



**AAPA Emergency Preparation, Response & Recovery Seminar**

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**Using NIMS to Conduct Successful Drills/Exercises**

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**Is your Port ready for this?**

# [West Explosion]



# How does a Port get ready for that?

- We drill
- We do exercises
- We conduct simulations
- So that when the unthinkable happens, we have already thought about it.

- Under Homeland Security Presidential Directive #5, the Federal government has created the National Incident Management System (NIMS).
- The NIMS system provides a consistent national template or framework that is designed to enable governments, responders, communities and other stakeholders to work together to manage incidents.
- This is done through a comprehensive, nationwide and systematic approach to incident management, including the command and coordination of incidents, resource management, and information management.

- Most Ports have generally adopted the NIMS system to ensure a coordinated incident response.
- Government responders are trained regarding procedures, protocols and handling of emergencies, that provides the leadership function for response as well as coordination with other stakeholders.
- How are Ports going to know how to coordinate and work together with the federal government and other responders to manage incidents unless their personnel are trained in these procedures and protocols as well?
- How do we get ready? How do we know we are ready?

There are many thoughts about *how* to get ready:

- But doing *nothing* is not one of them
- So, what is the *something* that you can do to protect your port and prepare as best you can for a catastrophe?
- What is the answer when your Port Commission asks what you are doing to protect the Port and its customers from liabilities associated with catastrophic spill or release?



The answer is that we are protecting the Port by conducting training on emergency response, re-training where we see holes, and we are benchmarking our current state of readiness so we can tell our Port Commissions we are doing all that we can and that we can show you we did all that we can.

- **TEST** responsiveness in the form of a real time exercise or drill tailored and designed to test desired target areas or company-wide response as a whole.
- **EVALUATE** emergency response policies, plans and company-wide procedures.
- **REVIEW** the response and identify potential areas needing improvement and review lessons learned.
- **RETRAIN** refresh and update as a result of results.

# Testing Emergency Preparedness *Before an Accident Occurs*

## Real Time Simulations

- Simulate significant incident in real-time situations.
- Some are planned exercises – others may be random with little warning to participants.

- Design drill to test responses from variety of corporate systems, such as:
  - Response and role of government relations/media
  - Implementability of port policies and procedures
  - Claims handling
  - Operating departments
  - Legal department
  - Internal port communications

- Design of Real-Time Simulations/Drill to Test Target Areas/Response

## Scenario Parameters

- Can design with in-house input
- Can span various facilities/departments
- Exercise control team provides “inputs” through various stimuli

- Timed stimuli of various media to groups (phone calls, emails, press releases, news reports, social media postings, governmental inquiries, etc.)
- Multiple stimuli and simulate real-time disaster scenario
- Simulated communications/demands
- Legal issues put into play
- Communications Modules – Unanticipated inputs

## Roles – Law

- Legal advice (assess legal issues and preserve privilege over investigation and response)
- Investigation
- Evidence preservation
- Defense (TRO, injunctions)
- Interface
  - Regulators
  - Government
  - Claims
  - Operating
  - Media

# Roles – Communications/ Governmental Relations

- Respond to immediate demands for information from public, Governments, regulators
- Repeated inquiries for CEO access – who is going to speak for the Port?
- Regulators’ restrictions on ability to release information

# **Roles – Corporate Communications/ Governmental Relations – cont'd**

- Internal, external and customer communications
- Coordination with Law and others for press releases/media statements
- Your media relations and social media plan



# Roles –Loss Prevention/Operations

- Claims from customers, affected local businesses, potential evacuees
- Business/Service interruption issues
- If dollars need to be committed to address incident, what is the process?
- Coordination with insurance carriers/coverage issues

# Roles – Who Coordinates?

- Coordinate with Law
- Coordinate investigations with Team
- Coordinate retention of consultants
- Make sure operational staff is in the loop and coordinating with legal, others
- Coordination with outside agencies, emergency responders

## Examples of Issues in Simulation:

- CEO has called you. He or she wants:
  - A draft press release regarding what happened, what we can say, a quote for the press and when we are going to be able to tell people more. Email that to the CEO within 10 minutes.
  - To know who is in charge of the response
  - an org chart of the response team asap
  - To know what resources we need right now to address the incident
  - You to send him an email with all of the email addresses and phone numbers of everyone on the response team and key personnel who are on deck to address an emergency response.

## Examples of Issues in Simulation:

- CEO has called you.
  - An emergency Temporary Restraining Order has been filed against the Port in connection with the emergency. There will be a hearing at the courthouse in one hour. Please confirm that our legal representatives will attend. They also want to know if we will agree to a TRO prohibiting the destruction or spoliation of any evidence. What do the lawyers say?
  - What is Plan B if we cannot locate/reach the lawyers in time?
  - Do we have an email to circulate internally instructing everyone at the Port to preserve all evidence, keep all documents, email and information? Do we have an evidence preservation protocol?

## Examples of Issues in Simulation:

- CEO has called you.
  - Can we instruct our employees not to talk to anyone? That they not take pictures?
  - Customers are calling because they have been damaged (loss of cargo, loss of product, cannot access or leave docks) and have sustained monetary damages. Who should they call? They need a phone number right now of someone who can help them, answer questions and help them with next steps. What is that phone number and who is that person?
  - The media is at the scene taking photographs, video and there is concern they could interfere with the response. Can we remove them? Do we have a policy/procedure on how to handle something like this?

## Examples of Issues in Simulation:

- CEO has called you.
  - I am emailing the Commissioners and other key internal people about this emergency. Can I speak freely? Are my emails subject to public disclosure?
  - How can my email communications be protected so that they are not in the paper tomorrow?
  - I understand that the community wants us to get air modelers on site right away to determine if any harmful impacts from an accident/emergency are being released. If we decide to do that, how do we get the air modelers here as quickly as possible? Do we have someone on call?

# Examples of Issues in Simulation:

- CEO has called you.
  - I need a list of talking points about the emergency and what we know within 10 minutes. Who will get that to me? What? The federal agencies are saying that we cannot comment on this incident? What are we supposed to do? How can we say nothing?
  - If we are going to say nothing, I need a press release explaining why we are saying nothing.
  - The feds want our emergency response plan emailed to them right away? Who has it available to email? By the way, when was the last time it was updated?
  - The EPA wants MSDS sheets for any chemicals/materials released. How do we get those?

# Questions Answered or Raised as result of Simulation:

- Were we able to make appropriate responses to requests for information from press, governmental authorities, politicians?
- Were our press statements/interviews consistent?
- Did our emergency policies and procedures work effectively?
- Were we effectively able to monitor electronic media/news?
- Do we need additional training or drills?
- Were we prepared for the sustainability of the response effort?
- Did we have a centralized function/Task Center to track all outstanding issues/tasks/follow-up?



# Questions Answered or Raised as result of Simulation:

- Were our emergency response plans realistic? Could we follow them?
- Were they up to date? What changes if any should we make?
- What were our lessons learned in this simulation?
- What should we do to re-train or update our procedures?
- Who will be in charge of doing this and when will this be done?

- Table Top Exercise
  - Working session or run-through of a potential scenario
  - Test an aspect of a plan or response (i.e., developing press statements, responding to social media, finding/implementing company plans/procedures in real time)
  - Role playing with a fact pattern to discern familiarity with plans, policies, procedures

- Walk Through
  - Discussion-based exercise with a potential scenario or focused module
  - Series of questions and answers of team to determine whether response is appropriate in circumstance
- Notification Exercise
  - Check contact numbers
  - Exercise to determine whether key players can be reached quickly
  - If not, what is plan B to account for absence of decision makers in crisis

# Review

- Compile data, response results and conclusions regarding findings
- Time allotted post-exercise for review and discussion of issues identified and lessons learned
- Address opportunities for improvement
- Identify issues for further consideration
- Can we demonstrate a proactive approach to negate later potential allegations of negligence or negligent management/training?

# Retrain

- Exercises can provide input upon where retraining/refreshing efforts need to be focused
- Revisit periodically to ensure training has accomplished the desired goals

# Emergency Response Plans

- Do you have a written plan?
- Is it usable? Implementable?
- Do your employees know where it is?
- Is it up to date? What is the protocol for updating/refreshing?

# Emergency Response Plans

- How will it be used in an emergency?
- How do you know it works?
- Is it ready to be discovered in litigation?
- Does it contain “shalls” and “musts” that likely cannot be complied with in an emergency situation?
- Is it consistent with Mission Statements? Other pronouncements?

# Why are we Concerned About Social Media?

- Because it is how people find out information today
- Because people on Facebook and Twitter will immediately know more about your crisis than you do
- Because a tweet from a survivor or eyewitness can reach tens of thousands of users around the world in minutes
- Because the public expects **you** to keep them informed
- And...



# Because of this



# And this





# And this



# BBC News Asks for Pictures and Videos

- The Lac-Mégantic Train Derailment occurred in July 2013 on the outskirts of Ottawa Canada
- Tweets were sent out immediately – before the company even knew what had happened
- Facebook posts were all over the news within 30 minutes
- A BBC news article on the accident includes a solicitation of information from the public that says “Are you in the area? Send your pictures and videos to [yourpics@bbc.co.uk](mailto:yourpics@bbc.co.uk) or text them.”

# So what do you do about social media?

- You need to have a plan for social media
- You need to update your current crisis communication plan to address social media -- the new way information is disseminated and gathered
- And if you don't already have a formal crisis communication plan, you need to get one.
- And you need to train, drill, exercise and refresh.

# On-line and conventional media channels flash “breaking news”

- Are you ready? The time to get ready is before an accident occurs.
- Do you have a media plan that takes into account instantaneous information – from outside your organization and inside?
- Who will implement it? How are they trained?
- How do you know it works?
- Have you tested it?
- Can you tell management you are ready?

# Media Response Plan

- What is a plan?
    - Series of documents
    - Tasks
    - Teams
    - Training exercises
    - Drills
- That are unified by a corporate mission statement, a written policy statement and support of upper management

# How does the Media Plan Proactively Interface with the Public?

- Media Statements
- Who is your face to the public?
- Fact Sheets
- Talking Points
- Web Site
- Community Action
- Claims/Compensation



# Media Statements? What is your message?

- Who is your face to the public? What can they say? Can't say?
- Confirm involvement – here is what we have learned although it is early
- Express sympathy
- We will help local authorities as they respond and provide details
- The focus right now is on stabilizing accident scene
- We will cooperate with authorities to determine the cause
- We are committing all necessary resources to provide information as it becomes available
- Here is how you get information if you are affected
- What else do you want them to know about you?

# Communications Media – Consistent Messages

- Website
- Employee intranet
- Individual or group briefings
- Customer communications
- Communications from representatives (law firms/insurers)
- Social media platforms (Facebook or Twitter accounts)

# Develop Your Social Media Policy in Peacetime

- Develop “dark website” during peacetime – activate during accident and refer to it in all press statements so people will know where to go
- To tweet or not to tweet – figure it out now
- Develop your basic talking points about what you already know about your company
- Develop a template for press releases/fact sheets
- Know your Social Media platforms
- Audit all Social Media channels already used by the organization – including social media channel monitoring as part of your conventional media program.
- Social media commentary is your first jury research pool. Compile and follow it.

# Keeping Up With the Plan

- Review/audit plan at least once a year
- Identify areas to update
- Evaluate employee knowledge and awareness
- Update plan to address new operations, locations, vendors, corporate structural changes
- Update contact information/new personnel

# **Who participates in a media plan? Who needs to know about social media? Everybody.**

- External Team - physical incident response (consultants/responders)
- Internal Team –Notifications (internally in Company) and externally to regulators/insurers/public, others
- Law
- Government Relations
- Operations
- Help people understand their roles

# How does the media plan help employees be ready?

- Educate them not to “speculate” about cause of an incident.
- Ensure they know communication protocols
- Train them in code of ethics, policies, procedures
- Demonstrate that we take every emergency incident seriously and will handle the situation with integrity, competence and care.
- Formal training, refresher training

# Employee Social Media Policy

- Everyone in an organization is potentially a spokesperson
- Employees may identify their connection to the company (LinkedIn profile, Facebook page)
- Journalists may “friend” them
- Do you want an Employee Social Media Policy to address social media in times of company crisis?

# Considerations for Employee Social Media Policy

- Guidelines of whether employees can access social media channels during working hours
- Prohibition on posting photographs or video on company premises or in course of employment
- Prohibition on posting comments on social media sites relating to their work for the company or senior executives, supervisors or colleagues
- Issue a reminder to all employees not to post information or engage in on-line discussions about the event



# Emergency Response and Social Media – How Do We Get Ready?

- **Train** for emergencies, responses and notifications.
- **Test** the media response and social media plan
- **Update** the plan

# Testing Corporate Readiness

- Accidents do not happen with plenty of warning, during working hours
- Neither should training exercises
- Run no-notice or controlled notice exercises at inconvenient times or when key players are absent
- Simulate real-time to test endurance/stamina
- This will test your true capabilities and your ability to respond

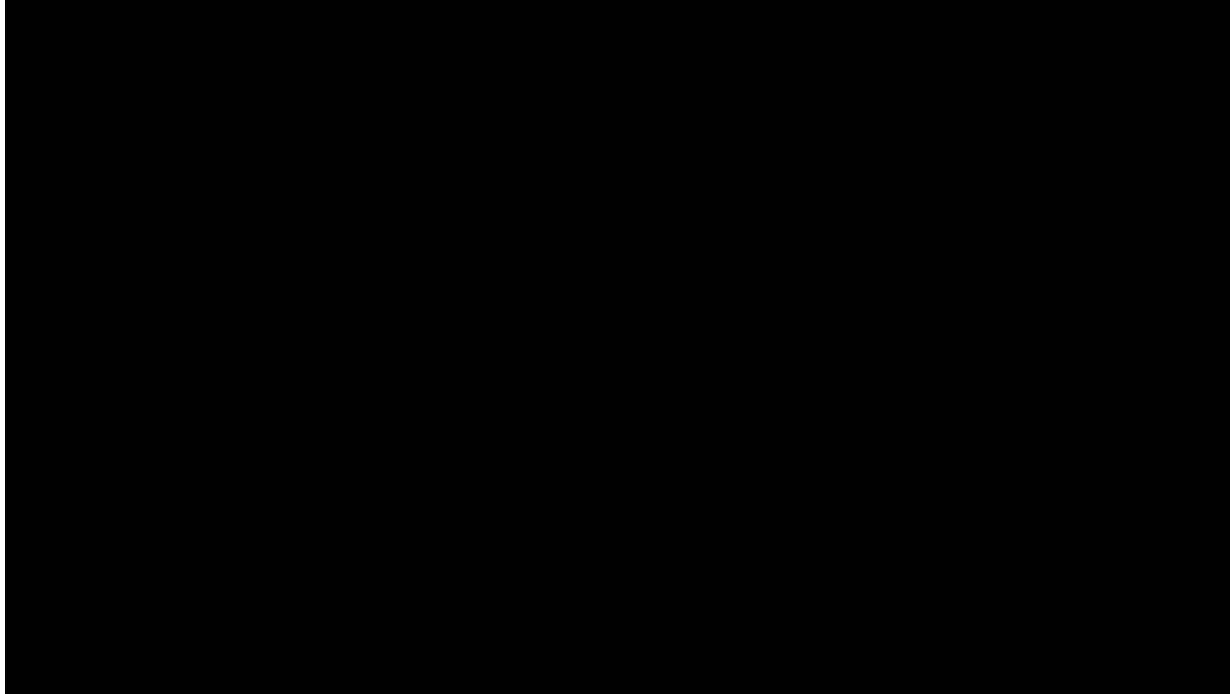
# Testing Corporate Readiness - (cont'd)

- Review drill results - debrief
- Address opportunities for improvement
- Demonstrate training/readiness to management
- Show proactive approach to negate later external allegations of negligence or negligent management/training
- Show internal Management and your Board that the Company is proactive, preparing and training

# Fail to prepare = Prepare to fail

- The proper time to prepare and train to engage with the media and address social media issues is before it occurs
- Be quick to address social media and react and respond to it – have a plan
- Social media response to an accident is not “business as usual” – it requires specific training
- Help your port understand how to prepare the organization under pressure from media who may know more about the situation than they do.

# [Tianjin China Explosion]



Thank you.