

# NORTH CAROLINA GENERAL ASSEMBLY



---

## JOINT LEGISLATIVE EMERGENCY MANAGEMENT OVERSIGHT COMMITTEE

---

### REPORT TO THE 2014 SESSION of the 2013 GENERAL ASSEMBLY

MAY 14, 2014

This page is intentionally left blank

A LIMITED NUMBER OF COPIES OF THIS REPORT ARE AVAILABLE FOR  
DISTRIBUTION THROUGH THE LEGISLATIVE LIBRARY

ROOM 500  
LEGISLATIVE OFFICE BUILDING  
RALEIGH, NORTH CAROLINA 27603-5925  
TELEPHONE: (919) 733-9390

This page is intentionally left blank

---

## TABLE OF CONTENTS

---

Transmittal Letter.....	7
Statutory Authority .....	9
Committee Membership.....	11
Committee Proceedings .....	13
Committee Recommendations .....	25

This page is intentionally left blank

---

# TRANSMITTAL LETTER

---

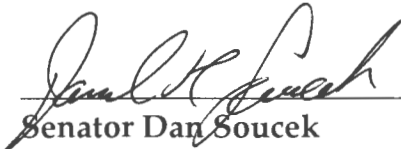
May 14, 2014

[\[Back to Top\]](#)

TO THE MEMBERS OF THE 2014 REGULAR SESSION  
OF THE 2013 GENERAL ASSEMBLY

Pursuant to Article 12Q of Chapter 120 of the General Statutes, the Joint Legislative Emergency Management Oversight Committee submits its report and recommendations to the 2014 Regular Session of the 2013 General Assembly.

Respectfully submitted,

  
\_\_\_\_\_  
Senator Dan Soucek

  
\_\_\_\_\_  
Representative John Faircloth

Co-Chairs  
Joint Legislative Emergency Management Oversight Committee

This page is intentionally left blank



---

# STATUTORY AUTHORITY

---

[\[Back to Top\]](#)

## NORTH CAROLINA GENERAL STATUTES

### Article 12Q.

#### Joint Legislative Emergency Management Oversight Committee.

#### **§ 120-70.150. Creation and membership of Joint Legislative Emergency Management Oversight Committee.**

The Joint Legislative Emergency Management Oversight Committee is established. The Committee consists of 12 members as follows:

- (1) Six members of the Senate appointed by the President Pro Tempore of the Senate; and
- (2) Six members of the House of Representatives appointed by the Speaker of the House of Representatives.

Terms on the Committee are for two years and begin on the convening of the General Assembly in each odd-numbered year, except the terms of the initial members, which begin on appointment and end on the day of the convening of the 2013 General Assembly. Members may complete a term of service on the Committee even if they do not seek reelection or are not reelected to the General Assembly, but resignation or removal from service in the General Assembly constitutes resignation or removal from service on the Committee.

A member continues to serve until a successor is appointed. A vacancy shall be filled by the officer who made the original appointment.

#### **§ 120-70.151. Purpose and powers of Committee.**

(a) The Joint Legislative Emergency Management Oversight Committee shall examine, on a continuing basis, issues related to emergency management in North Carolina in order to make ongoing recommendations to the General Assembly on ways to promote effective emergency preparedness, management, response, and recovery. The Committee may examine:

- (1) Whether the State building code sufficiently addresses issues related to commercial and residential construction in hurricane and flood prone areas.
- (2) The public health infrastructure in place to respond to natural and nonnatural disasters.
- (3) Hurricane preparedness, evacuation, and response.
- (4) Energy security issues.
- (5) Terrorism preparedness and response, including bioterrorism.
- (6) Flood and natural disaster preparation and response.
- (7) Any other topic the Committee believes is related to its purpose.

(b) The Committee may make interim reports to the General Assembly on matters for which it may report to a regular session of the General Assembly. A report to the

General Assembly may contain any legislation needed to implement a recommendation of the Committee.

**§ 120-70.152. Organization of Committee.**

(a) The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each designate a cochair of the Joint Legislative Emergency Management Oversight Committee. The Committee shall meet upon the joint call of the cochairs.

(b) A quorum of the Committee is seven members. Only recommendations, including proposed legislation, receiving at least six affirmative votes may be included in a Committee report to the General Assembly. While in the discharge of its official duties, the Committee has the powers of a joint committee under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4.

(c) The cochairs of the Committee may call upon other knowledgeable persons or experts to assist the Committee in its work.

(d) Members of the Committee shall receive subsistence and travel expenses as provided in G.S. 120-3.1, 138-5, or 138-6, as appropriate. The Committee may contract for consultants or hire employees in accordance with G.S. 120-32.02. The Legislative Services Commission, through the Legislative Services Officer, shall assign professional staff to assist the Committee in its work. Upon the direction of the Legislative Services Commission, the Supervisors of Clerks of the Senate and of the House of Representatives shall assign clerical staff to the Committee. The expenses for clerical employees shall be borne by the Committee.

(e) In appointing members to the Committee, the President Pro Tempore of the Senate and the Speaker of the House of Representatives shall take into consideration the goal of having members appointed to the Committee who have knowledge and experience relating to areas that are most impacted by disasters and emergencies.

---

# COMMITTEE MEMBERSHIP

---

[\[Back to Top\]](#)

## JOINT LEGISLATIVE EMERGENCY MANAGEMENT OVERSIGHT COMMITTEE

### 2013-2014 Membership

Pursuant to G.S. 120-70.150, the Joint Legislative Emergency Management Oversight Committee (Committee) consists of twelve members, six appointed by the President Pro Tempore of the Senate and six appointed by the Speaker of the House of Representatives. Pursuant to G.S. 120-70.152(e), in appointing members to the Committee, the President Pro Tem and the Speaker shall take into consideration the goal of having members appointed to the Committee who have knowledge and experience relating to areas that are most impacted by disasters and emergencies.

#### **President Pro Tempore of the Senate** **Appointments:**

##### **Senator Dan Soucek, Co-Chair**

310 Legislative Office Building  
300 N. Salisbury Street  
Raleigh, NC 27603-5925  
(919) 733-5742  
Email: [Dan.Soucek@ncleg.net](mailto:Dan.Soucek@ncleg.net)

##### **Senator Andrew Brock**

521 Legislative Office Building  
300 N. Salisbury Street  
Raleigh, NC 27603-5925  
(919) 715-0690  
Email: [Andrew.Brock@ncleg.net](mailto:Andrew.Brock@ncleg.net)

##### **Senator Kathy Harrington**

2113 Legislative Building  
16 W. Jones Street  
Raleigh, NC 27601-2808  
(919) 733-5734  
Email: [Kathy.Harrington@ncleg.net](mailto:Kathy.Harrington@ncleg.net)

##### **Senator Ronald J. Rabin**

526 Legislative Office Building  
300 N. Salisbury Street  
Raleigh, NC 27603-5925  
(919) 733-5748  
Email: [Ron.Rabin@ncleg.net](mailto:Ron.Rabin@ncleg.net)

#### **Speaker of the House of Representatives** **Appointments:**

##### **Representative John Faircloth, Co-Chair**

613 Legislative Office Building  
300 N. Salisbury Street  
Raleigh, NC 27603-5925  
(919) 733-5877  
Email: [John.Faircloth@ncleg.net](mailto:John.Faircloth@ncleg.net)

##### **Representative James L. Boles, Jr.**

528 Legislative Office Building  
300 N. Salisbury Street  
Raleigh, NC 27603-5925  
(919) 733-5903  
Email: [James.Boles@ncleg.net](mailto:James.Boles@ncleg.net)

##### **Representative Grier Martin**

1023 Legislative Building  
16 W. Jones Street  
Raleigh, NC 27601-1096  
(919) 733-5773  
Email: [Grier.Martin@ncleg.net](mailto:Grier.Martin@ncleg.net)

##### **Garland E. Pierce**

1204 Legislative Building  
16 W. Jones Street  
Raleigh, NC 27601-1096  
(919) 733-5803  
Email: [Garland.Pierce@ncleg.net](mailto:Garland.Pierce@ncleg.net)

**Senator Norman W. Sanderson**

629 Legislative Office Building  
300 N. Salisbury Street  
Raleigh, NC 27603-5925  
(919) 733-5706  
Email: [Norman.Sanderson@ncleg.net](mailto:Norman.Sanderson@ncleg.net)

**Representative Jason Saine**

402 Legislative Office Building  
300 N. Salisbury Street  
Raleigh, NC 27603-5925  
(919) 733-5782  
Email: [Jason.Saine@ncleg.net](mailto:Jason.Saine@ncleg.net)

**Representative Michael Speciale**

1008 Legislative Building  
16 W. Jones Street  
Raleigh, NC 27601-2808  
(919) 733-5853  
Email: [Michael.Speciale@ncleg.net](mailto:Michael.Speciale@ncleg.net)

**Advisory Member:**

**Representative Roger Younts**

1206 Legislative Building  
16 W. Jones Street  
Raleigh, NC 27601-2808  
(919) 715-2526  
Email: [Roger.Younts@ncleg.net](mailto:Roger.Younts@ncleg.net)

**Committee Staff:**

**Research Division**

**Jennifer Mundt**, Committee Analyst  
**Barbara Riley**, Committee Counsel  
**Susan Sitze**, Committee Counsel  
**Peter Ledford**, Committee Counsel  
545 Legislative Office Building  
300 North Salisbury Street  
Raleigh, North Carolina 27603  
(919) 733-2578

**Legislative Drafting Division**

**Ben Stanley**, Committee Counsel  
401 Legislative Office Building  
300 North Salisbury Street  
Raleigh, NC 27603  
(919) 733-6660

**Fiscal Research Division**

**Kristine Leggett**, Committee Analyst  
**Deborah Landry**, Committee Analyst  
**Karlynn O'Shaughnessy**, Committee Analyst  
**Denise Thomas**, Committee Analyst  
Suites 203 and 619 Legislative Office Building  
300 North Salisbury Street  
Raleigh, NC 27603  
(919) 733-4910

**Committee Clerks:**

**John Clark, Office of Senator Dan Soucek**

310 Legislative Office Building  
300 N. Salisbury Street  
Raleigh, NC 27603-5925  
(919) 733-5742  
Email: [Soucekla@ncleg.net](mailto:Soucekla@ncleg.net)

**Becky Bauerband, Office of Representative John Faircloth**

613 Legislative Office Building  
300 N. Salisbury Street  
Raleigh, NC 27603-5925  
(919) 733-5877  
Email: [Fairclothla@ncleg.net](mailto:Fairclothla@ncleg.net)

---

## COMMITTEE PROCEEDINGS

---

[\[Back to Top\]](#)

The Joint Legislative Emergency Management Oversight Committee met four times during the interim between the 2013 and the 2014 Regular Sessions of the General Assembly. The Committee's Charge can be found [here](#). The following is a brief summary of the Committee's proceedings. Detailed minutes and information from each Committee meeting are available in the Legislative Library and [online](#)<sup>1</sup>.

---

<sup>1</sup> The website for the Joint Legislative Emergency Oversight Committee:  
[http://ncleg.net/gascripts/Committees/Committees.asp?sAction=ViewCommittee&sActionDetails=Non-Standing\\_6580](http://ncleg.net/gascripts/Committees/Committees.asp?sAction=ViewCommittee&sActionDetails=Non-Standing_6580)

This page is intentionally left blank

**November 14, 2013**  
**AGENDA**  
Media Briefing Room  
Department of Public Safety Joint Force Headquarters  
Raleigh, North Carolina

1. Call to order  
Representative John Faircloth, Presiding
2. Introductory remarks by Cochairs (*5 minutes*)  
Representative John Faircloth  
Senator Dan Soucek
3. Introduction of Members and staff (*10 minutes*)
4. Overview of emergency management in North Carolina  
Michael Sprayberry, Director (*30 minutes*)  
Division of Emergency Management, Department of Public Safety (DPS)  
  
Colonel Todd Hunt, Vice Chief of Staff (*15 minutes*)  
North Carolina National Guard, DPS  
  
Lieutenant Colonel Gary Bell, Deputy Commander (*25 minutes*)  
Mike Hodgson, VIPER System Manager<sup>2</sup>  
North Carolina State Highway Patrol, DPS  
  
Sharron Stewart, Director (*15 minutes*)<sup>3</sup>  
Division of Emergency Programs, Department of Agriculture and Consumer Services
5. Committee discussion and announcements (*15 minutes*)
6. Adjourn

***Division of Emergency Management staff will lead tours of Joint Force Headquarters for interested persons. Photo identification must be provided in order to participate.***

The first meeting of the Joint Legislative Emergency Management Oversight Committee (EMOC or Committee) was held on Thursday November 14, 2013 at 9:00 a.m. in the Media Briefing Room of the Department of Public Safety Joint Force Headquarters in Raleigh, North Carolina. Representative Faircloth presided.

[Mr. Mike Sprayberry](#), Director of the Division of Emergency Management (Division) in the Department of Public Safety (DPS), provided the Committee with an overview of

---

<sup>2,3</sup> Due to time constraints, these items were postponed to the next Committee meeting

emergency management in North Carolina. Mr. Sprayberry explained that the Division's primary mission is to "prepare for, respond to, and recover from all hazards/threats whether natural, technological, or civil." Mr. Sprayberry described how the North Carolina Emergency Management system works and provided examples of how emergency management adds value to the State. Mr. Sprayberry reported that North Carolina Emergency Management is nationally recognized and a leader in the field.

The Division of Emergency Management is broken down into three branches across the State with each branch subdivided into five areas that comprise numerous counties. The Division provides: emergency services, human services, infrastructure, logistics operations; planning and information; and recovery operations and services. The Division conducts training and exercise programs to provide the foundation for response actions.

Mr. Sprayberry explained how emergency management works in an event and that all emergencies begin and end at the local level with the support and commitment from emergency management partners from start to finish. The presiding Cochair requested that, due to time constraints, the discussion of emergency management funding be postponed until the next meeting of the Committee.

[Colonel Todd Hunt](#), Vice Chief of Staff of the North Carolina National Guard presented the Committee with an overview of how the North Carolina National Guard provides disaster response. The National Guard's mission is to provide a ready team of citizen soldiers and airmen who are always ready and always there to protect and preserve the lives and property of North Carolina citizens, defend the nation, and secure the American way of life. Colonel Hunt described that the dual-role of the National Guard (federal and State missions) includes provision of ready-made forces, supporting civil authorities, and participating in local, State, and national programs that add value to communities. The National Guard offers "Force Packaging" in support of the Guard's 10 capabilities, a modular design that allows the executive authority or incident commander to respond to changing demands of an incident without creating units on the fly. Force packaging is tailored to meet specific expectations during known events, increases readiness, facilitates cost estimates, reduces reaction time, and increases efficiencies.

[Lieutenant Colonel Gary Bell](#), Deputy Commander of the North Carolina Highway Patrol provided the Committee with an overview of the Highway Patrol's approach to disaster response. Colonel Bell reported that there are eight communications / operations centers that are self-sufficient. Personnel redistribution and mobilization depends on the magnitude of the situation. The Highway Patrol mobilizes and assists in the three levels of emergency. Colonel Bell described the duties of the Troop Commander or designee in emergencies and listed numerous factors to consider.



**January 16, 2014**  
**AGENDA**  
544 Legislative Office Building  
Raleigh, North Carolina

1. Call to order  
    Senator Dan Soucek, Presiding
2. Introductory remarks by Cochairs (*5 minutes*)  
    Senator Dan Soucek  
    Representative John Faircloth
3. Approval of the minutes from the November 14, 2013 Committee meeting
4. Overview of emergency management in North Carolina (cont'd)
  - a. Sharron Stewart, Director (*15 minutes*)  
    Division of Emergency Programs, Department of Agriculture and Consumer Services
  - b. Mike Sprayberry, Director (*20 minutes*)  
    Division of Emergency Management, Department of Public Safety (DPS)
  - c. Mike Hodgson, VIPER System Manager (*20 minutes*)  
    North Carolina State Highway Patrol, DPS
  - d. Julie Casani, Branch Head and Bioterrorism Coordinator (*25 minutes*)  
    Preparedness System Coordination, Pandemic Flu Planning  
    Division of Public Health, Department of Health and Human Services
5. Report on the use of inmate labor for cleanup and mitigation efforts in connection with states of emergency declared in the State (S.L. 2013-415, Sec. 2) (*15 minutes*)  
    Zachary Kendall, Security Specialist in the Security Services Section  
    Division of Adult Correction and Juvenile Justice, DPS
6. Nongovernmental organizations participation in emergency response in North Carolina
  - a. Lee Stocks, North Carolina State Relations Disaster Liaison (*10 minutes*)  
    American Red Cross
  - b. Gaylon Moss, Disaster Relief Director & Volunteerism Coordinator (*10 minutes*)  
    North Carolina Baptist Men
  - c. Mike Patterson, CEM, Emergency Disaster Services Director (*10 minutes*)  
    The Salvation Army - North and South Carolina
7. Committee discussion and announcements (*10 minutes*)
8. Adjourn

The second meeting of the Joint Legislative Emergency Management Oversight Committee (EMOC or Committee) was held on Thursday January 16, 2014 at 9:30 a.m. in Room 544 of the Legislative Office Building in Raleigh, North Carolina. Senator Soucek presided. This meeting was designed to continue the broad overview of how agencies and nongovernmental organizations are involved in emergency management activities in the State

[Ms. Sharron Stewart](#), Director of the Division of Emergency Programs (Division) in the Department of Agriculture and Consumer Services (DACS), provided an overview of DACS's mission, programs, and activities as they relate to emergency management and response. Within DACS, numerous divisions may be called upon in an emergency or response activities, including the Division, the Forest Service, the Food and Drug Protection Division, and the Food Distribution Division. During quiet, non-emergency times, DACS provides event planning and building security services, animal health planning and tools, and radiological plans. DACS enables Agriculture Emergency Response Teams whose purpose is to assist with identified unmet needs of farmers. Ms. Stewart discussed DACS mapping capabilities and some of the Department's national response templates that have been developed and are models across the country.

[Mr. Mike Sprayberry](#), Director of the Division of Emergency Management (Division) in the Department of Public Safety (DPS), provided follow up to the presentation he made in November to provide information on the funding of the Division to the Committee. Mr. Sprayberry reported that Division funding is comprised of three sources: State appropriations, receipts, and federal grants and explained that roughly 80% of the \$70 million on average allocated to the Division is redirected to the counties.

[Mr. Mike Hodgson](#), VIPER System Manager with the North Carolina Highway Patrol, provided the Committee with an overview of the Voice Interoperability Plan for Emergency Responders (VIPER) system. Mr. Hodgson explained that VIPER provides the ability for agencies to talk with one another. Mr. Hobbs provided the background to the VIPER system and examples of past disasters where there was a lack of voice interoperability. VIPER is a statewide 800MHz trunked radio system available for all emergency responders (local, State, and federal). The goal is to have 95% in-street portable coverage with network infrastructure consisting of towers linked via microwave. The Highway Patrol is responsible for build-out and ongoing operations and maintenance of the VIPER system. The only end-user requirement to join the network is the purchase of radios. Mr. Hodgson reported that by the end of 2013, 84% of the system will be completed with 202 of the planned 241 sites are on-air with 11 fully funded and under construction. Over 65,000 users are on the network including 260 emergency response agencies. Reprogramming and radio reconfiguration was necessary for the P25 migration (which also doubles the capacity of the VIPER network). Reprogramming and reconfiguration of radios, communications centers, and towers is either completed or underway and is slated for conversion after the U.S. Open in June 2014. Mr. Hodgson also briefly described the Strategic Technology Reserve plan which is to strategically locate 800, VHF, and UHF interoperability portable assets throughout the State. It

includes 5 portable towers located throughout the state for statewide coverage and one deployable cache radio trailer in each of the nine domestic preparedness regions.

[Dr. Julie Casani](#), Branch Head and Bioterrorism Coordinator in the Division of Public Health (DPH) in the Department of Health and Human Services (DHHS) provided the Committee with an overview of public health preparedness at the State level. Dr. Casani shared the Epidemiology Section's mission to "protect the health and safety of all individuals in North Carolina, by assuring that State and local public health departments have in place a multi-level natural or man-made hazard public health response system for public health emergencies." The Section provides cooperative agreement awards and on average allocate 40% in direct aid to counties and 60% towards statewide programming. The organization for disaster operations and participation on the State Emergency Response Team (SERT) involves many divisions within DHHS including the Office of Emergency Management Services, DPH, and the divisions of Social Services, Mental Health, and Aging. DPH participated in the Democratic National Convention in Charlotte in September 2012 and utilized a "Public Health Operations Situation Report" to periodically update law enforcement officials on public health issues that may arise. Dr. Casani described some of DPH's activities during peacetime and expressed concern about the future of public health due to farming out public health responsibilities to emergency management.

[Mr. Zachary Kendall](#), Security Specialist in the Prison Section of the Division of Adult Corrections (Corrections) in DPS, provided the Committee with an overview and background of the Department's inmate work crews. The inmate work crews cost roughly \$9 million in an annual transfer from the Department of Transportation which covers the costs of a lead and correctional officers to supervise the inmate squads and crews, vehicles and equipment necessary to deploy and supervise the inmates, and an incentive wage of \$0.70 a day per inmate. Presently there are 69 medium-custody road squads and 48 minimum-custody litter crews. The minimum custody crews are flexible and are often deployed to assist the general public after natural disasters.

Lastly, the Committee heard from representatives of three nongovernmental organizations that regularly participate in emergency response activities in North Carolina: [Lee Stocks](#), North Carolina State Relations Disaster Liaison for the American Red Cross; Gaylon Moss, Disaster Relief Director & Volunteerism Coordinator for the North Carolina Baptist Men; and Mike Patterson, CEM, Emergency Disaster Services Director for The Salvation Army - North and South Carolina.

**March 13, 2014**

**AGENDA**

Room 544 Legislative Office Building  
Raleigh, North Carolina

1. Call to order  
Representative John Faircloth, Presiding
2. Introductory remarks by Cochairs (*5 minutes*)  
Representative John Faircloth  
Senator Dan Soucek
3. Presentation on issues concerning the electrical grid and measures and strategies that may be taken to strengthen and protect the integrity of the grid from direct or indirect attacks and/or the effects of natural disasters (*1 hour and 30 minutes*)
  - a. Welcome and “State of the Union” for North Carolina's grid status  
Sid Morris, Founder  
The NOAH Foundation
  - b. A timeline to disaster  
Dr. William Forstchen, Historian and New York Times Best Selling Author
  - c. Discussion of real and present danger assessment  
Ambassador Henry Cooper  
Ambassador R. James Woolsey
  - d. Overview of Washington gridlock; how North Carolina can lead the nation to harden the power grid  
Dr. Peter V. Pry, Executive Director  
Task Force on National and Homeland Security
  - e. NOAH Foundation proposal for research and development of grid hardening plan for North Carolina  
Sid Morris, Founder  
The NOAH Foundation
4. Overview of State agency response activities in the event of the contamination of a public water supply
  - a. Jeff Poupart, Wastewater Branch Supervisor (*15 minutes*)  
Division of Water Resources, Department of Environment and Natural Resources
  - b. Joe G. Wright, Deputy Director and Operations Chief (*15 minutes*)  
Division of Emergency Management (DEM), Department of Public Safety (DPS)
  - c. Megan Davies, State Epidemiologist and Epidemiology Section Chief (*15 minutes*)  
Division of Public Health, Department of Health and Human Services
5. Presentation on e-plan and the Tier II manager software system used to store and provide information on hazardous materials to first responders (*15 minutes*)  
Mike Daniska, Deputy Plans and Homeland Security Chief  
DEM, DPS
6. Committee discussion and announcements
7. Adjourn

The third meeting of the Joint Legislative Emergency Management Oversight Committee (EMOC or Committee) was held on Thursday March 13, 2014 at 9:00 a.m. in Room 544 of the Legislative Office Building in Raleigh, North Carolina. Representative Faircloth presided.

The Committee received presentations from four representatives of The NOAH Foundation on hardening the electrical grid against potential direct or indirect attacks or natural disasters. Representing [The NOAH Foundation](#) were Mr. Sid Morris, Mr. Greg Wessling, Ambassador Henry Cooper, and Dr. Peter Pry.

Mr. [Jeff Poupart](#), Wastewater Branch Supervisor in the Division of Water Resources in DENR provided the Committee with an overview of DENR's response activities in the wake of a contamination to a public water supply. Mr. Poupart walked the Committee through a scenario in which a release of a water soluble chemical was released to a public water supply in the State. He provided an overview of the flow of events and the notifications that would come into and flow out of DEM and DENR. Mr. Poupart described the actions that would be taken at the scene of the release by Regional Response Teams including sampling and chemical analyses of the water, issuance of necessary emergency permits, monitoring stream conditions and air quality, and issuing public notice. Lastly, Mr. Poupart explained that many municipalities have interconnections or access to alternative water supplies to draw from in the event a primary drinking water resource becomes unusable.

Mr. [Joe Wright](#), Deputy Director and Operations Chief of the Division of Emergency Management in DPS provided the Committee with an overview of DEM's response activities in the wake of a contamination to a public water supply. Mr. Wright explained that the State Emergency Operations Plan (SEOP) activates upon a declaration of a state of emergency and that the SEOP has specific protocols for responding to hazardous materials incidents. In addition to the regional hazmat response teams, the resources DEM has available in a hazmat incident include: statewide mutual aid; NCWATER WARN; inventory of bottled water; in-place disaster contracts for bottled water; mobile water purification (for small populations); incident management teams; National Guard support; and point of distribution (POD) teams. Mr. Wright described the WebEOC Point of Distribution Board – the Division's crisis management software – which allows for rapidly coordinated and activated resources around the State.

Dr. [Megan Davies](#), State Epidemiologist and Epidemiology Section Chief in the Division of Public Health in DHHS provided the Committee with an overview of DPH's response to contaminating events. Dr. Davies explained that DPH is the lead for emergency planning and support of local health departments and that many sections within the Division activate in the event of a public health emergency. DPH responds to events with a potential for chemical, biological, or radiological contamination and follows specific directives within the SEOP, which were last updated in September 2013. DPH's role in a contaminating event is to coordinate, collaborate, and communicate with federal, State, and local agencies as well as the public to prevent or reduce adverse health outcomes and

risks, conduct human health surveillance, human health risk assessments, and prepare and issue health advisories.

Mr. [Mike Daniska](#), Deputy Plans and Homeland Security Chief, in DEM in DPS, provided the Committee with an overview of the federal Emergency Planning and Community Right to Know Act (EPCRA) and a proposal for funding Tier II facility reporting. Mr. Daniska explained that EPCRA requires facilities with certain amounts of hazardous substances to have emergency response plans, immediately notify local emergency planning committee (LEPC) of a release of a hazardous substance, and to report the name and amounts of chemical stored on site. Mr. Daniska reported that with over 7,000 EPCRA Tier II facilities, North Carolina is the third largest producer of chemicals in the United States amounting to a \$43.6 billion industry in the State. Under EPCRA, a Tier II facility is required to submit reports that identify chemical names, maximum amount of chemicals on site, manner of storage, and the location of the chemicals on site. This information is designed to assist first responders with incidents at the facility and communicate risks to the community. On behalf of DEM, Mr. Daniska proposed a Tier II facility fee structure to support an online program to house all Tier II facility reports. Presently, the facility information is housed within the web-based *E-Plan*, which until 2012 was federally funded. In 2013, DEM paid \$100,000 to continue using *E-Plan* after federal funding was eliminated. Among the items that would be paid for with a Tier II facility fee would be the purchase and operation of a State-operated *Tier II Manager* web-based software which would serve as a repository for Tier II facilities to submit their reports.

**April 10, 2014**

**AGENDA**

Room 544 Legislative Office Building  
Raleigh, North Carolina

1. Call to order  
Senator Dan Soucek, Presiding
2. Introductory remarks by Cochairs (*5 minutes*)  
Senator Dan Soucek  
Representative John Faircloth
3. Approval of the minutes from the January 16, 2014 and March 13, 2014 meetings of the Committee
4. Overview of measures and strategies taken to protect the integrity of the electrical grid
  - a. Nelson Peeler, Vice-President of Transmission System Operations (*30 minutes*)  
Rob Combs, Vice-President of Design Engineering & Construction Planning-Carolinas  
Duke Energy
  - b. Michael Thompson, Manager State & Local Affairs – NC (*10 minutes*)  
Dominion Power
  - c. Lee Ragsdale, Vice President of Asset Management (*10 minutes*)  
North Carolina Electric Membership Corporation
  - d. Greg Locke, Vice-President of Compliance and Risk Management (*10 minutes*)  
ElectriCities
5. Committee consideration of its recommendations and report to the 2014 Regular Session of the 2013 General Assembly
6. Committee discussion and announcements
7. Adjourn

The fourth and final meeting of the Committee was held on Thursday, April 10, 2014 at 9:00 a.m. in Room 544 of the Legislative Office Building. Senator Dan Soucek presided.

The Committee heard a suite of presentations on measures and strategies taken to protect the integrity of the electrical grid from the power providers in the State. [Messrs. Nelson Peeler and Rob Combs](#) provided an overview of the efforts taken by Duke Energy to maintain and protect the grid. The gentlemen discussed grid resiliency and Duke's approach to High Impact Low Frequency (HILF) events. Duke's multi-tiered approach includes contingencies and redundancies to balance threats and mitigate costs to customers. Duke has a robust system in place to mitigate geomagnetic disturbances. Activities that are employed during and after storm events were also discussed. Mr. Michael Thompson, Manager State & Local Affairs for Dominion Power reiterated much of what the presenters representing Duke said and directed the members of the

Committee to the Dominion's handouts on [substation security](#) and [security threats from terrorism](#). Mr. [Lee Ragsdale](#), Vice President of Asset Management with the North Carolina Electric Management Corporation (EMC) provided an overview of the EMCs and stated that the EMCs have a strong record of preparedness for storms and other natural disasters. Mr. Ragsdale further explained that while the EMCs assets do not meet the definition of "critical infrastructure," the EMCs still adhere to many Critical Infrastructure Protection standards. Mr. [Greg Locke](#), Vice President of Compliance and Risk Management with ElectriCities of North Carolina provided an overview of ElectriCities in that they provide administrative, technical, legal, and legislative services to municipal electric systems in the form of emergency assistance, training, joint purchasing, and compliance. ElectriCities provide management services for North Carolina's municipal power agencies and explained the agreements and programs in place to support grid integrity.

Ms. Jennifer Mundt, Committee Analyst, presented the Committee's recommendations in the draft report to the 2014 General Assembly, which was subsequently approved by Committee. Chairman Soucek authorized Committee staff to revise the report to reflect the proceedings of the meeting and to address any clarifying, conforming, and technical amendments as necessary.



---

## COMMITTEE RECOMMENDATIONS

---

[\[Back to Top\]](#)

The Joint Legislative Emergency Management Oversight Committee makes the following recommendations:

1. That the General Assembly revive and continue the Community Work Crew program, which allowed units of local government to hire supervised crews of 6 to 8 minimum- or medium-custody inmates to perform litter cleanup, moving, landscaping, painting, repair work, and related duties.
2. That the General Assembly appropriate funds sufficient to allow: (i) continued use of *E-Plan Emergency Response Information System* to manage submission, storage, and retrieval of EPCRA Tier II facility reports; and (ii) to allow the State to migrate the data maintained by *E-Plan Emergency Response Information System* to a web-based software system owned, operated, and maintained in North Carolina. For purposes of this recommendation, "Tier II facility reports" refer to the reports that facilities with certain thresholds of hazardous substances are required by federal law to submit to the State.

This page is intentionally left blank