

Northeast and Eastern Central Florida Area Contingency Plan

Annex 6000: Finance and Administration



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6000 Finance and Administration

OPA 90 has improved the procedures and availability of funding for all agencies (federal, state, and local) involved in oil spill response. Funding of oil spills is accomplished through the Oil Spill Liability Trust Fund (OSLTF). This fund is divided into two sections. The part of the fund of interest to this plan is the Emergency Fund. It consists of \$50M appropriated annually by Congress. This section of the fund may be used for response activities and to initiate Natural Resources Damage Assessments.

The most significant improvement in funding brought about by OPA 90 is the ability of the Federal OSC to “partially federalize” a response. In the event of a significant spill prior to OPA 90, the FOSC could not pay for any resources out of the fund without taking over the entire spill from the responsible party. FOSCs were justifiably reluctant to do this in instances where the responsible party was responding well. Under OPA 90 the FOSC may allow the responsible party to continue all response efforts within their capability. The FOSC may simultaneously secure and direct additional response efforts using contractors or government personnel and equipment. Local examples of this would be having the responsible party hire commercial contractors and the FOSC directing Coast Guard and Other Governmental Agency (OGA) resources. OGA and Coast Guard costs would be reimbursed through the fund and ultimately recovered from the responsible party.

Refer to the Incident Management Handbook (IMH) for the Incident Command System and the Finance and Resource Management Field Guide (FFARM) both prepared by USCG, Office of Response (G-MOR-3) for specific information on financial duties, resource management and finance/administration section positions. Refer to Appendix 9720.100 [Incident Management Handbook](#) for the IMH, Appendix 9720 Finance and Resource Management Field Guide for the FFARM, and [9720.200 ICS Forms Database](#) for ICS forms. This section will only provide a brief overview and information specific to the maritime areas of Northeast and Eastern Central Florida.

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6010 Key Unified Command Financial Decisions

As discussed in Annex 1000 of this plan, the National Response System places responsibilities for conducting clean up on the responsible party as a matter of policy. In practices, however, the involvement of the state, local, and federal agencies in various phases of the response are significantly more involved. The National Pollution Fund Center (NPFC) refers to the National Contingency Plan’s four phases of a response:

- Phase I:** Discovery and Notification;
- Phase II:** Preliminary Assessment and Initiation of Action;
- Phase III:** Containment, Countermeasures, Cleanup and Disposal; and
- Phase IV:** Documentation and Cost Recovery.

Certain federal, state, and local government costs incurred during Phase II Assessment may be chargeable against the OSLTF, but may not all be billed against the Responsible Party during cost recovery Phase IV.

Further, Unified Command members come to the response with objectives that overlap on the subject of pollution removal but often extend beyond this matter. The Responsible Party Incident Commander (RPIC) for instance will normally have key objectives of the response directed toward repairing damage and returning a vessel or facility to operation. In the case of an abandoned vessel, the marina or dry-dock owner will normally have objectives of having the derelict vessel removed/eliminated after the pollutant is removed. While these may at first appear to be post-response objectives, these decisions and matters deeply influence the response itself. For example, non-response derelict-vessel disposal strategies will influence the response decision on how clean the derelict hull must be rendered in order to assure it poses no additional threat to the environment.

Various financial mechanisms available to the members of the Unified Command each come with stringent limitations and intended employment. For this reason, one of the most important decisions the Unified Command must come to during the first Unified Command meeting is an agreement about how financial responsibilities will be shared. The remainder of this section details some considerations in making these decisions.

Limitations in the Employment of the OSLTF

1. **Missions Other Than Pollution Removal.** The federal, state, and local government response to an incident will typically include search and rescue, law enforcement, safety of navigation (including placing

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Aids to Navigation and salvage of sunken vessels), port safety, and maritime homeland security. However, only those actions whose primary purpose is removal (i.e., the containment or removal of oil pollution or necessary to minimize or mitigate oil pollution damage to the public health, welfare, or environment) and which are consistent with the National Contingency Plan may be paid or reimbursed by the OSLTF. **The first key financial decision of the Unified Command is how other mission objectives will be funded, followed through by funding instructions to the Finance/Administration Section.**

2. **Employment of State and Local OGAs Pollution Response Resources.** From the outset of any response, the Federal On-Scene Coordinator (FOSC) should establish whether state or local resources are necessary for removal actions. The Unified Command, based on this decision, must carefully define the scope of the state or local OGA's expected actions and allow the FOSC's staff to evaluate potential claims against the OSLTF. When a state or local OGA responds under this type of agreement, the Coast Guard representatives in the Finance/Administration section must execute a Pollution Removal Funding Authorization (PRFA) with the OGA's financial representative. The PRFA assures the OGA will be reimbursed for specific work performed at the FOSC's request. **The second key financial decision of the Unified Command is which actions will be undertaken by state and local OGAs at the FOSC's request (and paid for using a PRFA), and which will be undertaken by these agencies as independent members of the Unified Command (using funding mechanisms other than the OSLTF).**
3. **Federal Vessels and Installations.** The National Contingency Plan places responsibility for spills from federal vessels and installations on the owning federal agency, including use of its own funding. However, the Federal On-Scene Coordinator can use the OSLTF as a last resort to clean up or prevent oil discharges. When the responsible federal agency is capable of funding the clean up, the FOSC should attempt to establish a Military Interdepartmental Purchase Request (MIPR) or equivalent to reimburse the use of FOSC and OGA pollution response equipment and personnel time. **The third key financial decision of the Unified Command is to establish mechanisms (such as a MIPR) to finance FOSC and OGA response activities when the spill comes from a federal vessel or installation, and to determine when the last resort OSLTF access is needed.**
4. **Damage Claims and Removal Activities.** Claims of damage may be submitted for reimbursement (when approved) from the OSLTF. Often, such damage claims include the costs of restoring a vessel, facility, etc., to operation (as in the case of a third-party vessel which is oil contaminated as a result of the spill). Actual decontamination of a vessel, facility, or other installation may also reasonably be a removal action (i.e., to prevent further human health, economic or environmental damage), and the question of overlaps between damage claims and removal actions arises. Rather than simply a question of funding mechanisms, these questions impinge directly on which clean-up strategies and objectives the Unified Command will execute, particularly during the later stages of the response. **The fourth key financial decision of the Unified Command is to establish how removal strategies and actions will impact damage claims and establish a single, uniform policy for handling these overlaps, usually in consultation with the National Pollution Fund Center's case manager.**
5. **Replenishment of Response Equipment to Inventory.** The OSLTF may be used to restore pollution response equipment to inventory in the condition it was in before the response. Items used up in the response (consumables) or damaged beyond economical repair may be replaced. **The fifth key financial decision the Unified Command faces is how equipment will be evaluated at the start of the response, and how the condition will be assessed during demobilization for replenishment/repair purposes, along with the financial arrangements for accomplishing the replenishment.** Again, this replenishment decision can extend only to response equipment used for oil pollution removal, not toward other objectives.
6. **Discharges causing Underground Contamination.** Discharges from oil tanks and related facilities often cause extensive subsurface or groundwater contamination. When underground contamination has migrated so as to cause an actual surface discharge or substantial threat of a discharge into navigable waters, the OSLTF may be used for removal. When these imminent threat or actual discharge conditions are not met, the incident is considered a hazardous materials incident ashore under municipal, county, and state

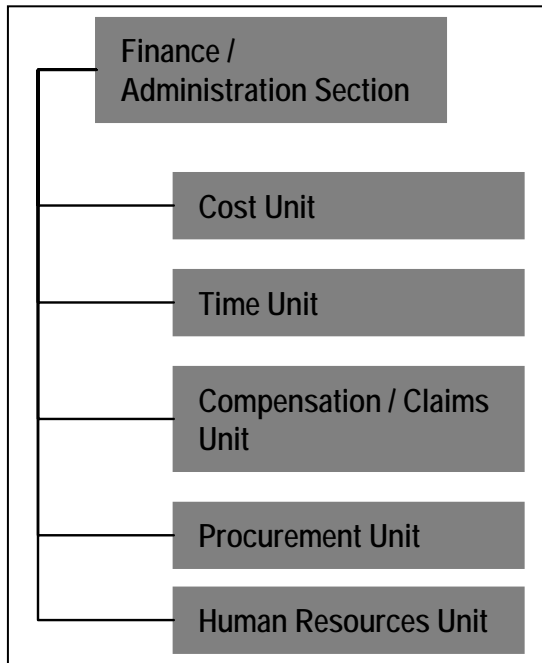
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hazardous material discharge rules. **The sixth key financial decision is how various aspects of a response causing underground contamination will be treated (i.e., threat to the navigable waters or not), and consequently how the response will be funded.**

7. **Preferred or prioritized Sources of Supply.** Many if not all of the agencies and organizations responding to a spill will have pre-arranged sources of supply and service, and all will have legal and procedural limitations on procurements. While the emergency elements of the response may expedite procurements, it does not eliminate the rules governing procurement. **Accordingly, the seventh key financial decision is to sort out procurement and contract responsibilities between the agencies/organizations in the Unified Command based upon preferences and prioritization of sources of supply.**
8. **Limits of Liability.** In a large response, there is significant possibility that the Responsible Party's limits of financial responsibility will be exceeded, opening the possibility that the response may transition entirely to FOSC / SOSC control. **The eighth key financial decision is to agree upon an appropriate means of tracking the Responsible Party's financial commitment, an approach to these limits, and process for deciding when and how any transition in the Unified Command will occur.**

6100 Finance / Administration Section

The Finance/Administration Section is responsible for all incident costs and financial considerations. This includes the Time Unit, Procurement Unit, Compensation/Claims Unit and Cost Unit. The IC will determine the need for a Finance/Administration Section, and designate an individual to perform that role. The Finance/Administration Section is generally set up for any incident that may require on-site financial management. In general, the decision to establish a finance / administration section will depend on two factors: 1) the financial complexity of the response; and 2) the number of tactical assets deployed (usually measured by the number of tactical divisions/groups established or likely to be established).



If no Finance Section is established, the individual members of the Unified Command will perform finance functions for their agency/organization component. Refer [9200 Personnel and Services Directory](#), [9720.100 Incident Management Handbook](#) for the IMH and [9720.200 ICS Forms Database](#) for necessary information.

6110 Finance/Administration Section Chief

The Finance and Administration Section Chief is responsible for all financial and cost analysis aspects of the incident and for supervising members of this Section. Refer to [9200 Personnel and Services Directory](#), [9720.100 Incident Management Handbook](#) for the IMH, 9720 Finance and Resource Management Field Guide for the FFARM, and [9720.200 ICS Forms Database](#) for necessary information.

(1) Implement and manage the Finance Section branches and units needed to proactively accomplish Finance Section actions.

- (2) Provide, manage, coordinate, document, and account for access to response funding sources, including the Oil Spill Liability Trust Fund (OSLTF), Natural Resources Damage Assessment Fund (NRDA), State funding sources, and other sources of response funding.

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- (3) Coordinate and ensure the proper completion of response cost accounting documentation
- (4) Coordinate and manage response ceilings, budgets and cost estimates.
- (5) Provide financial support for contracting services, purchases, and payments.
- (6) Serve as the primary contact to the National Pollution Fund Center (NPFC) and the NPFC Case Officer to coordinate response cost recovery actions.
- (7) Identify additional financial services resources or logistics support needed.
- (8) Report on the status of Finance Section services.

This Section is organized as follows:

- 6110 Modular Development of the Finance / Administration Section
- 6120 Degree of Integration
- 6130 Recommended Shift Rotation / Hours of Work

6120 Modular Development of the Finance / Administration Section

Larger incidents typically require a Finance/Administration Section to monitor costs. When the incident clearly will require involved financial arrangements, particularly when damage claims will likely be involved, the Unified Command is well advised to establish a Finance / Administration Section within the first operational period so that out-of-area financial experts can mobilize to staff the section.

Smaller incidents may also require certain Finance/Administration functions. For example, the IC may establish one or more units of the Finance/Administration Section for such things as procuring special equipment, contracting with a vendor, or for making cost estimates of alternative strategies.

It is critical to note that even where no Finance / Administration Section or units are established, all of the Sections FUNCTIONS are performed by other personnel at the site (e.g., during a small response, all Section functions will typically be performed by the Federal On-Scene Coordinator's Representative at the same time that he/she is overseeing the clean-up operation, future operational period planning, response equipment and personnel logistics, liaison functions, and command objectives function. In any but the smallest of responses, the subject-matter span of control will rapidly be exceeded.

A typical modular progression for a Finance / Administration Section during a response includes:

Initial Response Organization: The initial response to an oil spill is typically investigatory and tactical; no dedicated finance / administration section personnel will deploy. Finance / Administration functions will be performed as needed by the initial responders, but these functions typically do not arise immediately.

Reinforced Response Organization: The reinforced response to an oil spill also typically does not include dedicated finance / administration units; the majority of responses play out entirely at this level with the reinforcing response assets handling the response within the first operational period. Indications from the scene that the incident is escalating will typically require the deployment of dedicated Section personnel.

Multi-Division/Group Response Organization: A multi-division response organization indicates that the incident is sufficiently large and complex as to require a finance / administration section on-scene. Because this level of response typically involves the sustainment of reinforced response personnel and equipment on-scene (rather than the mobilization of large number of extra resources), the multi-division / group organization typically requires a procurement unit and a time unit.

Multi-Branch Response Organization: A multi-branch organization clearly indicates the need for the entire Finance / Administration Section, with Time, Procurement, Claims & Compensation, and Costs Units.

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See IMH Pages 15-8 through 15-11.

6130 Degree of Integration

In general, sections are integrated under a unified command to varying degrees depending upon the nature of the work and restrictions on standard operating procedure. The Planning Section, for instance, is highly integrated with “agency stovepipes” completely eliminated. At the other end of the spectrum, the Finance / Administration Section deals with employees, equipment, procurements, and contracts completely bound by differing agency policy and legal requirements. In most instances these differing agency requirements cannot easily be resolved, and the Section normally operates almost as a grouping of agency “stove-pipes” within each Unit, integrated into a coherent whole by the Unit Leaders and Section Chief.

The decision of the Unified Command with regard to the assignment of personnel to each section should be made based upon the level of involvement an agency has in procurement, cost documentation, etc., and the degree to which agency financial and administrative Standard Operating Procedure differ. Where the Coast Guard Captain of the Port is the FOSC, for instance, all Coast Guard operational forces and federal procurements will occur within the military Coast Guard framework (including fatigue standards, cost documentation, federal contract processes, etc.). These procedures differ significantly from a civilian corporate or local governmental agency’s procedures, but do not differ significantly from other military and federal agencies (such as the U.S. Navy, Marine Corps, or National Aeronautical and Space Administration). Assuming they are making significant procurement, time and equipment contributions, local government and civilian corporate organizations would likely need representation within the Finance and Administration Section (loose integration), but the federal agencies might fully integrate by delegating their financial management to the Coast Guard representatives in the Section.

6140 Recommend Section Shifts / Hours of Work

[RESERVED for development by the Area Planning Committee]

6200 OSLTF and CERCLA Fund Access

This section discusses the specific procedures for accessing the OSLTF and CERCLA funds. While this information may at first appear to be directed toward the procurement section and procurement functions, in fact OSLTF and CERCLA Fund issues are the most important driver for the entire Finance / Administration Section. Accordingly, all Section personnel must be familiar with Fund Access, regardless the level of or federal participation in the response. The section is organized as follows:

- 6210 FOSC Access
- 6220 State Access
- 6230 Federal Resource Trustee Access
- 6240 Stafford Act Funding

6210 FOSC Access

Should it become necessary, the FOSC may access the OSLTF or CERCLA funds by obtaining a Federal Project Number (FPN) or CERCLA Project Number (CPN) and ceiling from the Coast Guard’s CANAPS funding system. CANAPs will automatically confirm the issuance of the FPN or CPN by message.

The OSLTF applies to funding responses only when the following two conditions are both met:

- (1) There is a discharge of oil (as defined in 33 USC Section 2701(23)), or a substantial threat of a discharge of oil:

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- a. Into the navigable waters;
 - b. On the adjoining shorelines;
 - c. Into the waters of the exclusive economic zone; or
 - d. That may affect natural resources under exclusive management authority of the United States.
- (2) There are further actions necessary to ensure effective and immediate removal, mitigation or prevention of the substantial threat.

The OSLTF has \$50 Million in the Emergency Fund sub-fund available for funding emergency removal of oil, and a maximum of \$500 Million per case to remediate natural resource damages. A maximum of \$1 Billion is available per case to pay for costs and damages associated with an oil spill.

The CERCLA funding for responses generally applies when the following three conditions are all met:

- (1) A hazardous substance (not oil under 33 USC 2701(33)) has been released, or there is substantial probability that it will be released;
- (2) The release (or probable release) presents an imminent and substantial threat to the public health or welfare; and
- (3) The Responsible Party (RP) is failing to take appropriate actions or it is necessary to monitor the actions of the RP to assure they are taking appropriate actions.

The CERCLA removal funding is limited to no more than \$2 Million dollars or 12 months in duration, though the Environmental Protection Agency may grant waivers to this requirement. The FOSC can obligate no more than \$250,000 per incident without an approved Action Memorandum. There is no CERCLA funding for compensation payments to claimants damaged by hazardous substances.

Should a FPN or CPN that has been obtained prove unnecessary (no funds expended), the OSC must inform D7(m) of this fact so they can deactivate the FPN.

During a spill the Coast Guard will monitor the activities of all contractors hired by the FOSC as well as document its own costs. Other agencies will document their costs on the appropriate forms. At the end of the response all documentation will be submitted to the OSC for verification and forwarding to the NPFC.

6220 State Access

The Governor of Florida has designated a representative for state access to the Fund. The Governor's letter designates the Chief, Office of Coastal Protection to make request pursuant to Section 133.25 of OPA 90.

State access to OSLTF and CERCLA funds provides an avenue for states to receive Federal funds for immediate removal costs resulting from their response to actual or threatened discharges of oil. State access does not supersede or preclude the use of other existing Federal payment regimes. The State should not seek and will not receive payments for the same costs from more than one payment regime.

States may access funds via one of three methods:

- 1. File a claim with the NPFC within 6 years of the cleanup.
- 2. Ask the FOSC to obtain a FPN/CPN and a ceiling amount for the State. The State will work directly with the NPFC to document costs.
- 3. Have the FOSC obtain a FPN/CPN and then issue a Pollution Removal Funding Authorization (PFRA) to the State with a ceiling and time limit. The FOSC will then review all documentation prior to submission to the NPFC.

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A copy of the “Technical Operating Procedures for State Access to the Fund” can be obtained on the World Wide Web at: <http://www.uscg.mil/hq/npfc/urg/index.htm>

6230 Trustee Access

Administrative Trustees are organizations with responsibilities for specific areas or natural resources such as the Department of the Interior. OPA 90 authorizes these organizations access to the fund through one administrative trustee known as the Lead Administrative Trustee (which must be a federal agency.) The designation of Lead Administrative Trustee is made for each spill based on the involvement of each organization. Administrative trustee access to the emergency fund would most likely be limited to beginning the damage assessment process.

The Lead Administrative Trustee may request funding directly from the NPFC case officer for the purpose of initiating damage assessments. The NPFC case officer will inform the FOSC that funds have been requested by the Lead Administrative Trustee.

6240 Stafford Act Funding

Under the Stafford Act, when there is a Presidential declaration of an major disaster or emergency, the Coast Guard FOSC may receive direct tasking in the form of a Mission Assignment – a work order issued by the Federal Emergency Management Agency (or other designated agency) directing the recipient agency to complete a specified task. Emergency Support Function 10 (ESF-10) – Hazardous Materials Response Annex of the Federal Response Plan – includes both Oil and Hazardous Materials response activities.

In the execution of a mission assignment, the FOSC will use existing funds, resources, and contracts for goods and services to complete the task. The FOSC will then review the actual expenses against the estimated costs and make payments to OGA and private vendors for each cost.

For oil spills and hazardous materials releases, the FOSC will receive a Request for Federal Assistance from FEMA or the ESF lead agency, including a cost ceiling, and will then proceed to respond as normal using the OSLTF and CERCLA funds, including the Request for Federal Assistance form in the cost documentation. It is important to recognize that Stafford Act funds, like OSLTF and CERCLA funds, may only be applied to response costs directly related to the tasking, and the Stafford Act ceiling must be managed carefully just as other fund ceilings are managed.

Stafford Act Funding References

- A. Commander, Coast Guard Atlantic Area Message 282118Z MAY 03
- B. NRP
- C. Homeland Security Presidential Directive 5 (HSPD-5)
- D. DOT Order 1100.29G Regional Emergency Transportation Coordinators or Representatives
- E. National OIL AND HAZARDOUS SUBSTANCE SPILL CONTINGENCY PLAN (NCP)
- F. FEMA/EPA MEMORANDUM OF AGREEMENT: POLICY GUIDANCE ON ESF-10 MISSION ASSIGNMENTS
- G. COMDTINST 16451.1 DISASTER RELATED POLLUTION RESPONSE ACTIVITIES UNDER THE FEDERAL RESPONSE PLAN AND COST REIMBURSEMENT FROM THE STAFFORD ACT

6241 Stafford Act Roles and Responsibilities

This section serves to amplify/clarify the discussion in reference a of ESF-10 (hazmat) roles under the NRP (reference B) by establishing staffing requirements, including roles, responsibilities, and reporting requirements for USCG ESF-10 Watchstanders, response operations relating to ESF-10, and the ESF-10 funding mechanisms by

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which USCG units may seek reimbursement for activities sanctioned under specified FEMA-issued mission assignments.

6241.1 NRP Key Concepts

Emergency support function. The NRP groups disaster response actions into functional areas known as ESFs and assigns a federal agency to chair each ESF and administer its response actions. While it is possible for USCG units to provide support under any of the ESFs, the two most likely ESFs for response and possible chair/vice-chair responsibilities are ESF-1 (transportation) and ESF-10 (hazardous materials). The USCG's role and responsibilities for ESF-10 include all of those contained in the National Contingency Plan (reference e) as well as releases of hazardous materials beyond those covered under the NCP (e.g., household hazardous waste cleanup). The NCP is incorporated in its entirety into the NRP under ESF-10.

Mission assignments.

(1) The administrative vehicle by which FEMA tasks a federal agency to respond is known as a mission assignment. The mission assignment is a task-specific work order identifying response operations to be executed under an assigned ESF. The primary response agency may enlist the assistance of other federal agencies by issuing an interagency agreement (IAG). Federal agencies must use their own funds in the execution of a mission assignment or IAG then seek reimbursement from FEMA. It is imperative that USCG units and other agencies operating at the request of the FOSC receive a mission assignment or IAG for any FEMA (or primary agency) tasking as FEMA will not reimburse for emergency services rendered if a mission assignment or IAG does not specify those services. However, response units should not delay responses that fall under existing statutory authorities/responsibilities waiting for a mission assignment or IAG. The FOSC should direct the response and allow higher authority to work out the funding.

(2) Reference f provides a listing of some of the tasks for which ESF-10 mission assignments can be expected. EPA and USCG personnel continue to work with FEMA to identify common ESF-10 tasks and to pre-script mission assignments for these common tasks in order to speed the process.

(3) FEMA may assign a limited number of pre-Stafford Act declaration mission assignments in order to stage federal and FOSC-requested response assets for events related to forecasted disasters such as hurricanes. In the past, the USCG has pre-staged personnel via these pre-declaration mission assignments. The process is slightly more involved, emphasizing the need for close coordination between district staffs, area, NPFC, FEMA and EPA prior to a disaster response.

Regional Response Coordination Center (RRCC). Upon a Stafford Act declaration, FEMA activates the appropriate RRCC. The RRCC coordinates federal response efforts until a Joint Field Office (JFO), staffed by an Emergency Response Team (ERT), is established in the field and the FEMA Federal Coordinating officer (FCO) assumes coordination responsibility (note: there is generally one DFO per impacted state). The FCO has the legal authority to assign missions to federal agencies. The RRCC generally operates from the FEM regional office for the affected area. Primary functions of the ROC include: communicating with the impacted state(s); coordinating deployment of the ERT-A (emergency response team - advance element) to field locations; assessing damage information; and developing initial mission assignments.

(1) **USCG/FOSC staffing support for the RRCC.** If the disaster impacts the coastal zone, the USCG will normally provide one person knowledgeable in USCG / Area Contingency Plan response capabilities to the ROC to ensure the interests and capabilities of the USCG are recognized at the outset of response operations and to coordinate the initial issuance of mission assignments/IAGs. Typically, the Seventh Coast Guard District office will provide this person. The individual assigned must have sufficient experience and maturity to work with mid-to-upper level management personnel from other agencies and to operate under stressful conditions for long hours. Districts normally ensure personnel are rotated every two-to-three weeks to avoid response fatigue.

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State Emergency Operations Center (EOC). During a disaster response each state will activate an EOC to coordinate state response efforts and requests for federal assistance.

(1) **USCG/FOSC staffing support for an EOC.** The Seventh Coast Guard District will normally provide a senior officer as an Emergency Preparedness Liaison Officer (EPLO) to each activated EOC. The EPLO advises the state on USCG / FOSC response capabilities, identifies to the state response requirements appropriate for USCG / FOSC intervention, assists the state in requesting federal assistance via the ROC or DFO and keeps the district informed of pending request, capability requirements, etc. It should be emphasized that the EPLO's role is not a "fishing" expedition to look for work for the FOSC, but as a technical advisor informing the state on USCG / FOSC capabilities/existing responsibilities and processes for obtaining USCG / FOSC assistance.

Emergency response team. The ERT is the multi-agency response staff that includes the regional chair and support staff for each activated ESF. The ERT is located in the JFO. For incidents that impact just the coastal zone and require ESF-10, the USCG will be the regional ESF-10 incident chair with EPA as the vice-chair. For incidents that impact both the inland and coastal zones and require ESF-10, EPA will be the regional ESF-10 chair and the USCG the vice-chair. The USCG does not staff ESF-10 for incidents that do not impact the coastal zone.

(1) **USCG / FOSC staffing of the ERT.** In accordance with the FRP, the Coast Guard Seventh District fills the USCG role as ESF-10 chair/vice-chair. As it is unlikely that a district division chief would be able to leave the district office during a major disaster response, he/she has designated a senior member of his/her staff to perform this function. The ESF-10 chair/vice chair will be supported by USCG and EPA personnel/watchstanders.

Emergency response team - advance element. Prior to the establishment of the JFO and the ERT, an ERT-A is deployed to each impacted state. The ERT-A is the initial federal interagency group to respond to an incident in the field. The ERT-A normally deploys to the state emergency operations center (EOC) to obtain and evaluate disaster-related information, identify specific state requirements for federal response assistance and establish a location for the JFO. Typically, the JFO will be located as close to the impacted area as possible as designated by the FCO. Once the DFO is ready, the ERT-A folds into the ERT and helps to staff the JFO. USCG / FOSC participation on the ERT-A is critical for identifying tasks appropriate for the USCG / FOSC, aligning response operations with issued mission assignments and providing a conduit to USCG / FOSC resources. As with the EPLO, USCG personnel assigned to an ERT-A are not looking for work, but ensuring that support requested by the state is tasked appropriately.

(1) **USCG/FOSC staffing support to the ERT-A.** For incidents requiring ESF-10 support that impact the coastal zone, at least two USCG watchstanders will be assigned to each ERT-A to support 24/7 operations. The Seventh Coast Guard District will coordinate USCG watchstanders. Watchstanders must be able to speak with authority on behalf of the USCG and FOSC(s) and have sufficient experience and maturity to interact with senior members of federal, state, or local agencies.

6241.2 Coast Guard Area Commander Support

Districts shall contact Coast Guard Atlantic Area if augmentation is required to fill ESF responsibilities. LANTAREA, with MLCA, will develop an ad hoc pool of ESF-knowledgeable personnel from amongst the districts and area/MLCA staffs to fill augmentation requirements.

6241.3 USCG ESF Watchstander Responsibilities

The USCG ESF Watchstander on the ERT-A and ERT is responsible for coordination and flow of information between the FCO/ESF chair and district, management of ESF-10 mission assignments, tracking ESF-10 response operations and costs in support of each mission assignment and providing subject matter expertise on USCG assets and capabilities.

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Under the direction of the ESF-10 chair/vice-chair, the ESF-10 Watchstander shall:

- a. Serve as the USCG ESF-10 representative in the DFO.
- b. Coordinate information management for all Coast Guard ESF-10 activities.
- c. Coordinate emergency response activities with:
 - 1. The affected district.
 - 2. USCG EPLO at the EOC (if assigned).
 - 3. The EPA ESF-10 Watchstanders.
 - 4. Other federal agency counterparts within the ERT-A/ERT.
 - 5. Federal agencies having control of supporting resources within the FRP response infrastructure.
 - 6. Outside departments and agencies supporting ESF activities.
- d. Provide the principal USCG representation and liaison for ESF-10 activities with the FCO and the ESF-10 chair.
- e. Provide daily reports to the USCG ESF-10 chair/vice-chair, and the district(s) for the impacted area.
- f. Provide timely reports to other ESF counterparts within the ERT-A/ERT.
- g. Attend annual training focusing on the FRP and the activation/role of ESFs. Training should include joint formal instruction with FEMA and EPA as well as practical exercises.
- h. Have an operational understanding of response actions under this plan and national-level contingency plans. Be cognizant of the function and responsibility of the regional response team mandate to support ESF activities.
- i. Provide the necessary forum for the free exchange of information, consistent with statutes, regulations, and other directives between the district, other regional emergency response coordinators, and other support agencies regarding their emergency preparedness functions.
- j. Facilitate with ESF counterparts the passing of mission assignments and IAGs, in support of FOSC response actions, to the cognizant district for processing/follow-on tasking to the appropriate field units.

6241.4 Communications

Normally the district serves as the primary hub for operational information between the ERT, the regional response team field units, the National Pollution Fund Center (NPFC) and LANTAREA. The USCG ESF Watchstander shall ensure the affected district receives up-to-date information on mission assignments. The district in turn shall task the appropriate field units to accomplish the mission and ensure that the ESF Watchstander receives up-to-date information on the status of all ESF related responses. The district will include in the daily Situation Report (SITREP) to LANTAREA any ESF actions undertaken by USCG units, with copy to NPFC. SITREPS, executive summaries, website/internet conduits, and other means of communication shall be shared between the ERT-A/DFO Watchstander(s) and the district routinely during deployment to facilitate informational needs. For incidents impacting a limited geographic area, the district may consider giving the ESF-10 staff liaison directly with FOSCs/incident commanders.

6242 Funding processes for ESF-10

The following funding processes for ESF-10 modify those described in section 6240, reference G. Mission assignments or IAGs, are faxed to the district by either the ESF-10 Watchstander or EPA. The district then operationally approves the mission assignment or IAG and faxes it to the National Pollution Funds Center (NPFC) noting the applicable mission assignment number and total funding authorized. The NPFC signs the mission

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assignment or IAG and issues an accounting message with a Disaster Project Number (DPN) to the district. The districts and subordinate units then use the DPN as they would a Federal Pollution Number (FPN) used for oil spills for all operations/costs associated with the applicable mission assignment or IAG. However, unlike CERCLA and the OSLTF, the Stafford Act only pays for direct/actual costs and not the USCG standard rates used for pollution cases.

6300 Cost

The Cost Unit is responsible for the following functions:

- (1) Manage, coordinate, and perform cost documentation in accordance with OSLTF and State requirements to account for response costs.
- (2) Plan, coordinate, document, and account for response costs based on the time personnel, equipment, and other resources are accountable to the response (from the Time Unit).
- (3) Identify additional resources and logistics support needed to perform cost documentation and time keeping services.
- (4) Report on documented response costs and projected response costs.

In small responses, the time and cost units are typically combined.

6310 Cost Documentation and Recovery Procedures

There are three primary aspects to successful cost recovery and documentation of significant pollution events: rapid start; dedicated personnel; and correct forms and submission procedures.

The requirement for a rapid start to documentation will be apparent upon examining the necessary forms and procedures. Whenever this plan is activated (i.e., the response exceeds the vessel or facility response plan, the state or federal government take an interest, or when there is no responsible party taking action), the following procedures must be executed by the Cost Unit:

1. Determine whether OSLTF funding applies. Based upon Unified Command decisions on response action funding, determine whether other sources of funding apply.
2. Estimate the OSLTF and other funding ceilings required. In many responses, both an OSLTF and CERCLA ceiling will be established, with various response costs charged against one fund or the other depending on the decisions of the Unified Command and the limitations of the two funds. Similarly, other funds (such as for Search and Rescue, vessel salvage, and so on) may also be established, each with its own independent ceiling.
3. Obtain a Federal Project Number (FPN) for the OSLTF fund, a CERCLA Project Number (CPN) for the CERCLA Fund, and authorized ceilings for each all identified funds. For specific guidance on the obtaining of FPNs and CPNs, see Appendix 9720.
4. If any fund advice is needed, contact the National Pollution Fund Center Gulf Coast and Midwest Regional Case Manager at (202) 493-6723. If the regional manager is not available, the NPFC duty officer can be paged by calling (800) 759-7243, PIN 2073906, or by calling the National Response Center at 800-424-8802.
5. Obtain copies of PRFAs and Authorizations to proceed from the Procurement Unit.
6. Identify and distribute the appropriate cost documentation forms.
7. Monitor contractors for all agencies on a daily basis. Collect both receipts and Daily Resource Reports (form CG-5136 series) from the Time Unit.

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8. Monitor U.S. Coast Guard and other Unified Command operational forces on a daily basis. Collect copies of aircraft use logs and vessel operating/navigation logs in addition to Daily Resource Reports (form CG-5136 series) from the Time Unit.
9. Monitor OGA operational forces on a daily basis. Collect SF-1080 or SF-1081 vouchers and supporting OGA documentation. Normally, the type of required documentation will be detailed in the PRFA for the OGA response contribution from the Time Unit.
10. Add up obligations from all three venues (contractor, unified command, and OGAs) against each fund ceiling (for this reason, it will be imperative to understand fully Unified Command decisions about which actions/contracts are directed to be made against which funding source). Include direct costs (Type I costs) and Anticipated Costs (estimates or Type II costs) and track the obligations against the various ceilings on a daily basis.
11. Well before a ceiling is actually reached, project the “burn rate” and advise the Unified Command when a ceiling must be increased.
12. With Unified Command approval, increase various fund ceilings.
13. Compile and maintain daily an inventory of all equipment purchases by purchasing agency and charged fund.
14. Maintain daily reports of costs against a ceiling as required by the NPFC (for the OSLTF ceiling) and each other fund /ceiling. Develop a daily display and post copies at each Situation Unit Display under the direction of the Situation Unit Leader and Display Processor.
15. After the response, certify contractor invoices within the required timeframe. For NPFC/OSLTF contracts, the required timeframe is ten days. Be certain to obtain and clearly identify the required timeframe for all other funds and track unit performance against these required cycle times. In general, certification will require acknowledgement from the Operations Section that the invoiced goods or services were received, and acknowledgement from the appropriate contracting official (depending on agency/organization) that the cost for the good or service are as per the agreement.
16. Forward all approved contractor invoices to the appropriate agency processing center for payment, keeping copies for the Unified Command’s records.
17. Within 120 days of the end of the cleanup, complete Financial Summary reports for each and every fund/ceiling managed by the Section.

There are two principle sources of assistance in documenting costs that are available to all organizations. These are the assigned Case Officer at the National Pollution Fund Center and the District Response Advisory Team. Although these sources are available to all organizations, it may be more efficient to coordinate their assistance through Sector Jacksonville.

There are two alternatives for non-federal organizations concerning forms on which reimbursable costs are documented. The first alternative is the organization’s documentation form that has been pre-approved by the National Pollution Fund Center. If an organization lacks a pre-approved documentation form it may use the federal.

Personnel rates will be determined to the maximum extent in advance. Contractor rates for contractors with Basic Ordering Agreements are fixed by the BOA. Standard rates for Coast Guard personnel are contained in Commandant Instruction 7310.1 (series). Other agencies are encouraged to have established personnel rates that can be furnished to the OSC. For organizations and contractors not having standard rates, this fact should be made known to the OSC early in the spill so that it may be addressed.

In spills where total expenditures are expected to be less than \$50K, cost documentation may be collected by the FOSC and forwarded to the National Pollution Funds Center at the conclusion of the spill response. In larger spill responses this information must be compiled and forwarded daily to the OSC and then the NPFC.

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The Cost Unit is responsible for collecting all cost data, performing cost effectiveness analyses, and providing cost estimates and cost saving recommendations for the incident. Refer [9200 Personnel and Services Directory](#), [9720.100 Incident Management Handbook](#) and [9720.200 ICS Forms Database](#) for necessary information.

6320 Typical Northeast and Eastern Central Florida Agency Assignments to the Cost Unit

As noted, there are three primary aspects to successful cost recovery and documentation of significant pollution events: rapid start; dedicated personnel; and correct forms and submission procedures.

The need for dedicated documentation personnel varies with the amount of agency involvement. In a significant spill dedicated Coast Guard resources are a must. The individuals dedicated to documentation must not be assigned principal or back up operational tasks. They also must not be visiting or temporarily assigned personnel who will depart at the end of the active response.

Cost Unit Staff	Agency / Organization Typically Assigned
Cost Unit Leader	U.S.C.G. National Pollution Fund Center Case Manager
OSLTF/CERCLA Cost Analyst	Sector Jacksonville Response Petty Officer or Marine Safety Detachment Port Canaveral Response Petty Officer
Salvage Cost Analyst	Florida Fish and Wildlife Conservation Corps or U.S. Army Corps of Engineers
Local Agency CERCLA Cost Analyst	Local Fire Department Budget Staff
Responsible Party Cost Analyst	Responsible Party Accountant
RESERVED	RESERVED

6400 Time

The Time Unit is responsible for recording personnel and equipment time expenditures on the response, and in larger responses for managing the response commissary. Typical duties include:

- (1) Determine agency/organization time reporting requirements for personnel and equipment, and assure the right time-documentation is made by operational personnel according to the governing time requirements. Where the situation is unclear, federal time collection data forms shall be used.
- (2) Maintain separate logs for overtime expenditures.
- (3) Track personnel and equipment hours against fatigue limits and resource burn-rate targets;
- (4) Submit daily summarized personnel and equipment time reports to the Cost Unit in a format agreed upon as satisfying the Cost Unit's cost recovery procedures.
- (5) Establish a commissary on larger and long-term responses;
- (6) Assure records are updated and provided continuously to agency representatives for their personnel and equipment time expenditures. Provide complete time records to the agency upon demobilization of resources.
- (7) Identify, track, and raise safety-related fatigue/burn-rate overtime issues to the Finance/Administration Unit Leader.

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In small responses, the time and cost units are typically combined.

6410 Personnel and Equipment Time Recording Procedures

[RESERVED for future Area Planning Committee development.]

See forms CG-5136 (series).

6420 Typical Northeast and Eastern Central Florida Agency Assignments to the Time Unit

[RESERVED for future Area Planning Committee development.]

6500 Compensation/Claims

The Claims and Compensation Unit is responsible for the following functions:

- (1) Receive, coordinate, document, and process claims against the OSLTF, NRDA, or State funding sources.
- (2) Coordinate evaluation of personal property damage claims.
- (3) Identify additional resources and logistics support needed to process claims.
- (4) Report on the status of claims processing.
- (5) Overall management and direction of all compensation for Injury Specialists and Claims Specialist assigned to the incident.

6510 Injury and Claims Procedures

[RESERVED for future Area Planning Committee development.]

6520 Typical Northeast and Eastern Central Florida Agency Assignments to the Claims & Compensation Unit

[RESERVED for future Area Planning Committee development.]

6600 Procurement

The Procurement Unit is responsible for the following functions:

- (1) Negotiate, coordinate, document, and manage all contracts needed to support response operations.
- (2) Manage, coordinate, document, and account for all procurement orders needed to support response operations.

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- (3) Manage, coordinate, document, and account for all payments made to support response operations.
- (4) Identify additional resources and logistics support needed to accomplish contracting and procurement services.
- (5) Report on the status of contracting, procurement, and payment services.
- (6) Administer all financial matters pertaining to vendor contracts.

Refer to [9200 Personnel and Services Directory](#), [9720.100 Incident Management Handbook](#), 9720 Finance and Resource Management Field Guide, and [9720.200 ICS Forms Database](#) for necessary information.

6610 Procurement Processes and Procedures

Should the FOSC wish to hire a contractor that has a Basic Ordering Agreement (BOA) with the Coast Guard, the contractor is issued an Authorization to Proceed. The OSC must also send a message to the Coast Guard Maintenance and Logistics Command Atlantic (MLC) within 24 hours indicating that an Authorization to Proceed has been issued.

Should the FOSC wish to hire a contractor that does not have a BOA with the Coast Guard, the FOSC must first determine that a BOA contractor is not available or is unable to perform the required tasks. D7(m) should then be notified of the FOSC's intent to hire a non-BOA contractor. The FOSC may then issue the Authorization to Proceed and send the message as indicated above. The message should clearly indicate that a non-BOA contractor has been hired and why.

The FOSC may "hire" federal organizations by the use of a Federal Agency Pollution Removal Funding Authorization. The organization will document its costs using the Pollution Incident Daily Resource Report and bill the fund using Form SF 1080.

The FOSC may hire other governmental organizations (state and local) by the use of a Non Federal Agency Pollution Removal Funding Authorization. The organization will document its costs using the Pollution Incident Daily Resource Report or other system approved the NPFC.

Once a FPN has been obtained, all message traffic must contain the National Pollution Funds Center (NPFC), Coast Guard Finance Center and Maintenance and Logistics Command (MLC) as information addressees.

6620 Typical Northeast and Eastern Central Florida Procurement Unit Assignments

[RESERVED for future Area Planning Committee development.]

6700 Human Resources

The Human Resources Unit is primarily responsible for providing direct human resource services to the response organization, including compliance with all labor-related laws and regulations. In the performance of this last responsibility, the Human Resources Unit may serve as the implementing arm of the Safety Officer in assuring compliance with OSHA and other safety related training/qualifications outlined in the Safety Plan. The Human Resources Unit is responsible for the following functions:

- (1) Serve as the single point of contact for incident personnel to discuss human resources issues and /or concerns;

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- (2) Issue Standing Orders to all military and Coast Guard Auxiliary personnel including decisions regarding uniform of the day, etc.;
- (3) Serve as the single point of contact for receiving reports of inappropriate behavior, acts, or conditions parallel to the operational, logistics, and planning chains of command;
- (4) Oversee and process all employee review and performance evaluations as completed by the operational, logistics, and planning supervisors;
- (5) Oversee and process all employee incentive and meritorious action awards, including the processing of military awards, for operational, logistics, planning, and finance/administration supervisors, including a peer review of any proposed incentives/awards to assure consistency and factual accuracy; and
- (6) Oversee and process all employee personnel records to assure required entries and notations are made in accordance with the various standards of Unified Command agencies/organizations.

6710 Human Resources Processes and Procedures

[RESERVED for future Area Planning Committee development.]

6720 Typical Northeast and Eastern Central Florida Human Resource Unit Assignments

[RESERVED for future Area Planning Committee development.]

6800 Reserved

6900 Reserved for Area/District

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