

National Infrastructure Advisory Council (NIAC)



The Framework for Dealing with Disasters and Related Interdependencies Working Group

July 14, 2008

**Edmund Archuleta
President and CEO
El Paso Water Utilities, Inc.**

**James Nicholson
President and CEO
PVS Chemicals, Inc.**

**Hon. Tim Pawlenty
Governor
The State of Minnesota**

Overview

- Objective
- Scope
- Approach
- Recommendations
- Questions

Objective

- ❑ This study focused on the United States' ability to respond to and recover from a major disaster that could result in a prolonged loss of infrastructure services expanding beyond a local area.
- ❑ The Desired Outcome was to identify areas that are impediments to:
 - Private sector and local/state government recovery of critical infrastructures, and
 - Deployment of needed federal resources.

Scope

- ❑ Included analysis of all relevant sectors identified as Critical Infrastructures and Key Resources (CIKR) by the National Infrastructure Protection Plan (NIPP)
- ❑ Considered Federal, State, Local, Tribal, Territorial and international laws, regulations and policies relevant to disaster recovery
- ❑ Explored challenges presented by a longer than typical CIKR outage in a metropolitan area

Approach

- ❑ Conducted a series of interviews with C-level executives from select critical infrastructure companies on emergency response, recovery, and dependencies
- ❑ Conducted a one-day disaster scenario workshop that brought together key stakeholders from the private sectors, legal community, and government to develop a collaborative understanding of the challenges that would be presented by an extended infrastructure outage
- ❑ Developed two hypothetical scenarios to stimulate and guide the Workshop discussions:
 - Scenario 1 – Accident; 2 week duration; D.C. Area
 - Scenario 2 – Terrorist; 3 week duration; National Capitol Region, adjacent counties & beyond
- ❑ Both scenarios:
 - Initially impact the Electric Sector with secondary cascading impacts to Telecommunications, Water and other sectors.
 - Are centered on the National Capital Region.
 - Were developed to allow for insight into significant differences that could be encountered as a result of event duration, geographical scope and initial cause

Recommendations: Address Legal and Policy Impediments to CIKR Recovery

- Actions to Address Statutory, Regulatory and Policy Impediments
 - DHS should institutionalize processes and provide funding to develop and maintain catalogs of specific laws and regulations that may need to be suspended or modified
 - Private Sector CIKR operators should conduct a parallel effort to identify impediments specific to their recovery plans and communicate these to government

- Recommendations include measures to address Specific Statutory, Regulatory, and Policy Impediments:
 - Validation for the Emergency Waiver Process for Environmental Impact Statements (EIS)
 - Vehicle restrictions in disaster recovery, including driver hour limitations, road size and weight restrictions, and port access restrictions
 - Federal and State restrictions on the interstate movement of motor vehicles

Recommendations: Address Legal and Policy Impediments to CIKR Recovery *(continued)*

- Assure Applicability of the Stafford Act to Critical Infrastructure for All-Hazards Recovery
 - Applied to all catastrophic events, regardless of cause
- Review and modify the Defense Production Act (DPA) for use in Critical Infrastructure Recovery Disaster Response

Recommendations: Improve Planning, Cooperation, and Communication

- ❑ Develop Best Practices to Improve Access and Credentialing
 - Develop a structured, commonly-applicable best practices decision-making process for authorities to use for credentialing CIKR workers and granting access to a disaster area during an emergency

- ❑ Develop Best Practices for Emergency Operations Centers (EOCs) and Information Sharing
 - Compile and disseminate cost-effective best practices to improve State and local authority information sharing, including the following key elements:
 - ❑ Structure Private Sector EOC participation around the Sector Partnership Model
 - ❑ Leverage existing sector Information Sharing and Analysis Centers (ISACs) for coordination and cross-sector communication outside the disaster area
 - ❑ Support State and local official coordination of restoration priorities

Recommendations: Improve Planning, Cooperation, and Communication *(continued)*

- ❑ Private Sector CIKR Participation in Planning and Exercises
 - Improve preparedness exercises at all levels through inclusion of private sector CIKR operators in development
 - Develop and disseminate a best practices guide for exercises to State and local governments
- ❑ Key elements to improving cooperative public-private sector exercises:
 - Regionally-based exercises involving CIKR operators and emphasizing CIKR recovery
 - Table top exercises for communication between levels of government and jurisdictions
 - After-action review of disaster events and exercises with CIKR operators to identify gaps and lessons learned; update guidance documents and response plans accordingly
- ❑ Protecting Private Sector Resources
 - Establish measures to protect private sector CIKR operator resources in a disaster area, including *ad hoc* commandeering by local officials

Recommendations: Prioritizing Water Services Recovery

- Elevate Water Services to its own ESF within the NRF to achieve higher prioritization of water systems during emergency response
- Best Practices for Water Services Recovery Planning
 - Include water services in all disaster/emergency response and recovery training and exercises as a best practices approach to planning
 - Allow Homeland Security grants to address auxiliary backup power systems for key Water Systems sites
 - Include a WARN-focused curriculum in EMAC training programs to improve understanding of WARN system networks and mutual aid and assistance programs
 - Establish guidelines that will ensure emergency response plans address necessary chlorine transportation for water treatment during an emergency

Summary

- ❑ This study focused on the ability to respond to and recover from major disasters resulting in prolonged and widespread loss of infrastructure services
 - Relied upon C-level executive interviews and a facilitated, scenario-based workshop with participants from government agencies and CIKR sectors
- ❑ The NIAC identified policy recommendations for implementation in the areas of:
 - Addressing legal and policy impediments to CIKR recovery
 - Improving planning, cooperation, and communication
- ❑ Recommendations applicable to all levels of government and private sector CIKR operators



Questions?