

## NOTICE FOR PUBLIC HEARING

### TITLE 14B – DEPARTMENT OF PUBLIC SAFETY

*Notice is hereby given in accordance with G.S. 150B-21.2 that the Department of Public Safety intends to adopt the rules cited as 14B NCAC 03 .0401-.0410.*

**Link to agency website pursuant to G.S. 150B-19.1(c):** <https://www.ncdps.gov/14b-ncac-03-0401-0410-search-and-rescue-program>

**Proposed Effective Date:** December 1, 2022

#### **Public Hearing:**

**Date:** September 20, 2022

**Time:** 2:00 p.m.

**Location:** A virtual public hearing will be held by webinar as follows:

WebEx Event Attendee Meeting Link:

<https://ncdps.webex.com/ncdps/j.php?MTID=mc0d87a44f6188e52ff83636852f16603>

Event number: 2311 117 2575

Event password: 1234

To join by phone: Call +1-415-655-0002 US TOLL, enter access code 2311 117 2575

If you wish to attend the hearing, you must register before 5:00 p.m. on Friday, September 16, 2022. The registration form can be found at the following link:

<https://forms.office.com/g/iPepzgxVuP>

**Reason for Proposed Action:** *The Department of Public Safety, Division of Emergency Management is promulgating permanent rules as required under N.C. Sess. Law 2014-27. The necessity of a State Search and Rescue Program has been made apparent through the significant number of local, state, and federal states of emergency that have required coordinated and qualified resources to augment local search and rescue capabilities. Rules are required to ensure the equitable implementation of the NC Search and Rescue Program. The NC Search and Rescue Program is a partnership between local and state governments where the state augments local response capabilities to enhance disaster response capabilities. These rules establish standards for eligibility, resource types, and response expectations both administratively as well as operationally when responding under the authorities of the NC Search and Rescue Program. The rules of this section only apply to those entities who elect to participate in the program and establish the standards and requirements of program participation and the expectations of the NC Division of Emergency Management in the administration of this program.*

**Comments may be submitted to:** Will Polk, NC Department of Public Safety, 4201 Mail Service Center, Raleigh, NC 27699-4201; phone (919) 825-2706; email: will.polk@ncdps.gov

**Comment period ends:** October 14, 2022

**Procedure for Subjecting a Proposed Rule to Legislative Review:** If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission after the adoption of the Rule. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 984-236-1850.

**Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.**

- State funds affected
- Local funds affected
- Substantial economic impact ( $\geq$  \$1,000,000)
- Approved by OSBM
- No fiscal note required

## CHAPTER 03 – EMERGENCY MANAGEMENT

### SECTION .0400 – NORTH CAROLINA SEARCH AND RESCUE PROGRAM

#### 14B NCAC 03 .0401 PURPOSE

(a) The purpose of this section is to prescribe requirements pertaining to the North Carolina Department of Public Safety Division of Emergency Management administered North Carolina Search and Rescue Program.

(b) This section applies to Sponsoring Agencies and other participants in the North Carolina Search and Rescue Program that have executed agreements administered by the North Carolina Division of Emergency Management.

*History Note: Authority G.S. 166A-66;*

*Eff. [Date].*

#### 14B NCAC 03 .0402 ABBREVIATIONS AND DEFINITIONS

As used in this the following abbreviations and terms mean:

- (1) All-hazards Disaster Response Model – a response methodology where resources provide all applicable capability to respond to any threats or hazard that is impacting the state or has the potential to impact the state.
- (2) Authority Having Jurisdiction (AHJ) - means those local, state, or federal entities having response authority to act over a specific aspect of search and rescue in a specific geographic area.
- (3) Contract Response Team – A regional all-hazards disaster response contract response team as defined in G.S. 166A-65 which is adopted and incorporated by

reference with subsequent changes or amendments pursuant to G.S. 150B-21.6 with self-sustaining logistical support allowing for responses into disaster areas.

- (4) County to County Mutual Aid – Resource sharing between county public safety resources under the conditions of the NC Statewide Mutual Aid Agreement or another similar agreement between local governments.
- (5) Federal Emergency Management Agency (FEMA) – is an agency of the United States Department of Homeland Security with the responsibility to coordinate the response to a Presidentially-declared disasters that has occurred in the United States and that overwhelms the resources of local and state authorities.
- (6) FEMA Public Assistance Program – is a federal reimbursement grant program that provides federal funding to help communities respond to and recover from disasters.
- (7) Incident Command System (ICS) - A standardized on-scene emergency management construct specifically designed to provide an integrated organizational structure that reflects the complexity and demands of single or multiple incidents, without being hindered by jurisdictional boundaries. The Incident Command System is the combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure, designed to aid in the management of resources during incidents. ICS is used for all kinds of emergencies and is applicable to small as well as large and complex incidents. ICS is used by various jurisdictions and functional agencies, both public and private, to organize field-level incident management operations.
- (8) Incident Support Team (IST) – A group of search and rescue experts who assist local and state emergency management in management and support of deployed search and rescue system resources.
- (9) Local Emergency Management Coordinator (LEMC) – The County Emergency Management Coordinator who is responsible for all local disaster preparedness, response, and recovery activities in a specific geographic area.
- (10) NC All-Hazards Incident Management Team (NCAHIMT) – The North Carolina Emergency Management program responsible for supporting local and state incident management requirements in local and state disaster response activities.
- (11) NC Resource Typing – A document defining and categorizing, by capability, the resources requested, deployed, and used in incidents. Resource typing definitions establish a common language and defines a resource's minimum capabilities for equipment, teams, and units.
- (12) North Carolina Search and Rescue System (NC SAR System) – The state search and rescue program established in Article 6 of Chapter 166A of the North Carolina General Statutes.
- (13) North Carolina Search and Rescue Technical Advisory Committee (NC SAR TAC) – An advisory committee established in Article 6 of Chapter 166A of the North Carolina General Statutes to advise the Secretary of the North Carolina Department of Public Safety and the North Carolina Division of Emergency Management on the establishment of a search and rescue system.
- (14) North Carolina Emergency Management (NCEM) - A division of the North Carolina Department of Public Safety with the responsibility to coordinate the

- mitigation, planning, preparedness, response, and recovery to a disaster or emergency that has or could occur in the State.
- (15) North Carolina Emergency Management Operations Chief (NCEM OSC) – The Assistant Director of Operations for the North Carolina Division of Emergency Management.
  - (16) North Carolina Emergency Management Director (NCEM Director) – The Director of the North Carolina Division of Emergency Management.
  - (17) National Incident Management System (NIMS) - A set of principles that provides a systematic, proactive approach guiding government agencies at all levels, nongovernmental organizations, and the private sector to work to prevent, protect against, respond to, recover from, and mitigate the effects of incidents, regardless of cause, size, location, or complexity, to reduce the loss of life or property and harm to the environment.
  - (18) On-duty – When a person is functioning, paid or unpaid, as an agent of their sponsoring or participating agency or the NC Division of Emergency Management as part of the NC Search and Rescue Program.
  - (19) Participating Agency (PA) – An entity that assists a sponsoring agency with the formation of a search and rescue team by providing personnel or equipment.
  - (20) Responsible Party (RP) – The entity whose actions or inactions caused an event requiring search and rescue system resources.
  - (21) Sensitive Information – Any information, to include but not limited to audio recordings, images, and video recordings gained during a search and rescue operation that has not been released to the public by the authority having jurisdiction.
  - (22) Specialty Rescue Team – A group of response personnel who provided specialized, technical search and rescue capability.
  - (23) Sponsoring Agency (SA) – A local or tribal unit of government or other entity with an active response agreement with a local unit of government that organizes and coordinates a search and rescue team in the North Carolina Search and Rescue System.
  - (24) State Coordinated Mutual Aid – Assistance between North Carolina Search and Rescue System resources and local units of government facilitated and coordinated by North Carolina Emergency Management.
  - (25) State Emergency Operations Plan (SEOP) – A document under the authority of G.S. 166A-19.12(2) that details how the State of North Carolina will respond to a disaster or emergency requiring state assistance utilizing an established comprehensive, all-hazards approach.
  - (26) State Mission Assignment (State Mission) – A NCEM approved request for assistance to deploy state search and rescue system resources at the request of a local unit of government.
  - (27) System Personnel – Personnel from a contract or specialty rescue team with an active response agreement with the Division of Emergency Management for search and rescue response or any personnel employed on a full-time or part-time basis by the Division of Emergency Management with a responsibility for search and rescue response.

- (28) System Resource – Personnel or equipment from a contract or specialty rescue team with an active response agreement with the Division of Emergency Management for search and rescue response.

*History Note: Authority G.S. 166A-65; 166A-66;  
Eff. [DATE].*

**14B NCAC 03 .0403 DISPATCH OF A CONTRACT RESPONSE TEAM TO A SEARCH AND RESCUE TEAM OR SPECIALTY RESCUE TEAM MISSION**

(a) NC SAR System Resources shall employ the all-hazards response model. System resources are not limited to responses to only missing person incidents. System resources may support any incident where system resources may relieve human suffering or protect life, property, or the environment for an actual or potential threat.

(b) NC Emergency Management shall maintain direction and control of any deployed NC SAR System resources that have been deployed through action of NCEM.

(c) Any resource of the NC SAR System remains a local resource first and may deploy under their local authorities or agreements notwithstanding any action by the State. Participation in the NC SAR System shall not limit or supersede their local authorities, responsibilities, or agreements when deploying under those authorities or agreements.

(d) NC SAR System resources shall be deployed by the State using one of the following methods:

(1) State Coordinated Mutual Aid – The primary goal of State Coordinated Mutual Aid is to facilitate mutual aid through polling NC SAR System resources, either in part or in whole, at the discretion of NCEM officials to seek available qualified resources in the NC SAR System to fill a local request for support. There is no requirement for NCEM to poll all resources, nor any requirement for the local AHJ to take all or some portion of teams who are available. Final resource selection remains with the local AHJ. NCEM officials shall use incident type and urgency, incident and resource location, resource type, resource availability and timeliness to affecting incident outcome, and resource cost as factors in determining what resources to poll when activating system resources.

(2) State Mission Assignment - State Mission's primary goal is to deploy NC SAR System resources when there is a threat to life, property, or the environment and some barrier(s) to prevent the mission being filled through local or state coordinated mutual aid. In cases of a State of Emergency as defined in G.S. 166A-19.20 or G.S. 166A-19.22, NCEM shall deploy NC SAR System resources through a State Mission Assignment to minimize any delay in initiating or augmenting lifesaving operations.

(e) The County Local Emergency Management Coordinator (LEMC) or their designee shall have the authority to request system resources. Local law enforcement agencies, fire departments, rescue squads, and any other local authority having jurisdiction shall route requests for activation of NC SAR System Resources to their LEMC who will make the request for support to NCEM.

*History Note: Authority G.S. 166A-66;  
Eff. [DATE].*

**14B NCAC 03 .0404 ON-SITE OPERATIONS OF A CONTRACT RESPONSE TEAM**

All search and rescue system resources shall operate in accordance with the following standards of response:

- (1) FEMA ICS and NIMS standards which are adopted and are incorporated by reference with subsequent changes or amendments pursuant to G.S. 150B-21.6;
- (2) following all direction from NCEM personnel;
- (3) when responding in support of law enforcement operations, resources shall coordinate activities with the law enforcement authorities to ensure their actions support any potential criminal investigation.
- (4) resources shall not release any sensitive information to the public or media during operations without the consent of the local, state, or federal authority having jurisdiction consistent with the Chapter 132 of the North Carolina General Statutes which is adopted and incorporated by references with subsequent changes or amendments pursuant to G.S. 150B-21.6; and
- (5) state and federal law.

*History Note: Authority G.S. 166A-66, National Incident Management System, 3<sup>rd</sup> Edition; Eff. [DATE].*

#### **14B NCAC 03 .0405 STANDARDS FOR ADMINISTRATION OF A CONTRACT RESPONSE TEAM, INCLUDING PROCEDURES FOR REIMBURSEMENT OF RESPONSE COSTS**

(a) System resources shall maintain all personnel records to include:

- (1) Responder medical history;
- (2) Emergency contact information;
- (3) Current pay and benefit rates, including overtime rates; and
- (4) Policies for overtime pay if deploying paid persons.

(b) System personnel shall be in an on-duty status as an emergency management worker as defined in G.S. 166A-19.60(e) which is adopted and incorporated by reference with subsequent changes or amendments pursuant to G.S. 150B-21.6 during all training and response activities.

(c) System resources shall maintain a current team roster.

(d) System resources shall maintain all team training, certification, and credentials.

(e) System resources shall maintain all inventory and maintenance records for deployable equipment.

(f) Resource records must be available for review by NCEM officials to ensure compliance.

(g) Within 90 days of demobilization from a state mission, system resources shall submit documentation of actual costs to NCEM for reimbursement consistent with FEMA Public Assistance Program and Policy Guide which is adopted and incorporated by reference with subsequent changes or amendments pursuant to G.S. 150B-21.6. NCEM may grant extensions beyond the 90-day period at their discretion due to extenuating circumstances such as extended equipment repairs.

*History Note: Authority G.S. 166A-19.60; 166A-66; 42 U.S.C.5121 et seq; 44 CFR Part 206; Eff. [Date].*

#### **14B NCAC 03 .0406 RECOVERING THE COSTS OF A SEARCH AND RESCUE TEAM OR SPECIALTY RESCUE TEAM MISSION**

NCEM shall seek reimbursement by the responsible party for system response costs in cases of negligence or manmade disaster.

- (1) Responsible parties shall be billed reasonable costs to include personnel and equipment costs consistent with current protocols established for the recovery of cost of activation of a response team for a hazardous materials emergency response set out in G.S. 166-27 which is adopted and incorporated by reference with subsequent changes or amendments pursuant to G.S. 150B-21.6 of eligible costs.
- (2) Responsible parties shall remit payment within 30 days of receipt of invoice via certified mail.

*History Note: Authority G.S. 166A-27; 166A-66;  
Eff. [DATE].*

### **14B NCAC 03 .0407 PROCEDURES FOR BIDDING AND CONTRACTING FOR SEARCH AND RESCUE TEAM AND SPECIALTY RESCUE TEAM MISSIONS**

(a) Eligibility for participation as a contract or specialty rescue team:

- (1) Sponsoring agencies must:
  - (A) Be a local unit of government, state recognized tribal government, or maintain an active response agreement with a local or tribal unit of government;
  - (B) Maintain participation in the statewide mutual aid agreement; and
  - (C) Ensure all members possess the qualifications as outlined in Rule .0409 of this Section which is adopted and incorporated by reference with subsequent changes or amendments pursuant to G.S. 150B-21.6.
- (2) Participating agencies shall ensure all members possess the qualifications as outlined in Rule .0409 of this Section which is adopted and incorporated by reference with subsequent changes or amendments pursuant to G.S. 150B-21.6.

(b) Eligibility for participation on an incident support team.

- (1) Personnel shall be a participating member of the NC SAR System, NCEM All-Hazards Incident Management Team Program, or an employee of NC Emergency Management. If not an employee of NCEM, each member's sponsoring agency must have an active memorandum of agreement that outlines the conditions of their participation on an incident support team.
- (2) Ensure all members possess the qualifications as outlined in Rule .0409 of this Section which is adopted and incorporated by reference with subsequent changes or amendments pursuant to G.S. 150B-21.6.

(c) Contract Response Teams – Within 18 months of a new contract period, NCEM shall electronically distribute a bid announcement via electronic mail to all system resources and local emergency management coordinators for interested parties to return a letter of interest by a specified date. NCEM shall distribute an electronic bid package to all interested parties that must be returned to NCEM by a date specified in the bid package.

- (1) Contract response teams shall be limited to seven regionally based all hazard response taskforces. Each taskforce will be assigned a primary response region in the state.
- (2) Bid packages shall be submitted for a specific response region.

- (3) The bidding agency and any participating agencies shall be located in that specified response region.
- (4) A review committee shall be established by the NCEM Director or designee. This committee will open all completed sealed bid packages and evaluate them based on an agreed upon criteria at a date to be set by the NCEM Director.
- (5) The committee shall develop a bid package review summary that includes their recommendations for selections that will be sent to the NCEM Operations Chief for concurrence before being reviewed and approved by the NCEM Director.
- (6) Agencies who are successful in the bid process will be notified, system agreements shall be drafted, and executed by all parties for the agreed upon period.
- (7) NCEM shall draft, execute, and maintain two agreements with the sponsoring agency for the resource to maintain participation in the program.
  - (A) NCEM shall execute and maintain a cooperative agreement with the sponsoring agency that outlines the conditions and activities that the resource must follow to enable reimbursement of eligible training, equipment, and personnel costs associated with maintaining a contract response team. The cooperative agreement shall be limited to the contract period.
  - (B) Funds reimbursed through this agreement shall go directly to cover program costs and be utilized by the sponsoring and/or participating agencies.
  - (C) The sponsoring agency shall maintain all records of any program spending and shall not commingle funds or use program funding for any other purpose other than maintaining or building search and rescue capability.
  - (D) Each sponsoring agency is responsible to draft, execute, and maintain agreements with any participating agency that is supporting their bid for a contract response team with personnel, equipment, or funding. NCEM may provide a template agreement for use between sponsoring and participating agencies. The sponsoring agency may include any participating agency resources in their bid as long as they have an active agreement.
  - (E) Resources shall maintain a response agreement that outlines response activities and the reimbursement for costs of state missions.

(d) Specialty Rescue Teams - NC Emergency Management shall enter into response agreements with additional specialty rescue teams to ensure statewide response capability in certain established program areas.

- (1) These program areas shall include:
  - (A) Swiftwater Search and Rescue;
  - (B) Wilderness / Land Search and Rescue;
  - (C) Mountain Search and Rescue; and
  - (D) Helicopter Search and Rescue
- (2) NC Emergency Management shall provide program support in establishing program standards, supporting specialized training, and providing specialized equipment within the confines of available funding. Participation as a specialty rescue team is considered at will and can be terminated with or without cause by either party with 30-day notice.
- (3) Each qualified resource shall enter into a response agreement specific to each established program area with NCEM. The resource will then enter into a



memorandum of understanding with NCEM that shall be referred to as a specialty rescue team response agreement.

- (4) Specialty rescue teams must demonstrate their ability to respond as a self-supported resource outside their jurisdiction to be eligible to participate in the NC SAR System.
- (5) Each specialty rescue team is responsible to draft, execute, and maintain agreements with any participating agency that is supporting the sponsoring agency for a specialty response team with personnel, equipment, or funding. NCEM may provide a template agreement for use between sponsoring and participating agencies.

*History Note: Authority G.S. 166A-65; 166A-66; 166A-67;  
Eff. [DATE].*

### **14B NCAC 03 .0408 CRITERIA FOR EVALUATING BIDS FOR CONTRACT RESPONSE TEAM**

#### (a) Bidding entities must:

- (1) be submitted by an authorized representative of a local unit of government, state recognized tribal government, or maintain an active response agreement with a local or tribal unit of government;
- (2) provide a plan for bidding entity to deploy the required number of personnel for a period of up to 14 days when not being impacted locally. This may be as a single entity or as a collaboration of multiple agencies in the specified response region. If a collaboration of multiple agencies, the sponsoring or bidding agency must maintain cooperative agreements with all supporting agencies. For the purposes of the bid submission, the bidding entity shall provide a letter of support from all supporting agencies;
- (3) provide a plan for bidding entity to maintain required number of personnel trained per Rule .0409 of this Section which is adopted and incorporated by reference with subsequent changes or amendments pursuant to G.S. 150B-21.6; and
- (4) ensure all participating members possess the qualifications as outlined in Rule .0409 of this Section.

(b) Bids shall be evaluated using the below criteria and consistent with 2 CFR Part 200 which is adopted and incorporated by reference with subsequent changes or amendments pursuant to G.S. 150B-21.6:

- (1) geographic location of team base;
- (2) ability to maintain required number of trained personnel to ensure response readiness without negative impacts to local response obligations;
- (3) ability to maintain and care for any system provided equipment;
- (4) availability of local equipment to support response activities; and
- (5) availability to maintain dedicated administrative staff to ensure management of administrative duties, training, and logistical requirements.

*History Note: Authority G.S. 166A-66; 166A-67;  
Eff. [DATE].*

**14B NCAC 03 .0409 PERSONNEL, TRAINING, AND EQUIPMENT STANDARDS FOR CONTRACT RESPONSE TEAMS AND SPECIALTY RESCUE TEAMS**

(a) Requirements for all system personnel:

- (1) personnel shall be no less than 18 years of age;
- (2) personnel shall be an agent of a sponsoring agency, participating agency, or an employee of the North Carolina Division of Emergency Management. By participating in this program, they remain agents of their employer and at no time become an agent of the State unless they are an employee of the State;
- (3) personnel shall maintain no less than 24 hours of search and rescue training annually;
- (4) personnel shall be considered emergency management workers while participating in any program activity as defined in G.S. 166A-19.60 which is adopted and incorporated by reference with subsequent changes or amendments pursuant to G.S. 150B-21.6; and
- (5) personnel shall possess the qualifications of character and general fitness requisite for a public servant and be of good moral character and entitled to the high regard and confidence of the public as evidenced by:
  - (A) not having been convicted of a felony;
  - (B) not having been convicted of a misdemeanor as defined in 12 NCAC 09B .0111(1) which is adopted and incorporated by reference with subsequent changes or amendments pursuant to G.S. 150B-21.6. for five years or the completion of any corrections supervision imposed by the courts, whichever is later;
  - (C) not having been convicted of an offense that would prohibit the possession of a firearm or ammunition, under 18 U.S.C. 922, which is hereby incorporated by reference with subsequent amendments and editions pursuant to G.S. 150B-21.6 can be found at no cost <https://www.govinfo.gov/content/pkg/USCODE-2018-title18/pdf/USCODE-2018-title18-partI-chap44.pdf>;
  - (D) being truthful in providing information to the appointing agency for the purpose of participating in the search and rescue system;
  - (E) not having pending or outstanding felony charges that, if convicted would exclude eligibility under this rule; and
  - (F) not having engaged in any conduct that brings into question the truthfulness or credibility of the individual, or involves "moral turpitude."
- (6) make the following notifications:
  - (A) within seven days of the qualifying event notify the Sponsoring Agency in writing of all criminal offenses for which the individual is charged or arrested. This shall include traffic offenses identified in the Class B Misdemeanor Manual which is adopted and incorporated by reference with subsequent changes or amendments pursuant to G.S. 150B-21.6 and offenses of driving under the influence (DUI) or driving while impaired (DWI);
  - (B) within seven days of the qualifying event notify the Sponsoring Agency in writing of all criminal offenses for which the individual pleads no contest,

pleads guilty, or of which the individual is found guilty. This shall include traffic offenses identified in the Class B Misdemeanor Manual which is adopted and incorporated by reference with subsequent changes or amendments pursuant to G.S. 150B-21.6 and offenses of driving under the influence (DUI) or driving while impaired (DWI);

(C) within seven days of service, shall notify the Sponsoring Agency that they have been served by a judicial official against the individual;

(D) within seven days of the date the case was disposed of in court, the sponsoring agency, provided they have knowledge of the person's arrests or criminal charges and final dispositions, shall also notify the Division of Emergency Management of arrests or criminal charges and final disposition; and

(E) within seven days of the issuance of all Domestic Violence Protective Orders (G.S. 50B) and Civil No Contact Orders (G.S. 50C), the sponsoring agency, provided they have knowledge of the order, shall also notify the Division of Emergency Management of these orders.

(b) Requirements for all system equipment:

(1) equipment shall be made available for inspections and inventory;

(2) system resources shall count any state-owned issued equipment to the specified equipment requirements;

(3) system resources shall maintain any state-owned equipment per manufactures recommendations and immediately notify NCEM of any damage to state property; and

(4) upon separation all system resources shall return all state property in no more than 30 days.

(c) Urban Search and Rescue Team Personnel and Training Requirements

(1) A Type I or Type II Urban Search and Rescue Team shall maintain a roster of 116 personnel who have successfully completed the NC USAR Structural Collapse Rescue Technician Course or the Federal Emergency Management Agency Equivalent Course.

(2) A Type III Urban Search and Rescue Team shall maintain a roster of 58 personnel who have successfully completed the NC USAR Structural Collapse Rescue Technician Course or the Federal Emergency Management Agency Equivalent Course.

(3) North Carolina Division of Emergency Management shall be responsible for providing qualified structures specialist, medical team managers, and canine search specialists for any typed urban search and rescue team if required for a response.

(d) Urban Search and Rescue Team Equipment Requirements

(1) Urban Search and Rescue Teams shall maintain a functionally equivalent cache of equipment based on the appropriate team type with the Emergency Management Accreditation Program Urban Search and Rescue Cache List which is adopted and incorporated by reference with subsequent changes or amendments pursuant to G.S. 150B-21.6. as outlined in the latest published standard by the Emergency Management Accreditation Program.

(2) Equipment shall be maintained in a state of readiness and with a means to transport all required equipment.

(e) Swiftwater Rescue Team Personnel and Training Requirements

- (1) Any Type I Swiftwater Rescue Team shall maintain a roster of 32 personnel who have successfully completed Swiftwater Rescue Technician level training that meets or exceeds training requirements of Chapters 5, 11, and 12 of NFPA 1006 which is adopted and incorporated by reference with subsequent changes or amendments pursuant to G.S. 150B-21.6. From the complete roster, the team shall additionally maintain the following number of personnel trained in position specific roles:

  - (A) eight personnel who have completed the North Carolina Swiftwater Flood Rescue Boat Operator Course;
  - (B) two personnel who have completed either the North Carolina Swiftwater / Flood Rescue Team Leader Course or North Carolina Urban Search and Rescue Task Force Leader Course; and
  - (C) two personnel who have completed either the North Carolina Swiftwater / Flood Rescue Team Communications Specialist Course or North Carolina Urban Search and Rescue Communications Specialist Course.
- (2) Any Type II Swiftwater Rescue Team shall maintain a roster of 24 personnel who have successfully completed Swiftwater Rescue Technician level training that meets or exceeds training requirements of Chapters 5, 11, and 12 of NFPA 1006 which is adopted and incorporated by reference with subsequent changes or amendments pursuant to G.S. 150B-21.6. From the complete roster, the team shall additionally maintain the following number of personnel trained in position specific roles:

  - (A) four personnel who have completed the North Carolina Swiftwater Flood Rescue Boat Operator Course;
  - (B) two personnel who have completed either the North Carolina Swiftwater Flood Rescue Team Leader Course or North Carolina Urban Search and Rescue Task Force Leader Course; and
  - (C) two personnel who have completed either the North Carolina Swiftwater Flood Rescue Team Communications Specialist Course or North Carolina Urban Search and Rescue Communications Specialist Course.
- (3) Any Type III Swiftwater Rescue Team shall maintain a roster of 16 personnel who have successfully completed Swiftwater Rescue Technician level training that meets or exceeds training requirements from Chapters 5, 11, and 12 of NFPA 1006 which is adopted and incorporated by reference with subsequent changes or amendments pursuant to G.S. 150B-21.6. From the complete roster, the team shall additionally maintain the following number of personnel trained in position specific roles:

  - (A) two personnel who have completed the North Carolina Swiftwater Flood Rescue Boat Operator Course;
  - (B) two personnel who have completed either the North Carolina Swiftwater Flood Rescue Team Leader Course or North Carolina Urban Search and Rescue Task Force Leader Course; and
  - (C) two personnel who have completed either the North Carolina Swiftwater Flood Rescue Team Communications Specialist Course or North Carolina Urban Search and Rescue Communications Specialist Course.

(f) Swiftwater Rescue Team Equipment Requirements

- (1) Any Type I Swiftwater Rescue Team shall maintain an equipment cache of no less than:
  - (A) six 800 MHz portable radios programed with the NC VIPER Radio System template;
  - (B) 16 portable radios capable for internal team communications;
  - (C) portable computer with a minimum of cellular internet access;
  - (D) 16 each of dry suits with a suitable liner, personal floatation devices with not less than 22lbs of floatation, helmet with headlamp, rescue knife, pealess whistle, boat motor key, water rescue throw bag, and pair of water rescue boots;
  - (E) four each thermal imaging cameras and handheld spotlight;
  - (F) two hardcopy of NC road map;
  - (G) six global positioning system receivers;
  - (H) two forcible entry kits to include a Halligan, axe, sledgehammer and bolt cutters per kit;
  - (I) two chain saws;
  - (J) four inflatable ridged boats not less than 4 meters in length with not less than six outboard motors;
  - (K) one rope rescue kit to include 20 locking carabiners, four full body harness, two knot passing pulleys, 12 tandem prusiks, eight pulleys, two 200 foot life safety rope in a bag, two 300 foot life safety rope in a bag, line thrower, and six sections of each 5 foot, 12 foot, 15 foot, 20 foot nylon tubular webbing;
  - (L) two decontamination kits to include, 2.5 gallon pressure sprayer, five gallon bucket, 40 gallon work box, 110 volt submersible pump, two 25 foot sections of garden hose, garden hose wye adaptor, 110 volt submersible pump, soap and bleach solution, 1.5 inch to .75 inch male garden hose adapter;
  - (M) six non-venting fuel cells with fuel lines;
  - (N) two self-bailing raft;
  - (O) four boat field repair kits to include a patch and clamshell kit per kit;
  - (P) 12 paddles;
  - (Q) Shelter system for 16 personnel that can be setup in under 30 minutes time and does not require power for setup with 16 each of a sleeping kit such as a cots, pad, or sleeping bag; and
  - (R) Two each of two kilowatt or larger generators with portable lights; and
  - (S) Two electric air pumps, four manual inflation pumps, and eight compressed air cylinders with whip or fill system to inflate boats or rafts.
- (2) Any Type II Swiftwater Rescue Team shall maintain an equipment cache of no less than:
  - (A) four 800 MHz portable radios programed with the NC VIPER Radio System template;
  - (B) ten portable radios capable for internal team communications;
  - (C) portable computer with a minimum of cellular internet access;

- (D) ten each of dry suits with a suitable liner, personal floatation devices with not less than 22lbs of floatation, helmet with headlamp, rescue knife, pealess whistle, boat motor key, water rescue throw bag, and pair of water rescue boots;
  - (E) two each thermal imaging cameras and handheld spotlight;
  - (F) two hardcopy of NC road map;
  - (G) four global positioning system receivers;
  - (H) one forcible entry kits to include a Halligan, axe, sledgehammer and bolt cutters per kit;
  - (I) two chain saws;
  - (J) two inflatable ridged boats not less than 4 meters in length with not less than three outboard motors;
  - (K) one rope rescue kit to include 20 locking carabiners, four full body harness, two knot passing pulleys, 12 tandem prusiks, eight pulleys, two 200 foot life safety rope in a bag, two 300 foot life safety rope in a bag, line thrower, and six sections of each 5 foot, 12 foot, 15 foot, 20 foot nylon tubular webbing;
  - (L) one decontamination kit to include, 2.5 gallon pressure sprayer, five gallon bucket, 40 gallon work box, 110 volt submersible pump, two 25 foot sections of garden hose, garden hose wye adaptor, 110 volt submersible pump, soap and bleach solution, 1.5 inch to .75 inch male garden hose adapter;
  - (M) four non-venting fuel cells with fuel lines;
  - (N) one self-bailing raft;
  - (O) two boat field repair kits to include a patch and clamshell kit per kit;
  - (P) six paddles;
  - (Q) shelter system for ten personnel that can be setup in under 30 minutes time and does not require power for setup with ten each of a sleeping kit such as a cots, pad, or sleeping bag; and
  - (R) two each of two kilowatt or larger generators with portable lights; and
  - (S) two electric air pumps, two manual inflation pumps, and four compressed air cylinders with whip or fill system to inflate boats or rafts.
- (3) Any Type III Swiftwater Rescue Team shall maintain an equipment cache of no less than:
- (A) six 800 MHz portable radios prograded with the NC VIPER Radio System template;
  - (B) six portable radios capable for internal team communications;
  - (C) portable computer with a minimum of cellular internet access;
  - (D) six each of dry suits with a suitable liner, personal floatation devices with not less than 22lbs of floatation, helmet with headlamp, rescue knife, pealess whistle, boat motor key, water rescue throw bag, and pair of water rescue boots;
  - (E) one hardcopy of NC road map;
  - (F) two global positioning system receivers;
  - (G) one forcible entry kits to include a Halligan, axe, sledgehammer and bolt cutters per kit;

- (H) one chain saw;
- (I) one inflatable ridged boats not less than 4 meters in length with not less than two outboard motors;
- (J) one rope rescue kit to include 20 locking carabiners, two full body harness, two knot passing pulleys, 12 tandem prusiks, four pulleys, 200 foot life safety rope in a bag, 300 foot life safety rope in a bag, line thrower, and three sections of each 5 foot, 12 foot, 15 foot, 20 foot nylon tubular webbing;
- (K) one decontamination kit to include, 2.5 gallon pressure sprayer, five gallon bucket, 40 gallon work box, 110 volt submersible pump, two 25 foot sections of garden hose, garden hose wye adaptor, 110 volt submersible pump, soap and bleach solution, 1.5 inch to .75 inch male garden hose adapter;
- (L) two non-venting fuel cells with fuel lines;
- (M) one self-bailing raft;
- (N) one boat field repair kits to include a patch and clamshell kit per kit;
- (O) three paddles;
- (P) shelter system for six personnel that can be setup in under 30 minutes time and does not require power for setup with six each of a sleeping kit such as a cot, pad, or sleeping bag; and
- (Q) one each of two kilowatt or larger generators with portable lights; and
- (R) one electric air pumps, one manual inflation pumps, and two compressed air cylinders with whip or fill system to inflate boats or rafts.

(g) Helicopter search and rescue technicians shall:

- (1) be a member of the Urban Search and Rescue, Swiftwater Rescue, Wilderness Search and Rescue, or Mountain Rescue Program with a letter of support from their sponsoring agency;
- (2) complete the North Carolina Division of Emergency Management Helicopter Rescue Indoctrination Course; and
- (3) attend scheduled training no less than quarterly basis to maintain their qualification as a helicopter rescue technician.

(h) Helicopter Rescue Team Equipment Requirements

- (1) Helicopter search and rescue technicians shall maintain all issued equipment in good working order and in accordance with the manufacturer recommendations.
- (2) Helicopter search and rescue technicians shall inspect their issued equipment prior to and after each use and report any damage or unusual wear to the Aviation Life Safety Equipment Officer.

(i) Wilderness Search and Rescue Team Requirements

- (1) A wilderness search and rescue team shall maintain a roster of no less than eight personnel that have completed the NC Land Search Field Team Member Course or other wilderness search course that meets the current requirements of ASTM F2209 which is adopted and incorporated by reference with subsequent changes or amendments pursuant to G.S. 150B-21.6.
- (2) A wilderness search and rescue team shall maintain a team equipment cache of no less than eight of the following:
  - (A) field pack able to carry required equipment;

- (B) multi-purpose knife;
  - (C) water container(s) sufficient to hold two quarts of potable water;
  - (D) safety glasses;
  - (E) pealess whistle;
  - (F) grid reader for 1:24000 scale;
  - (G) compass;
  - (H) two light sources with spare batteries;
  - (I) set of rain gear;
  - (J) tracking stick no less than 42 inches long;
  - (K) watch;
  - (L) fire starting kit;
  - (M) measuring device capable of measure no less than 18 inches;
  - (N) paper and pen or pencil;
  - (O) ICS 214 form;
  - (P) 50 foot of cordage;
  - (Q) eight zip ties; and
  - (R) signaling mirror.
- (3) A wilderness search and rescue team shall maintain a rescue equipment cache of no less than the following:
- (A) two global positioning system receivers;
  - (B) two first aid kits.

(j) Mountain Rescue Team Requirements

- (1) A mountain rescue team shall maintain a roster of no less than eight personnel that have completed the NC Mountain Rescue Operations Course with no less than two personnel that have completed the NC Mountain Rescue Technician Level Course.
- (2) A mountain rescue team shall maintain a team equipment cache of no less than eight of following:
  - (A) field pack able to carry required equipment;
  - (B) multi-purpose knife;
  - (C) water container(s) sufficient to hold two quarts of potable water;
  - (D) grid reader for 1:24000 scale;
  - (E) fire starting kit;
  - (F) compass;
  - (G) two light sources with spare batteries;
  - (H) set of rain gear;
  - (I) watch;
  - (J) paper and pen or pencil; and
  - (K) ICS 214 form.
- (3) A mountain rescue team shall maintain a rescue equipment cache of no less than the following:
  - (A) two global positioning system receivers;
  - (B) ten screw gate carabiners;
  - (C) four belay type friction devices;
  - (D) eight pre-sewn runners;
  - (E) eight sets of matching prussik pairs;
  - (F) four 30 foot cord suitable for anchor and litter rigging;



- (G) eight mountaineering harnesses;
- (H) two rappel type friction devices;
- (I) two each single and double micro pulleys;
- (J) two 150 foot ropes with a rating equal to or greater than 20 kilonewtons;
- (K) two 250 foot ropes with a rating equal to or greater than 20 kilonewtons;
- (L) eight pairs of snow shoes;
- (M) eight pairs of trekking poles;
- (N) four ice screws;
- (O) eight pairs of slip-on boot traction devices;
- (P) four pairs of crampons;
- (Q) a patient litter such as a military type stokes basket or sked system; and
- (R) two 800 MHz portable radios programed with the NC VIPER Radio System template.

*History Note: Authority G.S. 166A-66; 166A-67; 166A-68;*

*Eff. [DATE].*

#### **14B NCAC 03 .0410 PROCEEDURES FOR AUDITING CONTRACT RESPONSE TEAMS AND SPECIALTY RESCUE TEAMS**

(a) Contract and specialty rescue teams shall be audited by the NC Division of Emergency Management no less than every three years to ensure compliance with program requirements. Contract teams shall make the following available for review:

- (1) administrative records such as internal team plans and procedures, training records, personnel records, equipment maintenance records, and any fiscal records pertaining to the contract or specialty rescue team;
- (2) equipment cache to include ensuring all required equipment is present, operational, and in a deployment ready condition; and
- (3) access to functional exercises that demonstrate the ability of the resource to muster, deploy, and function in their specific functional area.

(b) An audit report shall be completed and filed to report any findings and recommendations of the audit team within 30 days of audit with a copy being sent to the sponsoring agency.

- (1) The contract or specialty response team shall reply to any audit findings with a corrective action plan within 30 days of receipt of audit report to the NC Division of Emergency Management.
- (2) The contract or specialty response team shall address the issues of any audit findings prior to the next audit. Any audit of a contract or specialty rescue team that finds the resource did not address a finding from the most recent audit report shall be referred to the NC Search and Rescue Disciplinary Committee.
- (3) Any finding of malicious or willful misconduct, misrepresentation, or fraud shall be automatically referred to the NC Search and Rescue Disciplinary Committee.

(c) The NC Search and Rescue Disciplinary Committee shall be appointed by the Director of the NC Division of Emergency Management. The NC Search and Rescue Disciplinary Committee shall be a workgroup of the NC Search and Rescue Technical Advisory Committee.

- (1) The committee shall consist of:

- (A) one representative of the NCEM Emergency Services Branch who shall serve as the chair;
  - (B) one representative from each of the NCEM Regional Branch Offices; and
  - (C) one representative from each program's technical advisory group.
- (2) The committee shall conduct hearings to review reports of misconduct as well as any reported breach of program requirements. Hearings conducted by the committee shall be informal and no party shall be represented by legal counsel. The disciplinary committee shall determine:
- (A) facts surrounding the incident in question;
  - (B) whether the facts of the incident violates the rules of the NC Search and Rescue Program; and
  - (C) the recommended sanction to be imposed up to and including dismissal of any individual or team on a temporary or permanent basis from the program.
- (3) The committee shall prepare a final report of their findings for review and concurrence by the NCEM Operations Chief and the NCEM Director. The final decision on disciplinary action shall remain with the NCEM Director.

*History Note: Authority G.S. 166A-66; 166A-67;  
Eff. [DATE].*