

## **EXHIBIT P**

### **PANDEMIC INFLUENZA RESPONSE**

#### **Introduction**

A pandemic is a worldwide epidemic of influenza. Pandemics occur when new viruses emerge to which people have little or no immunity. Avian strains, such as H5N1, have the potential to cause the next pandemic.

The New York State Department of Health estimates that, should a worst case pandemic occur, nearly six million people in the state would become seriously ill, and that there would be approximately 128,000 fatalities. Pandemics may be long lasting events, with a second wave often occurring 3-12 months after an initial outbreak.

#### **Staffing**

The Federal Government recommends that pandemic planning with respect to staffing be based upon the assumption that up to 40% of staff may be absent for extended periods during a pandemic wave. Other estimates range to over 50%. Such levels of absenteeism may be attributed to personal illness, caring for sick family members, or safety concerns.

City Departments should develop contingency plans to incorporate severely reduced staffing levels. Twelve hour shifts, for example, may be appropriate for Departments that are required to provide twenty four hour service. Modified or light duty assignments may be appropriate for personnel who are no longer infectious, but are still recovering. Department heads may need to implement mandatory sick leave for those who are becoming ill, but insist upon reporting for duty.

An alternate chain of command should be developed, with redundant backups, to cope with the anticipated absence of top administrators.

#### **Personal Protective Measures**

Employees should be encouraged to employ personal protective measures to include:

- Covering the mouth when coughing or sneezing.
- Using tissues and promptly disposing of them.
- Performing frequent hand hygiene, using anti-microbial soap and water, alcohol based hand rub, or antiseptic handwash.
- Clean telephone receivers with antiseptic wipes after each use.
- Frequently clean common work surfaces.

Employees should be encouraged to receive an annual flu shot, and also their families. Public safety agencies will likely be prioritized for vaccinations in the event of an outbreak.

Personal protective equipment (PPE) should be used where appropriate. Departments should maintain adequate inventories of PPE which may include masks, gloves, Tyvek suits, and disinfectants.

### **Continuity of Operations/Service Delivery**

The City of Ogdensburg shall strive, as a whole, to ensure continuity of operations, and delivery of essential services.

This will require each Department to assess what organizational functions would have to be modified. Types of services to be delivered will have to be prioritized, especially in light of reduced human resources. This may mean that certain non-essential services will not be provided.

For example, the Police Department may only take telephonic reports for certain types of incidents, such as crimes against property which are not in progress. The Fire Department may suspend inspection programs to concentrate on EMS and firefighting activities. The Department of Public Works may suspend projects that are non-emergency or related to critical infrastructure.

Some routine services/functions may be supplanted as new functions are necessitated by the nature of the pandemic. For example, some critical infrastructure may need constant security, or there be quarantine enforcement required.

Critical supplies for each Department should be stockpiled, or arrangements for quick procurement should be in place.

### **Communications**

Regular communications and updates for City personnel, and the public, are important. Communications options may be found in EXHIBIT M, which begins on page 78.

A Public Information Officer (PIO) should be established as a point of contact for media outlets.

Any changes in service delivery should be announced immediately.

## **Coordination With External Organizations**

The City of Ogdensburg, and its respective Departments, must coordinate with certain external organizations and entities during a pandemic response.

Some of these entities would include other local, county, and state emergency services, healthcare providers such as the Claxton-Hepburn Medical Center, the St. Lawrence County Public Health Department, and utilities. Clear lines of communication should be established.

Private security firms may be contracted to support law enforcement in providing security for critical infrastructure, and even quarantine enforcement,

Mutual Aid mechanisms should be reviewed, keeping in mind that outside assistance may be minimal, or non-existent. A full blown pandemic will tax everyone's resources.

## SECTION X

### EXECUTIVE LAW - ARTICLE 2-B

Reference: McKinney's Consolidated Laws, Volume 18, 1979 Supplement\*

Legislative Findings: "The legislature hereby finds and declares that a wide variety of disasters, often caused or compounded by mankind's own acts, cause loss of life, property and income, disrupt the normal function of government, communities and families, and cause great human suffering. The legislature further finds that it must provide for preparations to prevent, meet, defend against and recover from, dangers and problems arising from these emergencies with the least possible interference with the existing division of the powers of the government."

"The legislature finds that a joint effort, public and private, is needed to mobilize the resources of individuals, business, labor, agriculture, and government at every level -- federal, state and local -- for effective organization to prepare for and meet natural and man-made disasters of all kinds."

"The legislature finds that the state must give leadership and direction to this important task of establishing an emergency disaster preparedness program for the protection of each person in the state."

"The legislature finds that a mutual benefit can be derived by the state and its political subdivisions by the integration of their natural disaster and peacetime emergency response functions with the civil defense program, thus utilizing local government and emergency services organizations for response to both natural and man-made disaster and to attack."

"The legislature finds that local disaster preparedness plans are essential in order to minimize potential disasters and their effects, provide for effective local responses when disasters occur and facilitate local recovery. The legislature further finds that local plans constitute an essential part of the statewide disaster preparedness program and that without local disaster planning, no state disaster program can be fully effective."

\* As revised by Chapter 708 of the Laws of 1981.

## **ARTICLE 2-B**

### **STATE AND LOCAL NATURAL AND MAN-MADE DISASTER PREPAREDNESS**

#### **Section**

20. Natural and man-made disasters; policy; definitions.
21. Disaster preparedness commission established; meetings; powers and duties.
22. State disaster preparedness plans.
23. Local disaster preparedness plans.
24. Local state of emergency; local emergency orders by chief executive.
25. Use of local government resources in a disaster.
26. Coordination of local disaster preparedness forces and local civil defense forces in disasters.
27. Continuity of local governments.
28. State declaration of disaster emergency.
- 28-a. Post disaster recovery planning.
  29. Direction of state agency assistance in a disaster emergency.
- 29-a. Suspension of other laws.
- 29-b. Use of civil defense forces in disasters.
- 29-c. Radiological preparedness.
- 29-d. Reports.

§20. Natural and man-made disasters; policy; definitions

1. It shall be the policy of the state that:
  - a. local government and emergency service organizations continue their essential role as the first line of defense in times of disaster, and that the state provide appropriate supportive services to the extent necessary;
  - b. local chief executives take an active and personal role in the development and implementation of disaster preparedness programs and be vested with authority and responsibility in order to insure the success of such programs;
  - c. state and local natural disaster and emergency response functions be coordinated in order to bring the fullest protection and benefit to the people;
  - d. state resources be organized and prepared for immediate effective response to disasters which are beyond the capability of local governments and emergency service organizations; and
  - e. state and local plans, organizational arrangements, and response capability required to execute the provisions of this Article shall at all times be the most effective that current circumstances and existing resources allow.
2. As used in this article, the following terms shall have the following meanings:
  - a. "disaster" means occurrence or imminent threat of wide spread or severe damage, injury, or loss of life or property resulting from any natural or man-made causes, including, but not limited to, fire, flood, earthquake, hurricane, tornado, high water, landslide, mudslide, wind, storm, wave action, volcanic activity, epidemic, air contamination, blight, drought, infestation, explosion, radiological accident or water contamination.
  - b. "state disaster emergency" means a period beginning with a declaration by the governor that a disaster exists and ending upon the termination thereof.
  - c. "municipality" means a public corporation as defined in subdivision one of section sixty-six of the general construction law and a special district as defined in subdivision sixteen of section one hundred two of the real property tax law.
  - d. "commission" means the disaster preparedness commission created pursuant to section twenty-one of this article.

- e. "emergency services organization" means a public or private agency, organization or group organized and functioning for the purpose of providing fire, medical, ambulance, rescue, housing, food or other services directed toward relieving human suffering, injury or loss of life or damage to property as a result of an emergency, including non-profit and governmentally-supported organizations, but excluding governmental agencies.
- f. "chief executive" means:
  - (1) a county executive or manager of a county;
  - (2) in a county not having a county executive or manager, the chairman or other presiding officer of the county legislative body;
  - (3) a mayor of a city or village, except where a city or village has a manager, it shall mean such manager; and
  - (4) a supervisor of a town, except where a town has a manager, it shall mean such manager.

§21. Disaster preparedness commission established; meetings; powers and duties

- 1. There is hereby created in the executive department a disaster preparedness commission consisting of the commissioners of transportation, health, state energy office, division of criminal justice services, education, social services, commerce, agriculture and markets, housing and community renewal, general services, and environmental conservation, the superintendent of state police, the secretary of state, the state fire administrator, the chairman of the public service commission, the industrial commissioner, the chief of staff to the governor, and three additional members, to be appointed by the governor, two of whom shall be chief executives. The governor shall designate the chairman of the commission. The members of the commission, except those who serve ex officio, shall be allowed their actual and necessary expenses incurred in the performance of their duties under this article but shall receive no additional compensation for services rendered pursuant to this article.
- 2. The commission, on call of the chairman, shall meet at least twice each year and at such other times as may be necessary. The agenda and meeting place of all regular meetings shall be made available to the public in advance of such meetings and all such meetings shall be open to the public. The commission shall establish quorum requirements and other rules and procedures regarding conduct at its meetings and other affairs. The chief of staff to the governor shall serve as secretariat to the commission and provide such staff services as may be necessary.
- 3. The commission shall have the following powers and responsibilities:
  - a. study all aspects of man-made or natural disaster prevention, response and recovery.

- b. request and obtain from any state or local officer or agency any information necessary to the commission for the exercise of its responsibilities.
- c. prepare state disaster preparedness plans, to be approved by the governor, and review such plans and report thereon by March thirty-first of each year to the governor and the legislature. In preparing such plans, the commission shall consult with federal and local officials, emergency service organizations, and the public as it deems appropriate.
- d. prepare, keep current and distribute to chief executives and others an inventory of programs directly relevant to prevention, minimization of damage, readiness, operations during disasters, and recovery following disasters.
- e. direct state disaster operations and coordinate state disaster operations with local disaster operations following the declaration of a state disaster emergency.
- f. unless it deems it unnecessary, create, following the declaration of a state disaster emergency, a temporary organization in the disaster area to provide for integration and coordination of efforts among the various federal, state, municipal and private agencies involved. The commission upon a finding that a municipality is unable to manage local disaster operations. may, with the approval of the governor, direct the temporary organization to assume direction of the local disaster operations of such municipality, for a specified period of time, and in such cases such temporary organization shall assume direction of such local disaster operations, subject to the supervision of the commission. In such event, such temporary organization may utilize such municipality's local resources, provided, however, that the state shall not be liable for any expenses incurred in using such municipality's resources.
- g. assist in the coordination of federal recovery efforts and coordinate recovery assistance by state and private agencies.
- h. provide for periodic briefings, drills, exercises or other means to assure that all state personnel with direct responsibilities in the event of a disaster are fully familiar with response and recovery plans and the manner in which they shall carry out their responsibilities, and coordinate with federal, local or other state personnel. Such activities may take place on a regional or county basis, and local and federal participation shall be invited and encouraged.
- i. submit to the governor and the legislature by March thirty-first of each year an annual report which shall include, but need not be limited to:

- (1) a summary of commission and state agency activities for the year and plans for the ensuing year with respect to the duties and responsibilities of the commission;
  - (2) recommendations on ways to improve state and local capability to prevent, prepare for, respond to and recover from disasters;
  - (3) the status of the state and local plans for disaster preparedness and response, including the name of any locality which has failed or refused to develop and implement its own disaster preparedness plan and program.
- j. coordinate and, to the extent possible and feasible, integrate commission activities, responsibilities and duties with those of the civil defense commission.

§22. State disaster preparedness plans

1. The commission shall prepare a state disaster preparedness plan and submit such plan to the governor for approval no later than one year following the effective date of this act. The governor shall act upon such plan by July first of that year. The commission shall review such plans annually.
2. The purpose of such plans shall be to minimize the effects of disasters by: (i) identifying appropriate measures to prevent disasters, (ii) developing mechanisms to coordinate the use of resources and manpower for service during and after disaster emergencies and the delivery of services to aid citizens and reduce human suffering resulting from a disaster, and (iii) provide for recovery and redevelopment after disaster emergencies.
3. Such plans shall be prepared with such assistance from other agencies as the commission deems necessary, and shall include, but not be limited to:
  - a. Disaster prevention. Plans to prevent and minimize the effects of disasters shall include, but not be limited to:
    - (1) identification of potential disasters and disaster sites;
    - (2) recommended disaster prevention projects, policies, priorities and programs, with suggested implementation schedules, which outline federal, state and local roles;
    - (3) suggested revisions and additions to building and safety codes, and zoning and other land use programs;
    - (4) suggested ways in which state agencies can provide technical assistance to municipalities in the development of local disaster prevention plans and programs;

- (5) such other measures as reasonably can be taken to prevent disasters or mitigate their impact.
- b. Disaster response: Plans to coordinate the use of resources and manpower for service during and after disaster emergencies and to deliver services to aid citizens and reduce human suffering resulting from a disaster emergency shall include, but not be limited to:
- (1) centralized coordination of resources, manpower and services, utilizing existing organizations and lines of authority and centralized direction of requests for assistance;
  - (2) the location, procurement, construction, processing, transportation, storing, maintenance, renovation, distribution or use of materials, facilities and services;
  - (3) a system for warning populations who are or may be endangered;
  - (4) arrangements for activating state, municipal and volunteer forces, through normal chains of command so far as possible and for continued communication and reporting;
  - (5) a specific plan for rapid and efficient communication, and for the integration of state communication facilities during a state disaster emergency, including the assignment of responsibilities and the establishment of communication priorities, and liaison with municipal, private and federal communication facilities;
  - (6) a plan for coordinated evacuation procedures, including the establishment of temporary housing and other necessary facilities;
  - (7) criteria for establishing priorities with respect to the restoration of vital services and debris removal;
  - (8) a plan for the continued effective operation of the criminal justice system;
  - (9) provision for training state and local government personnel and volunteers in disaster response operations;
  - (10) providing information to the public;
  - (11) care for the injured and needy and identification and disposition of the dead;
  - (12) utilization and coordination of programs to assist victims of disasters, with particular attention to the needs of the poor, the elderly, the handicapped, and other groups which may be especially affected;

- (13) control of ingress and egress to and from a disaster area;
  - (14) arrangements to administer federal disaster assistance; and
  - (15) a system for obtaining and coordinating disaster information including the centralized assessment of disaster effects and resultant needs.
- c. Recovery. Plans to provide for recovery and redevelopment after disaster emergencies shall include, but not be limited to:
- (1) measures to coordinate state agency assistance in recovery efforts;
  - (2) arrangements to administer federal recovery assistance; and
  - (3) such other measures as reasonably can be taken to assist in the development and implementation of local disaster recovery plans.

§23. Local disaster preparedness plans

1. Each county, except those contained within the city of New York, and each city is authorized to prepare disaster preparedness plans. The disaster preparedness commission shall provide assistance and advice for the development of such plans.
2. The purpose of such plans shall be to minimize the effect of disasters by (i) identifying appropriate local measures to prevent disasters, (ii) developing mechanisms to coordinate the use of local resources and manpower for service during and after disasters and the delivery of services to aid citizens and reduce human suffering resulting from a disaster, and (iii) providing for recovery and redevelopment after disasters.
3. Plans for coordination of resources, manpower and services shall provide for a centralized coordination and direction of requests for assistance.
4. Plans for coordination of assistance shall provide for utilization of existing organizations and lines of authority.
5. In preparing such plans, cooperation, advice and assistance shall be sought from local government officials, regional and local planning agencies, policy agencies, fire departments and fire companies, local civil defense agencies, commercial and volunteer ambulance services, health and social services officials, community action agencies, organizations for the elderly and the handicapped, other interested groups and the general public. Such advice and assistance may be obtained through public hearings held on public notice, or through other appropriate methods.
6. All plans for disaster preparedness developed by local governments, or any revisions thereto, shall be submitted to the commission by December thirty-first of each year to facilitate state coordination of disaster operations.

7. Such plans shall include, but not be limited to:
  - a. Disaster prevention. Plans to prevent and minimize the effects of disasters shall include, but not be limited to:
    - (1) identification of potential disasters and disaster sites;
    - (2) recommended disaster prevention projects, policies, priorities and programs, with suggested implementation schedules, which outline federal, state and local roles;
    - (3) suggested revisions and additions to building and safety codes and zoning and other land use programs;
    - (4) such other measures as reasonably can be taken to prevent disasters or mitigate their impact.
  - b. Disaster response. Plans to coordinate the use of resources and manpower for service during and after disasters and to deliver services to aid citizens and reduce human suffering resulting from a disaster shall include, but not be limited to:
    - (1) centralized coordination of resources, manpower and services, utilizing existing organizations and lines of authority and centralized direction of requests for assistance;
    - (2) the location, procurement, construction, processing, transportation, storing, maintenance, renovation, distribution or use of materials, facilities and services which may be required in time of disaster;
    - (3) a system for warning populations who are or may be endangered;
    - (4) arrangements for activating municipal and volunteer forces, through normal chains of command so far as possible, and for continued communication and reporting;
    - (5) a specific plan for rapid and efficient communication and for the integration of local communication facilities during a disaster including the assignment of responsibilities and the establishment of communication priorities and liaison with municipal, private, state and federal communication facilities;
    - (6) a plan for coordination evacuation procedures including the establishment of temporary housing and other necessary facilities;
    - (7) criteria for establishing priorities with respect to the restoration of vital services and debris removal;

- (8) a plan for the continued effective operation of the criminal justice system;
  - (9) provisions for training local government personnel and volunteers in disaster response operations;
  - (10) providing information to the public;
  - (11) care for the injured and needy and identification and disposition of the dead;
  - (12) utilization and coordination of programs to assist victims of disasters, with particular attention to the needs of the poor, the elderly, the handicapped, and other groups which may be especially affected;
  - (13) control of ingress and egress to and from a disaster area;
  - (14) arrangements to administer federal disaster assistance; and
  - (15) procedures under which the county, city, town, village or other political subdivision and emergency organization personnel and resources will be used in the event of a disaster;
  - (16) a system for obtaining and coordinating disaster information including the centralized assessment of local disaster effects and resultant needs; and
  - (17) continued operation of governments of political subdivisions.
- c. Recovery. Local plans to provide for recovery and redevelopment after disasters shall include, but not be limited to:
- (1) recommendations for replacement, reconstruction, removal or relocation of damaged or destroyed public or private facilities, proposed new or amendments to zoning, subdivision, building, sanitary or fire prevention regulations and recommendations for economic development and community development in order to minimize the impact of any potential future disasters on the community.
  - (2) provision for cooperation with state and federal agencies in recovery efforts.
  - (3) provisions for training and educating local disaster officials or organizations in the preparation of applications for federal and state disaster recovery assistance.

§24. Local state of emergency; local emergency orders by chief executive

1. Notwithstanding any inconsistent provision of law, general or special, in the event of a disaster, rioting, catastrophe, or similar public emergency within the territorial limits of any county, city, town or village, or in the event of reasonable apprehension of immediate danger thereof, and upon a finding by the chief executive thereof that the public safety is imperiled thereby, such chief executive may proclaim a local state of emergency within any part or all of the territorial limits of such local government; provided, however, that in the event of a radiological accident as defined in section twenty-nine-c of this article, such chief executive may request of the governor a declaration of disaster emergency. Following such proclamation and during the continuance of such local state of emergency, the chief executive may promulgate local emergency orders to protect life and property and to bring the emergency situation under control. Such orders may, within any part or all of the territorial limits of such local government, provide for:
  - a. the establishment of a curfew and the prohibition and control of pedestrian and vehicular traffic, except essential emergency vehicles and personnel;
  - b. the designation of specific zones within which the occupancy and use of buildings and the ingress and egress of vehicles and persons may be prohibited or regulated;
  - c. the regulation and closing of places of amusement and assembly;
  - d. the suspension or limitation of the sale, dispensing, use or transportation of alcoholic beverages, firearms, explosives, and flammable materials and liquids;
  - e. the prohibition and control of the presence of persons on public streets and places;
  - f. the suspension within any part or all of its territorial limits of any of its local laws, ordinances or regulations, or parts thereof, subject to federal and state constitutional, statutory and regulatory limitations, which may prevent, hinder, or delay necessary action in coping with a disaster or recovery therefrom whenever
    - (1) a request has been made pursuant to subdivision seven of this section, or
    - (2) whenever the governor has declared a state disaster emergency pursuant to section twenty-eight of this article. Suspension of any local law, ordinance or regulation pursuant to this paragraph shall be subject to the following standards and limits:

- (i) no suspension shall be made for a period in excess of five days, provided, however, that upon reconsideration of all the relevant facts and circumstances, a suspension may be extended for additional periods not to exceed five days each during the pendency of the state of emergency;
  - (ii) no suspension shall be made which does not safeguard the health and welfare of the public and which is not reasonably necessary to the disaster effort;
  - (iii) any such suspension order shall specify the local law, ordinance or regulation, or part thereof suspended and the terms and conditions of the suspension;
  - (iv) the order may provide for such suspension only under particular circumstances, and may provide for the alteration or modification of the requirements of such law, ordinance or regulation suspended, and may include other terms and conditions;
  - (v) any such suspension order shall provide for the minimum deviation from the requirements of the local law, ordinance or regulation suspended consistent with the disaster action deemed necessary; and
  - (vi) when practicable, specialists shall be assigned to assist with the related emergency actions to avoid adverse effects resulting from such suspension.
2. A local emergency order shall be effective from the time and in the manner prescribed in the order and shall be published as soon as practicable in a newspaper of general circulation in the area affected by such order and transmitted to the radio and television media for publication and broadcast. Such orders may be amended, modified and rescinded by the chief executive during the pendency or existence of the state of emergency. Such orders shall cease to be in effect five days after promulgation or upon declaration by the chief executive that the state of emergency no longer exists, whichever occurs sooner. The chief executive, nevertheless, may extend such orders for additional periods not to exceed five days each during the pendency of the local state of emergency.
3. The local emergency orders of a chief executive of a county shall be executed in triplicate and shall be filed within seventy-two hours or as soon thereafter as practicable in the office of the clerk of the governing board of the county, the office of the county clerk and the office of the secretary of state. The local emergency orders of a chief executive of a city, town or village shall be executed in triplicate and shall be filed within seventy-two hours or as soon thereafter as practicable in the office of the clerk of such municipal corporation, the office of the county clerk and the office of the secretary of state.

4. Nothing in this section shall be deemed to limit the power of any local government to confer upon its chief executive any additional duties or responsibilities deemed appropriate.
5. Any person who knowingly violates any local emergency order of a chief executive promulgated pursuant to this section is guilty of a class B misdemeanor.
6. Whenever a local state of emergency is declared by the chief executive of a local government pursuant to this section, the chief executive of the county in which such local state of emergency is declared, or where a county is wholly contained within a city, the mayor of such city, may request the governor to remove all or any number of sentenced inmates from institutions maintained by such county in accordance with section ninety-three of the correction law.
7. Whenever a local state of emergency has been declared pursuant to this section, the chief executive of the county in which the local state of emergency has been declared, or where a county is wholly contained within a city, the chief executive of the city, may request the governor to provide assistance under this chapter, provided that such chief executive determines that the disaster is beyond the capacity of local government to meet adequately and state assistance is necessary to supplement local efforts to save lives and protect property, public health and safety, or to avert or lessen the threat of a disaster.
8. The legislature may terminate, by concurrent resolution, such emergency orders at any time.

§25. Use of local government resources in a disaster

1. Upon the threat or occurrence of a disaster, the chief executive of any political subdivision is hereby authorized and empowered to and shall use any and all facilities, equipment, supplies, personnel and other resources of his political subdivision in such manner as may be necessary or appropriate to cope with the disaster or any emergency resulting therefrom.
2. Upon the threat or occurrence of a disaster, the chief executive may request and accept assistance which is coordinated and directed by the county chief executive as provided in section twenty-six of this article.
3. A chief executive may also request and accept assistance from any other political subdivision and may receive therefrom and utilize any real or personal property or the service of any personnel thereof on such terms and conditions as may be mutually agreed to by the chief executives of the requesting and assisting political subdivisions.

4. Upon the receipt of a request for assistance made pursuant to subdivision two or three of this section, the chief executive of any political subdivision may give, lend or lease, on such terms and conditions as he may deem necessary to promote the public welfare and protect the interests of such political subdivision, any services, equipment, facilities, supplies or other resources of his political subdivision. Any lease or loan of real or personal property pursuant to this subdivision, or any transfer of personnel pursuant hereto, shall be only for the purpose of assisting a political subdivision in emergency relief, reconstruction, or rehabilitation made necessary by the disaster.
5. A political subdivision shall not be liable for any claim based upon the exercise or performance or the failure to exercise or perform a discretionary function or duty on the part of any officer or employee in carrying out the provisions of this section.
6. The chief executive, when requesting assistance pursuant to this section, may request assistance from the civil defense and disaster preparedness forces of any other political subdivision, but only if the civil defense and disaster preparedness forces of the type being requested have already been activated within the political subdivisions requesting assistance. The chief executive of any political subdivision receiving such request is hereby authorized and empowered, subject to the provision of section twenty-six of this article, to respond thereto.
7. Any power or authority conferred upon any political subdivision by this section shall be in addition to and not in substitution for or limitation of any powers or authority otherwise vested in such subdivision or any officer thereof.

§26. Coordination of local disaster preparedness forces and local civil defense forces in disasters

1. Upon the threat or occurrence of a disaster, the chief executive of a county may coordinate responses for requests for assistance made by the chief executive of any political subdivision within the county.
2. Coordination of assistance shall utilize existing organizations and lines of authority and shall utilize any disaster preparedness or civil defense plans prepared by the affected municipality.
3. A chief executive or any elected or appointed county, city, town or village official shall not be held responsible for acts or omissions of disaster preparedness forces or civil defense forces when performing disaster assistance.

§27. Continuity of local governments

1. Every county, except those wholly contained within a city, every city, every town and every village shall have power to provide by local law, and every other public corporation, district corporation or public benefit corporation shall have power to provide by resolution, for its continuity and that of its elective and appointive officers, including members of its legislative or governing body when, in the event of a disaster and the emergency conditions caused thereby, any of such officers is unable to discharge the powers and duties of his office or is absent from the political subdivision. In any such local law or resolution, provision may be made that the removal of a disability or the termination of any absence from the political subdivision of an officer higher on a list or order of succession provided therein to an office shall not terminate the service in such office of an individual lower on such list or order of succession who is temporarily filling such office. Notwithstanding the provisions of any general or special law or city or village charter, a local law or resolution adopted pursuant to this section may be made effective without approval at a mandatory or permissive referendum but in no case shall such local law or resolution become effective until one certified copy thereof has been filed with the clerk of the political subdivision or other appropriate official designated for such purpose by the respective legislative or governing body, one certified copy thereof has been filed in the office of the State Comptroller and three certified copies thereof have been filed in the office of the Secretary of State.

No provision of this subdivision shall be construed or interpreted as affecting the validity of any ordinance, local law or resolution enacted prior to April first, nineteen hundred seventy-nine or actions taken thereunder by the government of any county, city, town or village.

2. The provisions of this section shall not be applicable in any case where the continuity of the government of a political subdivision or that of any of its elective or appointive officers is otherwise provided for by or pursuant to law.
3. This section shall be construed liberally. The powers herein granted shall be in addition to and not in substitution of any power granted, procedure provided or provisions made in any other law.

§28. State declaration of disaster emergency

1. Whenever the governor, on his own initiative or pursuant to a request from one or more chief executives, finds that a disaster has occurred or may be imminent for which local governments are unable to respond adequately, he shall declare a disaster emergency by executive order.
2. Upon declaration of a disaster arising from a radiological accident, the governor, or his designee, shall direct one or more chief executives and emergency services organizations to:
  - a. notify the public that an emergency exists; and
  - b. take appropriate protective actions pursuant to the radiological emergency preparedness plan approved pursuant to section twenty-two and twenty-three of this article. The governor, or his designee, shall also have authority to direct that other actions be taken by such chief executives pursuant to their authority under section twenty-four of this article.
3. The executive order shall include a description of the disaster and the affected area. Such order or orders shall remain in effect for a period not to exceed six months or until rescinded by the governor, whichever occurs first. The governor may issue additional orders to extend the state disaster emergency for additional periods not to exceed six months.
4. Whenever the governor shall find that a disaster is of such severity and magnitude that effective response is beyond the capabilities of the state and the affected jurisdictions, he shall make an appropriate request for federal assistance available under federal law, and may make available out of any funds provided under the governmental emergency fund or such other funds as may be available, sufficient funds to provide the required state share of grants made under any federal program for meeting disaster related expenses including those available to individuals and families.

§28-a. Post disaster recovery planning

1. Whenever a state disaster emergency has been declared any county, city, town or village included in such disaster area shall prepare a local recovery and redevelopment plan, unless the legislative body of the municipality shall determine such plan to be unnecessary or impractical. Prior to making such determination, the municipality shall notify the commission of its intent to forego preparation and provide an opportunity to comment to the commission. Within fifteen days after the declaration of a state disaster, any county, city, town or village included in such disaster area shall report to the commission whether the preparation of a recovery and redevelopment plan has been commenced, and if not, the reasons for not preparing such plan. Within sixty days after the declaration of a state disaster, the commission shall report to the governor and the legislature the status of local recovery and redevelopment plans, including the name of any municipality which has failed

- or refused to commence the development of a recovery and redevelopment plan.
2. The commission shall provide technical assistance in the development of such plans upon the request of such county, city, town or village.
  3. A local recovery and redevelopment plan shall include, but need not be limited to: plans for replacement, reconstruction, removal or relocation of damaged or destroyed facilities; proposed new or amended regulations such as zoning, subdivision, building or sanitary ordinances and codes; and plans for economic recovery and community development. Such plans shall take into account and to the extent practicable incorporate relevant existing plans and policies and such plans shall take into account the need to minimize the potential impact of any future disasters on the community.
  4. Proposed plans shall be presented at a public hearing upon five days notice published in a newspaper of general circulation in the area affected and transmitted to the radio and television media for publication and broadcast. Such notice shall state the time and place of the hearing and indicate where copies of the proposed plan may be inspected or obtained. Any county, city, town or village preparing a recovery and redevelopment plan pursuant to this subdivision may, upon mutual agreement with any other county, city, town or village, hold a joint hearing to consider such recovery and redevelopment plan.
  5. Such plans shall be prepared within forty-five days after the declaration of a state disaster and shall be transmitted to the commission. The commission shall provide its comments on the plan within ten days after receiving such plan.
  6. A plan shall be adopted by such county, city, town or village within ten days after receiving the comments of the commission. The adopted plan may be amended at any time in the same manner as originally prepared, revised and adopted.
  7. The adopted plan shall be the official policy for recovery and redevelopment within the municipality.
  8. Nothing in this section shall preclude any municipality from applying for or accepting and receiving any federal funds.

§29. Direction of state agency assistance in a disaster emergency

Upon the declaration of a state disaster emergency the governor may direct any and all agencies of the state government to provide assistance under the coordination of the disaster preparedness commission. Such state assistance may include: (1) utilizing, lending, or giving to political subdivisions, with or without compensation therefor, equipment, supplies, facilities, services of state personnel, and other resources, other than the extension of credit; (2) distributing medicine, medical supplies, food and other consumable supplies

through any public or private agency authorized to distribute the same; (3) performing on public or private lands temporary emergency work essential for the protection of public health and safety, clearing debris and wreckage, making emergency repairs to and temporary replacements of public facilities of political subdivisions damaged or destroyed as a result of such disaster; and (4) making such other use of their facilities, equipment, supplies and personnel as may be necessary to assist in coping with the disaster or any emergency resulting therefrom.

§29-a. Suspension of other laws

1. Subject to the state constitution, the federal constitution and federal statutes and regulations, and after seeking the advice of the commission, the governor may by executive order temporarily suspend specific provisions of any statute, local law, ordinance, or orders, rules or regulations, or parts thereof, of any agency during a state disaster emergency, if compliance with such provisions would prevent, hinder, or delay action necessary to cope with the disaster.
2. Suspensions pursuant to subdivision one of this section shall be subject to the following standards and limits:
  - a. no suspension shall be made for a period in excess of thirty days, provided, however, that upon reconsideration of all of the relevant facts and circumstances, the governor may extend the suspension for additional periods not to exceed thirty days each;
  - b. no suspension shall be made which does not safeguard the health and welfare of the public and which is not reasonably necessary to the disaster effort;
  - c. any such suspension order shall specify the statute, local law, ordinance, order, rule or regulation or part thereof to be suspended and the terms and conditions of the suspension;
  - d. the order may provide for such suspension only under particular circumstances, and may provide for the alteration or modification of the requirements of such statute, local law, ordinance, order, rule or regulation suspended, and may include other terms and conditions;
  - e. any such suspension order shall provide for the minimum deviation from the requirements of the statute, local law, ordinance, order, rule or regulation suspended consistent with the disaster action deemed necessary; and
  - f. when practicable, specialists shall be assigned to assist with the related emergency actions to avoid needless adverse effects resulting from such suspension.

3. Such suspensions shall be effective from the time and in the manner prescribed in such orders and shall be published as soon as practicable in the state bulletin.
4. The legislature may terminate by concurrent resolution executive orders issued under this section at any time.

§29-b. Use of civil defense forces in disasters

1. The governor may, in his discretion, direct the state civil defense commission to conduct a civil defense drill, under its direction, in which all or any part of the civil defense forces of the state may be utilized to perform the duties assigned to them in a civil defense emergency, for the purpose of protecting and preserving human life or property in a disaster. In such event, civil defense forces in the state shall operate under the direction and command of the state director of civil defense, and shall possess the same powers, duties, rights, privileges and immunities as are applicable in a civil defense drill held at the direction of the state civil defense commission under the provisions of the New York State defense emergency act.
2. Local use of civil defense forces.
  - a. Upon the threat or occurrence of a disaster, and during and immediately following the same, and except as otherwise provided in paragraph d of this subdivision, the county chief executive may direct the civil defense director of a county to assist in the protection and preservation of human life or property by holding a civil defense drill and training exercise at the scene of the disaster and at any other appropriate places within the county, in which all or any civil defense forces may be called upon to perform the civil defense duties assigned to them.
  - b. The civil defense forces of the county shall be regarded as a reserve disaster force to be activated, in whole or in part, by the county civil defense director upon the direction of the county chief executive when the county chief executive, in his discretion, is convinced that the personnel and resources of local municipal and private agencies normally available for disaster assistance are insufficient adequately to cope with the disaster.
  - c. Except as provided in paragraph d of this subdivision, the county chief executive may exercise the power conferred upon him in paragraph a of this subdivision, or may deactivate the civil defense forces of the county in whole or in part, on his own motion or upon the request of the chief executive officer of a village, town or city located within the county of which he is an officer.

- d. Where the local office of civil defense in a city is independent of the county office of civil defense and is not consolidated therewith, the county chief executive may direct the civil defense director of the county to render assistance within such city only when the chief executive officer of such city has certified to him that the civil defense forces of the city have been activated pursuant to the provision of subdivision three of this section and that all resources available locally are insufficient adequately to cope with the disaster.
  - e. When performing disaster assistance pursuant to this section, county civil defense forces shall operate under the direction and command of the county civil defense director and his duly authorized deputies, and shall possess the same powers, duties, rights, privileges, and immunities they would possess when performing their duties in a locally sponsored civil defense drill or training exercise in the civil or political subdivision in which they are enrolled, employed or assigned civil defense responsibilities.
  - f. The chief executive officer of a city shall be responsible for the conduct of disaster operations within the city, including the operations directed by the county civil defense director, when rendering disaster assistance within a city pursuant to this section.
  - g. Outside of a city, the sheriff of the county, and in Nassau county the commissioner of police of the county of Nassau, shall supervise the operations of the civil defense director when rendering peace officer duties incident to disaster assistance. The sheriff and such commissioner may delegate such supervisory power to an elected or appointed town or village official in the area affected.
  - h. Neither the chief executive officer of a city, nor the county chief executive, nor any elected or appointed town or village official to whom the county chief executive has delegated supervisory power as aforesaid shall be held responsible for acts or omissions of civil defense forces when performing disaster assistance.
3. City use of civil defense forces.
- a. Upon the threat or occurrence of a disaster, and during and immediately following the same, and except as otherwise provided in paragraph d of this subdivision, the chief executive of a city may direct the civil defense director of the city to assist in the protection and preservation of human life or property by holding a civil defense drill and training exercise at the scene of the disaster and at any other appropriate places within the city, in which all or any civil defense forces may be called upon to perform the civil defense duties assigned to them.

- b. The civil defense forces of the city shall be regarded as a reserve disaster force to be activated, in whole or in part, by the city civil defense director upon the direction of the chief executive officer of the city when the latter, in his discretion, is convinced that the personnel and resources of local municipal and private agencies normally available for disaster assistance are insufficient adequately to cope with the disaster.
- c. Except as provided in paragraph d of this subdivision, the chief executive officer of a city may exercise the power conferred upon him in paragraph a of this subdivision, or may deactivate the civil defense forces of the city in whole or in part, on his own motion or upon the request of the head of the city police force.
- d. Where the local office of civil defense in a city is under the jurisdiction of a consolidated county office of civil defense as provided in the New York State defense emergency act, the chief executive officer of such city seeking the assistance of civil defense forces in the protection and preservation of human life or property within such city because of such disaster, must request the same from the county chief executive in which such city is located, in the same manner as provided for assistance to towns and villages in subdivision two of this section.
- e. When performing disaster assistance pursuant to this subdivision, city civil defense forces shall operate under the direction and command of the city civil defense director and his duly authorized deputies, and shall possess the same powers, duties, rights, privileges, and immunities they would possess when performing their duties in a locally sponsored civil defense drill or training exercise in the city in which they are enrolled, employed or assigned civil defense responsibilities.
- f. Where the city civil defense forces have been directed to assist in local disaster operations pursuant to paragraph a of this subdivision, and the chief executive officer of the city is convinced that the personnel and resources of local municipal and private agencies normally available for disaster assistance, including local civil defense forces, are insufficient adequately to cope with the disaster, he may certify the fact to the county chief executive and request the county chief executive to direct the county civil defense director to render assistance to the city, as provided in subdivision two of this section.
- g. The chief executive officer of a city shall be responsible for the conduct of disaster operations within the city, including the operations directed by the county civil defense director, when rendering disaster assistance within a city pursuant to this subdivision.

- h. Neither the chief executive officer of a city, nor the county chief executive, shall be held responsible for acts or omissions of civil defense forces when performing disaster assistance.

§29-c. Radiological preparedness

1. The commission:
  - a. may monitor directly and record the off-site presence of radioactive material in the vicinity of nuclear electric generating facilities located in the state of New York;
  - b. shall obtain from the licensees, United States nuclear regulatory commission-required high range radiation, temperature and pressure levels in the containment buildings and in the containment building vents of nuclear generating facilities located in the state of New York; and
  - c. shall obtain, subject to the approval of the United States nuclear regulatory commission, any reactor data provided by the licensee to the United States nuclear regulatory commission, which the disaster preparedness commission determines, as a result of the report issued pursuant to section twenty-nine-d of this article, to be a reliable indicator of a possible radiological accident.

Upon the occurrence of a radiological accident, the commission shall promptly provide appropriate and available radioactivity monitoring data to any chief executive who requests it. For the purposes of this section, the term "radiological accident" shall be limited to a radiological accident occurring at a nuclear electric generating facility.

2.
  - a. Any licensee of the United States nuclear regulatory commission for a nuclear electric generating facility shall be liable for an annual fee to support state and local governmental responsibilities under accepted radiological emergency preparedness plans related to the facility operated by such licensee.
  - b. The amount of such fee shall be determined annually by the commission taking into account the costs of such responsibilities not otherwise provided for and unexpended amounts of previous fees paid by any such licensee. In no event shall an annual fee for any facility exceed two hundred fifty thousand dollars. Such fee, which shall be payable to the commission on or before April first, shall be expended or distributed only by appropriation.
3. Such fees shall be expended by the commission for purposes of supporting state and local government responsibilities under accepted radiological emergency preparedness plans, including:

- a. purchase, installation, maintenance and operation of equipment used by the commission and local governments to monitor and record the potential and actual presence of radioactive materials within the appropriate planning radius from a nuclear electric generating facility;
  - b. purchase, storage and distribution by the commission of equipment, drugs or other material for the purpose of protecting public health and safety;
  - c. personal service, administrative costs and contractual services;
  - d. emergency services personnel training and the plans, development, implementation, testing and revisions; and
  - e. the state or local share when applying for matching funds.
4. Notwithstanding the provisions of paragraph b. of subdivision two of this section, for the fiscal year beginning April first, nineteen hundred eighty-one, any person who holds a license from the United States nuclear regulatory commission to operate a nuclear electric generating facility shall be liable for a seventy-five thousand dollar annual fee for each such facility which amount shall be payable to the commission on or before October first, nineteen hundred eighty-one.

#### §29-d. Reports

In order to assess the present preparedness in the state for any radiological accident and to determine the need for, and appropriateness of, any additional specific steps by state government, the commission shall report to the governor and the legislature by January first, nineteen hundred eight-two, its findings, recommendations and proposed legislation where appropriate concerning:

1. The need for and appropriateness of additional specific state activities or programs beyond those required by the accepted radiological emergency preparedness plans or provided for under existing law, including but not limited to:
  - a. radiological monitoring equipment;
  - b. warning systems and equipment;
  - c. medical technologies and equipment;
  - d. plume transport and dose assessment models; and
  - e. nuclear fuel cycle and materials licensees other than electric generating facilities.

2. Any such recommendations shall be developed in consultation with all concerned public and private parties and shall:
  - a. take into account proven safety effectiveness;
  - b. outline any proposed costs and the means for meeting such costs;
  - c. consider related activities of the United States nuclear regulatory commission or others; and
  - d. when appropriate, discuss alternatives and various implementation stages.