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pennsylvania EMERGENCY MANAGEMENT AGENCY	**Effective Date:**
	December 16, 2022
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	D2019-04

Subject:

National Incident Management System (NIMS) Implementation, Compliance, and Improvement

Scope:

State Agencies, County and Municipal Coordinators and staff, Elected Officials, First Responders, Hospitals, Schools, Public Works, Public Health, and Professional Associations.

Distribution:
- Commonwealth Agency Heads
- Regional Task Force Chairs
- County and Municipal Coordinators
- Agency Representatives
- www.pema.pa.gov

By Direction of:

David R. Padfield, Director
PA Emergency Management Agency

I.   PURPOSE

The purpose of this Directive is to implement and improve the adoption of the National Incident Management System (NIMS) in the Commonwealth pursuant to the direction of the Governor of the Commonwealth of Pennsylvania, Homeland Security Presidential Directive 5 (HSPD-5): Management of Domestic Incidents, and the Commonwealth of Pennsylvania NIMS Implementation Strategy (2022-2027).

II.   AUTHORITIES

A.   *Governor's Proclamation Implementing the National Incident Management System*, December 2004
B.   *Commonwealth Emergency Operations Plan*, September 2021
C.   *Homeland Security Act of 2002*, as amended
D.   *HSPD-5: Management of Domestic Incidents*, February 2003
E.   *National Incident Management System, 3rd ed.*, October 2017
F.   *National Incident Management System Training Program*, Summer 2020
G.   *National Preparedness Goal, 2nd ed.*, September 2015
H.   *National Response Framework, 4th ed.*, October 2019
I.   *The Post-Katrina Emergency Management Reform Act of 2006*, as amended
J.   *Presidential Policy Directive-8: National Preparedness*, March 2011
K.   *The Commonwealth of Pennsylvania NIMS Implementation Strategy 2022-2027*

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III.   GENERAL INFORMATION

A.   HSPD-5 mandates the implementation of the NIMS.

B.   The United States Department of Homeland Security's (DHS) *NIMS Training Program* outlines the approach to achieving training under the NIMS. The *Commonwealth of Pennsylvania NIMS Implementation Strategy* provides guidelines for minimum required training for all stakeholders within the Commonwealth of Pennsylvania.

C.   The award of future federal preparedness funding and assistance is contingent upon continuing to work toward achieving full NIMS compliance, as prescribed in the *Homeland Security Act of 2002*, as amended, and as outlined with the Implementation Objectives in Appendix A of the *Commonwealth of Pennsylvania NIMS Implementation Strategy*. In order for Pennsylvania and its local jurisdictions to secure this funding, the Federal Emergency Management Agency (FEMA) requires, at a minimum, that the Commonwealth remain dedicated to implementing the NIMS and completing all ongoing compliance activities specified by the National Integration Center (NIC) to date.

D.   Compliance with implementation will be tracked using the current federal compliance metric tool, which may change annually based on requirements.

E.   NIMS compliance reporting is due to the Commonwealth NIMS Coordinator by state agencies and the Area Offices no later than October 15 (or the next business day if October 15 falls on a weekend) annually and is to be submitted following the procedures for reporting as outlined in Section 3 of the *Commonwealth of Pennsylvania NIMS Implementation Strategy*.

F.   The *Commonwealth of Pennsylvania NIMS Implementation Strategy* will be reviewed annually by the Commonwealth NIMS Coordinator and updated every five years, or as needed to accommodate new federal or state guidance. Any questions, concerns, or suggestions should be addressed through the appropriate Area Office, if applicable, or to the NIMS Coordinator.

G.   The Pennsylvania Emergency Management Agency (PEMA) shall annually review all NIMS compliance reporting submissions and assist stakeholders as needed to resolve compliance concerns. Area Offices will assist with county and municipal stakeholders.

IV.   RESPONSIBILITIES

A.   Pennsylvania Emergency Management Agency (PEMA)

       1.   Implement a comprehensive incident management system that has compatibility among Commonwealth agencies, counties, local jurisdictions,

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regional task forces (RTF), and the NIMS components, including the tenets of the National Mutual Aid and Resource Management Initiative and National Response Framework (NRF) organizational elements.

2. Provide guidance to all Commonwealth agencies and departments, RTFs, counties, and local jurisdictions in their implementation of the NIMS.

3. Provide guidance to ensure that vertical and horizontal coordination occurs at all planning and response levels.

4. Outline appropriate training levels for all associated personnel and provide opportunities to achieve that training.

5. Develop, implement, and maintain the PEMA Qualification System (PQS) for employees of PEMA and other state partners and the Commonwealth Qualification System (CQS) for counties and other local jurisdictions. PEMA will use the National Qualification System (NQS), developed by FEMA, as a guide. See Appendix F of the Commonwealth of PA NIMS Implementation Strategy for the NQS objectives and identified phases for implementation of the NQS.

6. Develop a timeline to complete each fiscal year's NIMS compliance requirements, which are reported with the Commonwealth's Stakeholder Preparedness Review (SPR) and included broadly in the National Preparedness Report.

7. Ensure the annual Homeland Security Grant Program (HSGP) and Urban Areas Security Initiative (UASI) Investment Justifications are in alignment with NIMS Implementation Objectives and the annual SPR submission, where applicable.

8. PEMA's Grants Compliance Division will verify with the PA NIMS Coordinator that the annual NIMS Compliance submission has been submitted by sub-applicants to ensure compliance with the federal preparedness funding requirements for the HSGP and Emergency Management Performance Grant (EMPG). Non-compliance will be documented accordingly.

9. The PEMA Area Offices are responsible for assisting with implementing NIMS Implementation Objectives at the county, as requested.

10. The Area Offices will assist in collecting assessment data, providing technical assistance, and facilitating outreach to local jurisdictions, schools, Non-Governmental Organizations (NGO), and private businesses within the Commonwealth (as may be required), with the assistance of the Pennsylvania NIMS Coordinator.

11.   The Area Offices will ensure that submission of compliance data for all counties within their respective areas is reported to the Pennsylvania NIMS Coordinator by October 15 (or the next business day if October 15 falls on a weekend) of each year.

B.   Commonwealth Agencies

1.   Commonwealth departments and agencies are responsible to implement the NIMS Implementation Objectives that are applicable to them. This includes identifying a training plan to ensure appropriate staff meet NIMS training requirements where applicable (i.e., agency representatives (AREP), response personnel, etc.).

2.   AREPs are responsible to follow the PQS to ensure that staff are qualified and certified to serve in their designated emergency roles in the Commonwealth Response Coordination Center (CRCC). Position Task Books (PTB) will be issued to the AREPs by PEMA.

3.   Commonwealth departments and agencies will submit assessment data to the Pennsylvania NIMS Coordinator as required by October 15 of each year, or the next business day if October 15 falls on a weekend.

C.   Regional Task Forces (RTF)

1.   As federal preparedness grants sub-recipients, the task forces are responsible for ensuring that NIMS Implementation Objectives which are applicable at the RTF level (e.g., resource management, training, exercises, etc.) are met.

2.   Task forces are responsible to ensure that each county within their purview is working towards NIMS compliance prior to receiving federal preparedness assistance through training, exercise delivery or participation, or equipment purchases or maintenance via the HSGP grant.

D.   County Emergency Management Coordinators (EMC)

1.   Counties will complete the current FY NIMS Compliance Metrics as required to maintain their eligibility for federal preparedness funding offered through the HSGP and EMPG, and applicable state funding offered through certain hazardous materials grants. This shall be reported to the Pennsylvania NIMS Coordinator as required by October 15 of each year, or the next business day if October 15 falls on a weekend.

2.   Counties will be responsible to follow the CQS as appropriate to ensure that staff are qualified and certified to serve in their designated emergency roles.

3.   Counties will inform RTF leadership of the submission of their NIMS Compliance Report.

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         4.   Counties will inform elected officials who have oversight of emergency management of which classes they need to complete to achieve training compliance under NIMS.

         5.   Counties will provide technical assistance and outreach to local jurisdictions, schools, NGOs, and private businesses within their political borders.

     E.   Local Emergency Management Coordinators

         1.   Local jurisdictions will inform elected officials who have oversight of emergency management of which classes they need to complete to complete training compliance under NIMS.

         2.   Local jurisdictions will provide outreach and technical assistance to departments within their respective municipalities, schools, NGOs, and private businesses within their political borders.

V.   RECISSION

This Directive shall remain in effect until suspended or rescinded.

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