

**Statement for the
House Veterans Affairs & Emergency Preparedness Committee**

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Chester County Department of Emergency Services

Robert J. Kagel, Deputy Director for Emergency Management

Chairman Barrar, Chairman Sainato, and distinguished members of the Committee – I am Robert Kagel, Deputy Director for Emergency Management in Chester County. Thank you for the opportunity to provide this statement and discuss House Bill 2562 which will amend the Emergency Management Services Code, commonly referred to as Title 35. Title 35 has stood as our enabling legislation for a number of years. It has served our community well. Given advances in emergency management and changes to our world caused by people that want to hurt us, Title 35 has needed to be refreshed for quite some time. I applaud you and thank you for doing just that.

The updating of Title 35 has been done in a cooperative spirit. My boss, Edward J. Atkins, led the efforts on behalf of the Keystone Emergency Management Agency. He and other emergency managers from across the Commonwealth came together to discuss topics such as the professional education, certification, and continuing education requirements for emergency managers; the role and structure of regional task forces; and the responsibilities of local and county emergency management programs and the role and responsibility of the Pennsylvania Emergency Management Agency. The goal was to give tools and resources to the organizations that execute critical functions that everyday protect and save lives of our citizens. After KEMA

had completed with their re-write, PEMA took their comments – added their own - and now we have House Bill 2562 before you today.

The revisions proposed will add clarity to the roles, responsibilities, and duties of municipal and county emergency management programs. The powers and duties assigned to our programs are all functions we do today. The revisions simply empower us to do what we are doing already. In Chester County, for example, I will not require additional staff or funding to carry out any of our newly defined roles.

I believe the language in the Bill encourages regionalization of municipal emergency management programs. This is key to ensuring an efficient and fiscally-responsible municipal emergency management program. In Chester County we have four regional emergency management groups and I have seen, first-hand, the success of regionalization. The Avon Grove Regional Emergency Management (AGREM) group was our first regional emergency management group. It is comprised of seven municipalities. They plan together, they respond together, and they marshal their individual resources for the collective good. We have regional emergency management groups in the Oxford area, the Octorara area, and the West Chester area. We even have a group discussing the regionalization of emergency management programs within the Limerick Generating Station Emergency Planning Zone (EPZ) (13 municipalities).

There is a new provision for Large Event planning. This will allow local and county emergency management programs to know when an event is taking place that has the potential to create an issue within our jurisdictions. While the Department of Health had requirements for the provision of emergency medical services at large events, the emergency management community was often left out of the discussion. We learned of these events by reading about them in the newspaper, seeing advertisements, or being a patron.

A challenge we have, and continue to experience is getting organizations to actually plan. In Chester County we have 36 high-hazard dams. We have consistently stayed at about 84% compliance. Some of those dams are owned and operated by homeowner associations or private citizens. We have similar experiences with dependent care facilities. The requirements in Title 35 will strengthen our ability to collect these plans. We have also had difficulty getting municipalities to develop and approve their basic emergency operations plans. In fact, across the Commonwealth this is a common trend. This bill emphasizes the importance of thorough planning at all levels.

Worker's Compensation coverage has been a concern from many of our municipal and county emergency management volunteers centered on the question, "who is going to cover me if I get hurt?". The revision to Title 35 adequately addresses that issue. The Worker's Compensation provision is long overdue.

I would like to acknowledge PEMA's flexibility and efforts to ensure this revision allows us to do our jobs. Chester County is part of the Southeastern Pennsylvania Regional Task Force (SEPA RTF) which includes Bucks, Chester, Delaware, and Montgomery counties and the City of Philadelphia. The SEPA RTF utilizes a third-party fiduciary agent to manage the Homeland Security grants awarded to our urban area. Drafts were written such that we would be unable to utilize a third-party fiduciary. One of our member counties would be required to act as the fiduciary agent. We tried that and it just didn't work. PEMA heard and understood our concerns. They have agreed to revise that language.

During Hurricane Irene and Tropical Storm Lee Chester County was fortunate. We certainly weren't the hardest hit areas but we still had enough flooding and damage to warrant a Presidential Disaster Declaration. During those storms we opened three shelters. Working with

our partners we were able to provide a safe place for more than 500 people to ride out the storm. Hurricane Katrina taught us that many people would not leave their homes without their pets. Because of this lesson we were able to establish a pet shelter during Irene and Lee. In total we provided shelter to four dogs, two cats, and a bird. The revisions to Title 35 emphasize the importance of supporting animal response teams. It is the animal response teams that make our human shelters pet-friendly. Without this important capability who knows if we would have lost anyone during Irene and Lee. I applaud you for specifically calling out the support of these teams in Title 35.

Emergency Management, in my opinion, has one of the hardest jobs - coordination. We joke it is equivalent to herding cats. We have sophisticated systems that warn us of impending weather. We are able to take action to save lives and property by closing roads that will flood, sandbagging susceptible critical infrastructure, and evacuating those most at risk. Wouldn't it be great if we had similar systems to warn us of criminal or terrorist activity? We do. But, because of the nature of some of this information it wasn't being shared. Title 35 catapults us to where we need to be. It establishes requirements to share vital information that can save lives while protecting the sensitivity of the information. It ensures law enforcement operations are never compromised and allows decision-makers access to plan and prepare for the consequences of imminent threats. Overall, a seemingly simple portion of the Title 35 revision can save lives and property. This is a critical step forward and is sorely needed.

Finally, Chester County is fortunate to have a local Health Department. We enjoy a strong relationship and rely on each other's strengths. The revision to Title 35 is an important step forward for the Public Health community. The language included in the revisions provides a clear avenue for protecting the health and welfare of our citizens. We understand how to

quarantine and isolate those that pose a significant public health risk all while protecting their Constitutional rights as Americans. In my view this is huge, both as an emergency manager and as an American.

Mr. Chairman, thank you for introducing HB 2562 and your leadership on a matter that lies so close to the hearts of everyone in Pennsylvania's emergency management community. Chairman Sainato and members of the Committee, thank you for your co-sponsorship of HB 2562. I appreciate the opportunity to appear before you today and am happy to answer any questions you may have.