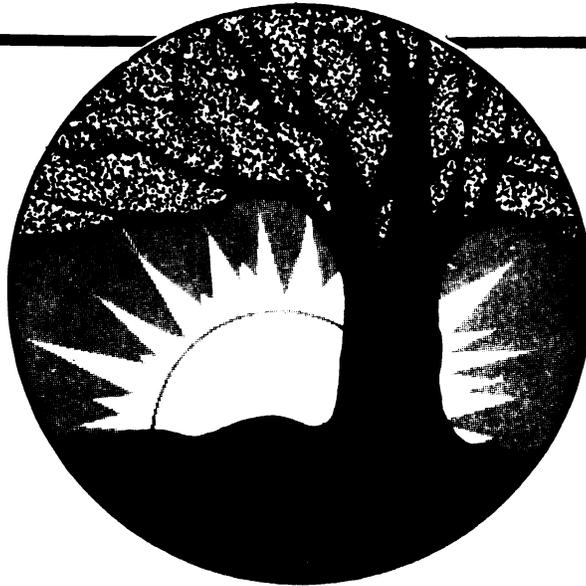


# PERFORMANCE AUDIT

**Tennessee Emergency Management Agency  
and Related Compacts  
October 2007**



**John G. Morgan  
Comptroller of the Treasury**



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Comptroller of the Treasury  
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**John G. Morgan**  
Comptroller

October 30, 2007

The Honorable Ron Ramsey  
Speaker of the Senate  
The Honorable Jimmy Naifeh  
Speaker of the House of Representatives  
The Honorable Thelma M. Harper, Chair  
Senate Committee on Government Operations  
The Honorable Mike Kernell, Chair  
House Committee on Government Operations  
and  
Members of the General Assembly  
State Capitol  
Nashville, Tennessee 37243

Ladies and Gentlemen:

Transmitted herewith is the performance audit of the Tennessee Emergency Management Agency. This audit was conducted pursuant to the requirements of Section 4-29-111, *Tennessee Code Annotated*, the Tennessee Governmental Entity Review Law.

This report is intended to aid the Joint Government Operations Committee in its review to determine whether the Tennessee Emergency Management Agency should be continued, restructured, or terminated.

Sincerely,

John G. Morgan  
Comptroller of the Treasury

JGM/DWW  
07-024

State of Tennessee

# Audit Highlights

Comptroller of the Treasury

Division of State Audit

Performance Audit  
**Tennessee Emergency Management Agency  
and Related Compacts**  
October 2007

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## AUDIT OBJECTIVES

The objectives of the audit were to determine whether the Emergency Services Coordinator (ESC) program is operating efficiently and effectively as required by statute and the Tennessee Emergency Management Plan; to determine whether the Tennessee Emergency Management Agency (TEMA) is fulfilling its oversight responsibilities regarding the emergency management plans of political subdivisions as required by statute; to determine whether TEMA is providing and tracking required and/or sufficient training, credentialing, and exercises; to determine whether problems found in federal audits in the past three years have been corrected; to determine whether TEMA is following Federal Emergency Management Agency (FEMA) and state audit requirements regarding grants; to determine whether TEMA has and is following standard grant award guidelines and criteria for each grant program to ensure fairness; and to obtain Title VI information to determine whether the agency is compliant.

## FINDINGS

**The Agency Needs to Improve Its Management of the Emergency Services Coordinator (ESC) Program to Ensure That the State Can Respond to Emergency Situations at Home and Elsewhere in the Most Proper, Efficient, and Effective Manner**

The ESC program's effectiveness and efficiency is hampered by (1) agencies not formally filing a letter of appointment of their ESCs with TEMA that acts as the agencies' legal conveyance of the commissioner's authority to the ESCs; (2) agencies not maintaining filled positions for both primary and alternate ESCs as required; (3) agencies sometimes appointing ESCs that hold low-ranking positions; (4) TEMA not ensuring that both primary and alternate ESCs are actively attending meetings and exercises and participating in the program; (5) TEMA not ensuring that ESCs taking part in federal exercises have had federally required training prior to the exercises; (6)

the majority of ESCs attending half or fewer of the monthly meetings, with some agencies never being represented; (7) the majority of ESCs attending one or fewer of the exercises, with some agencies never being represented; (8) agencies not having the written directive within their agency establishing the ESC program and establishing the authority of the ESCs to commit agency resources; (9) agencies not providing ESCs with the required dedicated vehicle for incident response at all times; and (10) the lack of TEMA-required training for ESCs (page 7).

**TEMA Lacks Formal Training Policies, Procedures, and Requirements to Ensure That Agency Staff and State Department Emergency Services Coordinators Are Appropriately Trained**

Outside of HAZMAT (hazardous materials) certification requirements, TEMA has no formal

policies or procedures outlining training requirements (whether specific classes, subject matter, or continuing education hours) for its staff and ESCs. Approximately one-third to one-half of ESCs had not received the federally required training prior to federal exercises. TEMA is not monitoring staff training to determine whether such training adequately prepares staff for their duties (page 14).

**Federal Emergency Management Performance Grant (EMPG) Funds May Not Be Disbursed to Counties That Are at Greatest Risk and Need Them the Most Because of a Lack of Standardized Applications for Funding; Objective Criteria for Assessing County Risk Factors, Eligibility, and Post-Award Performance; and a Formal Process for Prioritizing Funds Disbursement**

The agency received approximately \$3.5 million in EMPG funding in fiscal year 2006; about \$1.6 million was passed on to 61 of the state's 95 counties. However, TEMA lacks a documented, formal, and standardized process for assessing and awarding these funds to the various counties. Without such a process, TEMA cannot document its objectivity in awarding grant funds in the way that best meets the state's emergency management goals and needs (page 16).

**The Agency Is Not Properly Monitoring Subgrantees for Program and Financial Compliance According to State and Federal Guidelines**

State Department of Finance and Administration Policy 22 and federal OMB Circular A-133 require that subgrantee monitoring be conducted by monitoring staff separate from program operations. At TEMA, this position was only sporadically filled between September 2004 and July 2006, when the position became vacant and was not filled because plans were in motion to move it out of TEMA and into the Military Department (page 18).

**The Agency Lacks Written Emergency Management Plan Review Policies and Procedures and Lacks Complete Documentation That Staff Have Reviewed Political Subdivisions' Emergency Management Plans for Conformity With the Tennessee Emergency Management Plan, Thereby Increasing Management's Risk of Statutory Noncompliance and Increasing the Risk That Local Emergency Management Plans Are Not Adequate and Appropriate and Might Hamper an Emergency Response**

A review of agency files documenting the existence of county emergency management plans and TEMA's approval of them revealed that 21 counties' files lacked documentation of the latest plan review and approval (page 20).

**OBSERVATIONS AND COMMENTS**

The audit also discusses the following issues: the Civil Defense and Disaster Compact (page 4), the Interstate Earthquake Compact of 1988 (page 6), the Southern Regional Emergency Management Assistance Compact (page 6), and Follow-up on Federal Findings and Recommendations (page 6).

**Performance Audit  
Tennessee Emergency Management Agency  
and Related Compacts**

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# **Performance Audit Tennessee Emergency Management Agency and Related Compacts**

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## **INTRODUCTION**

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### **PURPOSE AND AUTHORITY FOR THE AUDIT**

This performance audit of the Tennessee Emergency Management Agency was conducted pursuant to the Tennessee Governmental Entity Review Law, *Tennessee Code Annotated*, Title 4, Chapter 29. Under Section 4-29-229, the Tennessee Emergency Management Agency, the Civil Defense and Disaster Compact, the Interstate Earthquake Compact, and the Southern Regional Emergency Management Assistance Compact are scheduled to terminate June 30, 2008. The Comptroller of the Treasury is authorized under Section 4-29-111 to conduct a limited program review audit of the agency and to report to the Joint Government Operations Committee of the General Assembly. The audit is intended to aid the committee in determining whether the agency should be continued, restructured, or terminated.

### **OBJECTIVES OF THE AUDIT**

The objectives of the audit were

1. to determine whether the Emergency Services Coordinator (ESC) program is operating efficiently and effectively as required by statute and the Tennessee Emergency Management Plan;
2. to determine whether the Tennessee Emergency Management Agency (TEMA) is fulfilling its oversight responsibilities regarding the emergency management plans of political subdivisions as required by statute;
3. to determine whether TEMA is providing and tracking required and/or sufficient training, credentialing, and exercises;
4. to determine whether problems found in federal audits in the past three years have been corrected;
5. to determine whether TEMA is following the Federal Emergency Management Agency and state audit requirements regarding grants;
6. to determine whether TEMA has followed and is following standard grant award guidelines and criteria for each grant program to ensure fairness;
7. to obtain Title VI information to determine whether the agency is compliant; and
8. to determine the authority and responsibility of the related compacts.

## **SCOPE AND METHODOLOGY OF THE AUDIT**

The activities of the Tennessee Emergency Management Agency and the related compacts were reviewed for the period June 2003 to December 2006. The audit was conducted in accordance with the standards applicable to performance audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States and included

1. review of applicable legislation and policies and procedures;
2. review of federal and independent reviews and audits;
3. examination of the entity's records, reports, and information summaries; and
4. interviews with department staff and staff of other state agencies that interact with the agency.

## **HISTORY, ORGANIZATION, AND STATUTORY RESPONSIBILITIES**

The Tennessee Emergency Management Agency (TEMA), according to its website, was established as part of the Tennessee Military Department in 1951 as the Tennessee Office of Civil Defense. Section 58-2-104, *Tennessee Code Annotated*, authorizes and directs the Governor to create a state agency to be known as the "Tennessee emergency management agency" (TEMA) under the adjutant general for day-to-day administrative purposes and, upon the recommendation of the adjutant general, to appoint a Director of TEMA. For normal day-to-day administrative functions, the Director reports to the adjutant general. During emergency conditions, the agency and Director report to the Governor or the Governor's designee. The Director, subject to the direction and control of the Governor, acting through the adjutant general, is responsible to the Governor for carrying out the program for TEMA for the state of Tennessee. The Director holds office at the pleasure of the Governor.

TEMA coordinates overall state agency response to major disasters in support of local governments. The office is responsible for ensuring the state's readiness to respond to and recover from natural, manmade, and war-caused emergencies, and for assisting local governments in their emergency preparedness, response, and recovery efforts. TEMA also acts as a central coordination point for planning for large-scale events within the state, such as the 1996 Olympic Kayaking event held in Ocoee, the Y2K Transition, and the Governor's Inaugural events held every four years.

During major emergencies, TEMA may call upon all state agencies to help provide support. Due to their specialized capabilities and expertise, the National Guard, the Highway Patrol, the Department of Agriculture's Division of Forestry, the Wildlife Resources Agency, the Department of Human Services, the Department of Health, and the Department of Transportation are the agencies most often asked to respond to and assist in emergency response activities. TEMA also coordinates any federal response efforts that take place within the state through the Federal Emergency Management Agency (FEMA) or other relevant federal agencies.

The TEMA Operations Center is staffed 24 hours a day, 365 days a year. From this center, operations officers speak with county emergency management agencies, 911 centers, and the National Warning Center in Berryville, Virginia, on a daily basis. TEMA also maintains several 24-hour toll-free emergency hotlines and relays spill reports to a number of other state and federal response and regulatory agencies, as well as local governments. TEMA and other state agency public information officers staff the State Emergency Operations Center to provide emergency information to the public through the news media. TEMA maintains a large statewide, redundant telecommunications and computer network capability, linking the various emergency operations centers together with telephone and data connectivity, and maintains the state's National Warning System.

TEMA is the grantee for federal disaster assistance, principally from FEMA. During the recovery phase of a disaster, TEMA helps local governments assess damages and assists them with federal and state grant and loan applications to repair damaged public property. Individuals and families suffering losses may apply for federal and state assistance through a toll-free, tele-registration phone line. Individuals may also apply for other assistance programs administered by local and volunteer agencies such as the American Red Cross. The TEMA public information effort continues in this phase in cooperation with other state and federal agencies.

TEMA develops and maintains the Tennessee Emergency Management Plan, which outlines the organizational structure for state management of the response to natural and manmade disasters. TEMA assists local governments and other state agencies in developing their own emergency preparedness and response plans, in accordance with the statutory requirement that all state and local emergency plans maintain a consistent organizational structure. TEMA also coordinates the development of several specialized plans, such as the Multi-Jurisdictional Radiological Emergency Response Plans for the Sequoyah and Watts Bar Nuclear Power Plants and the Multi-Jurisdictional Emergency Response Plan for the U.S. Department of Energy Facilities in Oak Ridge.

The TEMA Planning Program provides specialized planning and technical assistance to local governments, businesses, schools, hospitals, the public, and other groups.

In addition, TEMA manages the state's periodic public awareness campaigns to help Tennessee residents become better prepared for emergencies, including Winter Weather and Flood Preparedness campaigns, as well as campaigns for severe weather each April.

TEMA coordinates search and rescue missions over a variety of programs, including the National Guard, the National Park Service, the U.S. Forest Service, Fort Campbell (U.S. Army), and the Tennessee Association of Rescue Squads, to locate individuals lost in the mountains or wilderness. Through the Urban Search and Rescue Team, TEMA coordinates missions for those trapped by collapsed structures or in other high-risk situations. TEMA also provides search and rescue task force training for local law enforcement, fire personnel, governments, and volunteers.

TEMA coordinates statewide Fire, Rescue, EMS, and related mutual aid systems based on the “neighbor helping neighbor” concept. TEMA is also the primary coordination point for the state’s Urban Search and Rescue Team, located in Memphis.

During emergencies, TEMA activates the State Emergency Operations Center (SEOC) in Nashville and the Regional Emergency Operations Centers (REOCs) in Jackson, Smyrna, and Alcoa to receive and process local requests for assistance.

TEMA’s training programs reach well over 4,000 local, state, and federal personnel annually. This includes specialized courses in hazardous materials, radiological materials, counterterrorism, and professional development. (See organization chart on the following page.)

## **REVENUES AND EXPENDITURES**

The agency had a fiscal year 2006 actual budget for payroll and operations of \$9,982,200 (49% federal funding) and an estimated fiscal year 2007 budget of \$11,554,000 (66% federal funding). For fiscal year 2008, the agency recommended a budget of \$12,231,400 (62% anticipated federal funding) for payroll and operations. In addition, the agency administered approximately \$49 million in homeland security grants and approximately \$51 million in disaster relief grants in fiscal year 2006; the agency administered an estimated \$55 million and \$5 million, respectively, in fiscal year 2007.

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## **OBSERVATIONS AND COMMENTS**

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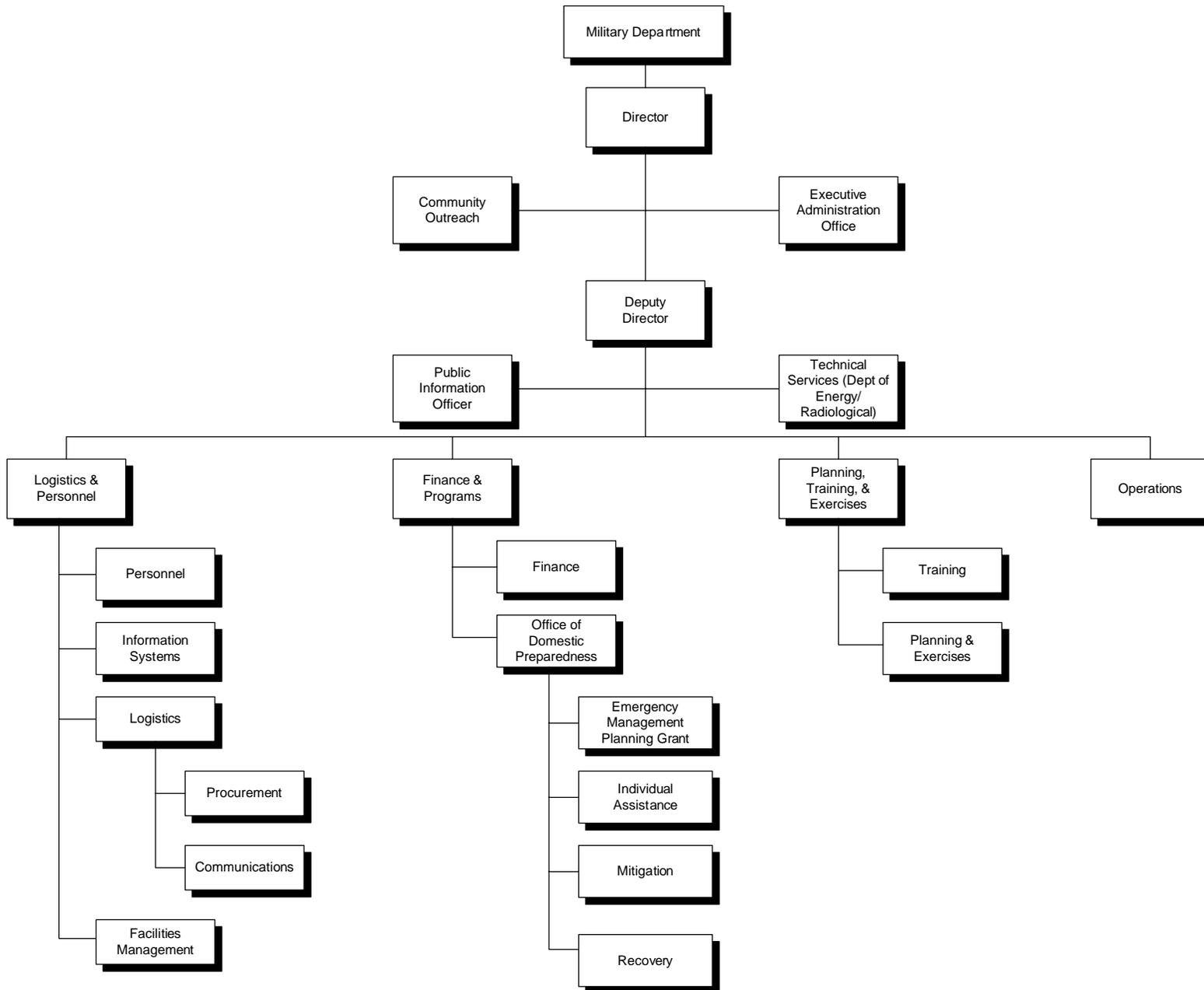
The topics discussed below did not warrant a finding but are included in this report because of their effect on the operations of the Tennessee Emergency Management Agency (TEMA) and on the citizens of Tennessee.

## **RESULTS OF ADDITIONAL WORK**

### Civil Defense and Disaster Compact

The purpose of this compact dating back to 1951 is to provide mutual aid among the states in meeting any emergency or disaster from enemy attack, including sabotage and subversive acts and direct attacks by bombs; shellfire; atomic, radiological, chemical, and bacteriological means; and other weapons. According to TEMA management, it has never been activated and is not necessary in light of the all-hazard approach of the nation-wide Emergency Management Assistance Compact. However, federal Homeland Security officials favor such agreements and encourage states to have them.

Tennessee Emergency Management Agency  
March 2007



### Interstate Earthquake Compact of 1988

The purpose of this compact is to provide mutual aid among the states in meeting any emergency or disaster caused by earthquakes or other seismic disturbances. According to TEMA management, it has never been activated and is not necessary in light of the all-hazard approach of the nation-wide Emergency Management Assistance Compact. However, federal Homeland Security officials favor such agreements and encourage states to have them.

### Southern Regional Emergency Management Assistance Compact

The nationwide Emergency Management Assistance Compact (EMAC) codified in Section 58-2-403, *Tennessee Code Annotated*, provides for mutual assistance between the states in managing any emergency or disaster duly declared by the Governor of the affected state(s), whether arising from natural disaster, technological hazard, manmade disaster, civil emergency aspects of resources shortages, community disorders, insurgency, or enemy attack. This compact also provides for cooperation in emergency-related exercises, testing, or other training activities using equipment and personnel simulating performance of any aspect of the giving and receiving of aid during emergencies.

Since 2004, the state has responded through TEMA to EMAC requests for assistance as a result of Hurricanes Francis and Charlie in 2004 and Hurricanes Katrina and Rita in 2005. As provided for under EMAC, all state expenses (e.g., personnel, travel, and equipment) incurred for these events have been reimbursed by the state(s) requesting the assistance. The only cost to Tennessee is the time spent by deployed personnel away from their day-to-day jobs.

### Follow-up on Federal Findings and Recommendations

In 2003 and 2006, FEMA's Inspector General and the Department of Homeland Security's Office of Grant Operations conducted reviews of TEMA's management of federal grants. They made recommendations for improvements to the preparation and submission of quarterly reports, the timeliness of project closures, documented standard operating procedures, the tracking of equipment funding sources, and subrecipient monitoring. We conducted follow-up work on these issues and found that

- improvements were made to quarterly reports following the receipt of previously absent specific guidance from the federal agencies;
- most projects were being closed in a timely manner and the federal reviewers were assessing the agency using a shorter unspecified time frame;
- equipment records do show the funding source if one is familiar with the way the state and agency designate funds to various allotment codes;
- standard operating procedures for the agency Office of Finance and Programs are in progress but still need significant work; and
- subrecipient monitoring as required by federal and state audit requirements was not being conducted (see Finding 4).

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## FINDINGS AND RECOMMENDATIONS

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### **1. The agency needs to improve its management of the Emergency Services Coordinator (ESC) program to ensure that the state can respond to emergency situations at home and elsewhere in the most proper, efficient, and effective manner**

#### **Finding**

The Emergency Services Coordinator (ESC) program is designed to provide the Tennessee Emergency Management Agency (TEMA) Director with an immediate source of expertise from any and all agencies of state government to cope with manmade and natural disasters/emergencies, including attack. Some federal agencies, private businesses, and nonprofits also voluntarily participate. However, the program's effectiveness and efficiency are hampered by

- agencies not formally filing a letter of appointment of their ESCs with TEMA that acts as the agencies' legal conveyance of the commissioner's authority to the ESCs;
- agencies not maintaining filled positions for both primary and alternate ESCs as required;
- agencies sometimes appointing ESCs that hold low-ranking positions within the agency;
- TEMA not ensuring that both primary and alternate ESCs are actively attending meetings and exercises and participating in the program;
- TEMA not ensuring that ESCs taking part in Tennessee Valley Authority and federal Department of Energy exercises have had the federally required training prior to the exercises;
- the majority of ESCs attending half or fewer of the monthly meetings, with some agencies never being represented at a meeting;
- the majority of ESCs attending one or fewer of the exercises, with some agencies never being represented at an exercise;
- agencies not having the required written directive within their agency establishing the ESC program and establishing the authority of the ESCs to commit agency resources;
- agencies not providing ESCs with the required dedicated vehicle for incident response at all times; and
- the lack of TEMA-required training for ESCs.

## Program Requirements

In 2000, the General Assembly passed legislation making it the responsibility of TEMA to prepare a Tennessee Emergency Management Plan and maintain an accountable ESC program. Statutory (Section 58-2-108, *Tennessee Code Annotated*), state plan, and ESC operations guide requirements include but are not limited to the following:

- the head of each executive department and independent agency is to select a primary and alternate ESC and notify TEMA, in writing, of the persons designated as ESCs and their contact information, and of any changes thereafter;
- the head of each department and agency is to prepare a directive that establishes the ESC program for their respective department, and provisions for notifying the State Emergency Operations Center duty officer of schedules and changes thereto;
- the head of each department and agency must ensure ESCs so appointed are empowered with the full authority to coordinate and direct all emergency response functions and services of the department commissioner;
- the ESC is responsible for coordinating with TEMA and reporting to that agency on emergency preparedness issues, preparing and maintaining emergency preparedness and post-disaster response and recovery plans for their agency, maintaining rosters of personnel to assist in disaster operations, and coordinating appropriate training for agency personnel;
- the ESC is responsible for ensuring that plans are developed for continuation of necessary agency functions, and suitable space is provided for personnel, equipment, and records essential for operations during times of emergency and/or disaster;
- upon the designation of the ESC, the department or agency is to provide the necessary equipment to the ESC as prescribed by TEMA for the performance of the duties of the ESC (a state vehicle equipped with a radio capable of communicating with the State Emergency Operations Center available for the on-call ESC's sole use at all times including weekends and holidays and after normal working hours because expected response time to the operations center after notification is 30 minutes or less);
- ESCs must participate in meetings, conferences, classes for training, exercises, and SEOC activation;
- alternate ESCs should be trained to the same degree as the primary ESC and updated continuously; and
- TEMA is to notify the Governor of compliance with this section.

## Appointments, Vacancies, and Attendance

Forty-seven agencies are required by the Tennessee Emergency Management Plan to have Emergency Services Coordinators. See table on the next page. (The 2005 plan was the most recent plan available during audit fieldwork.)

**Agencies Required by the 2005 Tennessee Emergency Management Plan  
to Have Emergency Services Coordinators**

Commission on Aging  
Department of Agriculture  
Department of Agriculture, Division of Forestry  
Alcoholic Beverage Commission  
American Red Cross  
AT&T  
BellSouth  
BellSouth Mobility  
Cellular One  
Civil Air Patrol  
U.S. Coast Guard  
Department of Children's Services  
Department of Commerce and Insurance, Fire Marshal's Office  
U.S. Army Corps of Engineers  
Department of Correction  
Department of Economic and Community Development  
Department of Education  
Department of Environment and Conservation, Bureau of State Parks  
Department of Environment and Conservation, Division of Radiological Health  
Department of Environment and Conservation, Division of Air Pollution Control  
Department of Environment and Conservation, Division of Solid Waste Management  
Department of Environment and Conservation, Water Programs  
Department of Finance and Administration  
Department of Finance and Administration, Office for Information Resources  
Department of Financial Institutions  
Department of General Services  
Department of Health  
Department of Health, Emergency Medical Services  
Department of Labor and Workforce Development  
MCI  
Department of Mental Health and Developmental Disabilities  
Military Department  
Department of Human Resources  
Tennessee Regulatory Authority  
Department of Revenue  
Department of Safety, Tennessee Highway Patrol, Commercial Vehicle Enforcement  
Department of General Services  
Salvation Army  
Tennessee Association of Rescue Squads  
Tennessee Bureau of Investigation  
Tennessee Valley Authority  
Department of Tourist Development  
Department of Transportation  
Tennessee Wildlife Resources Agency  
U.S. Sprint  
University of Tennessee System  
Volunteer Organizations Active in Disasters

However, as of January 19, 2007, there were 14 vacant positions (4 primary, 10 alternate) at agencies required to have ESCs. Also, there are 15 persons acting as ESCs that lack formal appointment and authorization letters from their agencies to TEMA.

In addition, according to TEMA officials, ESCs may sometimes not be comfortable exercising their full authority under the program because on a day-to-day operational basis they rank lower than some of those they are directing. Two alternate ESCs hold official job titles that could pose such a problem, particularly in light of agencies lacking the required written directive establishing the ESC program and ESC authority within the agencies—a Department of Environment and Conservation State Parks' alternate is a Building Maintenance Worker 3, and the Department of Children's Services' alternate is an Accounting Technician 1. Such a situation may indicate a lack of commitment by an agency to emergency preparedness and the ESC program.

In addition to problems concerning other state agencies' vacancies and appointments, TEMA does not monitor individual ESC attendance at monthly meetings and training exercises for excessive absenteeism. Instead, TEMA makes note from the manual sign-in logs whether an agency was represented by someone at the meetings and monitors to see if some are never attending. But TEMA cannot track some agency attendance because some agency ESCs located in East Tennessee opt to attend the meetings via teleconference from TEMA's regional office in Alcoa. It was not until December 2006 that TEMA began documenting Alcoa attendance by having attendees sign in.

A review of individual ESC monthly meeting attendance during calendar year 2006, based on ten manual and one computer sign-in logs, revealed that of the 48 required primary ESCs eligible to attend at least three meetings, only 16 (33%) attended at least half of the meetings. Of the 56 required alternate ESCs, only 9 (16%) attended at least half of the time. Among the ESCs from agencies and departments that voluntarily take part in the ESC program, the review found that of the 12 voluntary primary ESCs eligible to attend at least three meetings, only 3 (25%) attended at least half of the time. Of the 10 voluntary alternate ESCs, only one (10%) attended at least half of the time. Twenty-three agencies required to have ESCs were not represented in at least half of the monthly meetings. Of those agencies that voluntarily take part in the program, seven had no representation at monthly meetings more than half of the time.

A similar review of training exercise attendance during calendar year 2006 revealed that of the 46 required primary ESCs eligible to attend at least two of three exercises, only 19 (41%) attended more than half of the exercises. Of the 53 required alternate ESCs, only 8 (15%) attended more than half of the time. Among voluntary ESCs, of 13 voluntary primary ESCs, only 4 (31%) attended more than half of the time. Of the nine voluntary alternate ESCs, only two (22%) attended more than half of the exercises. Twenty agencies and departments (6 of which are voluntary participants) were never represented by an ESC at any of the training exercises held during calendar year 2006. (See Finding 2 for additional discussion of ESC training.)

## Agency Directives and Equipment

The Tennessee Emergency Management Plan requires that each department or agency prepare a directive that establishes the ESC program for their respective department and specifies that the ESCs are empowered with the full authority to act on behalf of and coordinate and direct all emergency response functions and services of the commissioner/director of the department or agency. However, with the exception of the Tennessee Department of Transportation, no agency has this written directive. In addition, statute requires that the department or agency is to provide the necessary equipment to the ESC as prescribed by TEMA for the performance of the duties of the ESC. Within the Tennessee Emergency Management Plan, TEMA has specified that the agencies are to ensure that the ESC on-call has a state vehicle equipped with a radio capable of communicating with the State Emergency Operations Center available for his or her sole use at all times—including weekends, holidays, and after normal working hours—as expected response time to the center after notification is 30 minutes or less. We conducted a survey of 60 ESCs representing agencies on the Tennessee Emergency Management Advisory Committee. Based on a response rate of 58%, only 9 ESCs reported having a vehicle solely assigned to them full-time.

### **Recommendation**

The Director should take appropriate measures to ensure that appropriate written policies and procedures are developed and that specific staff are assigned to monitor and track the following to ensure that

- appointment and authorization letters of ESCs are obtained prior to an ESC taking office as evidence of the commissioner's delegation of authority;
- state departments and agencies develop the required written directive within the department or agency establishing the ESC program and the authority of the ESCs;
- ESCs actively participate and attend monthly meetings and exercises, that vacancies or excessive absences are brought to the appropriate commissioner's notice, and that the Governor's office be informed if the agency commissioner does not replace an ESC in a timely manner or if an entire agency is not represented at all at meetings or exercises;
- ESCs hold an appropriately high-level position within an agency to avoid the potential issue of directing staff that outrank the ESC in day-to-day operations;
- ESCs obtain and maintain necessary training and skills to perform their emergency management duties, are familiar with TEMA guidelines and equipment, and are up-to-date with current emergency management practices and issues;
- ESCs have taken the required federal training prior to taking part in nuclear facility exercises; and
- state departments and agencies provide ESCs the equipment required by the Tennessee Emergency Management Plan.

## Management's Comment

We concur with the finding. Below is our response stating our direction to fulfill this requirement.

1. "Agencies not formally filing a letter of appointment."  
TEMA Director has established a database file kept by his Executive Assistant that houses all ESC Appointment Letters. This system was established in January 2007 after the audit finding and recommendation. This system was established to comply with strict Emergency Management Compliance Program (EMAP) accreditation standards. EMAP peer review compliance investigators approved the new system as satisfactory and approved the agency for the highest certification award. The letters are open for inspection at present at the Director's office at 1220 Foster Ave.
2. "Agencies not maintaining filled positions for both primary and alternate ESCs."  
At present, due to the EMAP accreditation process, the agency has worked with all departments and agencies to assure all positions as filled. At this moment, ninety-five (95) percent of all ESC positions are filled. There is one unfilled primary and one unfilled alternate at present out of a potential 130 slots.
3. "Agencies sometimes appointing ESCs that hold minor positions within the agency."  
As part of the EMAP National Accreditation process, Director Bassham initiated the formation of a guidance and policy advisory group made up of emergency service coordinators. The Tennessee Emergency Management Advisory Council (TEMAC) was established to address issues confronting the ESC system. Officer's elections, by-laws and organizational matters have been addressed during the first six of the monthly meetings. A survey of all ESC appointees has been conducted and the results have been presented to Director Bassham. The 15-member TEMAC has declared that one of its intentions is to provide guidance on how to ensure that Commissioner ESC appointments be conducted promptly and with importance placed in ensuring adequately representative personnel (higher-ranked within the appointing department).
4. "TEMA not ensuring that both primary and alternate ESCs are actively attending meetings and exercises and participating in the program."  
TEMA has implemented a new computerized sign-in system at all ESC meetings (WEBEOC) which will track ESC primary attendance at called monthly ESC meetings. There is a question about alternate attendance at the meetings. The State Emergency Operations Center (SEOC) physically can only seat the primary ESCs for the meetings. The alternates are only required to attend the meetings if the primary is unable. The alternates are required to attend training sessions for exercises or computer systems. In emergencies and real-event disasters, it has been written into the Tennessee Emergency Management Plan (TEMP) that the alternates would provide the second shift personnel for a 24-hour mission. Therefore, they would not be physically co-located in the SEOC at the same time as the primaries. There are only 85 seats in the SEOC and all federal and TEMA supervisory and non-governmental organizations must be seated (American Red Cross, AT & T, Salvation Army). It is TEMA's

opinion that implementing the WEBEOC tracking and information computer system and the TEMAC peer-review and policy guidance working group will alleviate most of the concerns in this recommendation.

5. “TEMA not assuring that ESCs are not taking part in TVA and DOE exercises and have had adequate training.”

The TVA exercises for Sequoyah and Watts Bar Plants are graded by the Nuclear Regulatory Authority and the Department of Homeland Security (FEMA) as to the competency of the worker training conducted for the ESCs and the local responders surrounding the plants. The extremely intensive inspections conducted during the graded exercises also look at ESC participation and attendance. In 25 years of such graded exercises, the ESC program has never received a single deficiency remark. In fact, on 12 separate occasions the evaluators have noted the performance and training and dedication of the ESC participants as a “BEST PRACTICE” commendation. The evaluation remarks were used by NRC and DHS to model other jurisdictions’ ESC programs. TEMA wishes to acknowledge that there is always room for improvement, and the agency continually strives to improve training opportunities and to encourage ESCs to attend as many meetings and sessions as they can without disrupting their permanent duty assignments in their respective departments and agencies.

6. “The majority of ESCs attending half or fewer of the month meetings.”

In the ESC system, there are some departments and agencies which have been included in the system due to their very specialized assets or personnel. Many of these are private industry ESCs such as AT&T or Sprint and others are NGOs such as Red Cross or Salvation Army. They also may be federal partners such as the U.S. Coast Guard or Corps of Engineers. These specialized groups are carried on the ESC roster but do not have duties in every exercise or real-life emergency mission. The *Core* ESCs such as TDOT, Safety, Health, F&A, Military, TN Department of Environment and Conservation, TWRA, and Agriculture are represented at 100% of the monthly meetings and at all exercises no matter what the subject matter. The *national* ESCs, which are needed for special or unusual missions which call for one-time critical assets, have a superb record of attendance and performance when they are called for duty. So, in reality there are two levels of ESC membership and there must be two different measures of attendance.

7. “Majority of ESCs attending fewer than half the exercises.”

Identical explanation as Question # 6. See above.

8. “Agencies not having written directives within their agency establishing their ESC position and its responsibility and requirements.”

TDOT has developed a *model* instrument which authorizes and integrates the ESC position and creates agency policy which delineates the emergency service program and the agency equipment requirements and the continuity of operations (COOP) standards into the department guidance documents. The TEMAC peer working group is reviewing and revising this model for use by all departments and agencies in state government. Distribution to all ESCs is expected within the next 60 days.

9. “Agencies not providing ESCs with the required dedicated vehicle needed for mission response on a 24-hour basis.”

TEMA agrees with this finding completely. The TEMA Director has continually advised department commissioners that this is a critical finding. But, each agency handles its vehicle distribution in a different manner. There is no standard policy in effect by General Services or F&A which outlines for the commissioners that this transportation need is dictated by the T.C.A. and needs to be fulfilled. The Departments of Safety, Health, Environment and Conservation, and TDOT have all complied with this section of the T.C.A., but for others it is a difficult issue.

10. “Lack of TEMA required training for ESCs.”

With the implementation of the Governor’s Executive Order 37 which ordered the integration of NIMS training for all government responders, the level of required ESC training has experienced a quantum leap. This mandated federal emergency training has been completed by the majority of ESCs within the past 12 months, and a TEMA staff member has been assigned to track and compile the training requirements for forwarding to the Department of Homeland Security and FEMA. This is a continuing training initiative which will continually be addressed.

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**2. TEMA lacks formal training policies, procedures, and requirements to ensure that agency staff and state department Emergency Services Coordinators are appropriately trained**

**Finding**

Per Section 58-2-106(b)(12), *Tennessee Code Annotated*, the Tennessee Emergency Management Agency (TEMA) is required to “implement training programs to improve the ability of state and local emergency management personnel to prepare and implement emergency management plans and programs.” As part of this responsibility, TEMA is also to provide a continuous training program for agencies and individuals that could be called on to perform key roles in state and local response and recovery efforts. Statute also requires TEMA to maintain an accountable Emergency Services Coordinator (ESC) program. TEMA lays out the program scope and requirements to fulfill statutory responsibilities within the Tennessee Emergency Management Plan. ESCs, appointed by the head of each executive department and independent agency, are responsible for coordinating with TEMA and reporting to that agency on emergency preparedness issues, preparing and maintaining emergency preparedness and post-disaster response and recovery plans for their agency, maintaining rosters of personnel to assist in disaster operations, and coordinating appropriate training for agency personnel. Although TEMA is providing training, the agency has not established formal policies, procedures, and requirements regarding training for its own staff and its statutorily required Emergency Services Coordinator program.

While TEMA has no control over local emergency management personnel, it does have responsibility for the preparedness of its own staff and the personnel assigned from other state departments to the ESC program. However, there are few training requirements established for either of these groups. Federal regulations require those holding HAZMAT certification to take eight hours of continuing education annually. Some TEMA staff and state department ESCs may be required to hold HAZMAT certification as a condition of their day-to-day jobs. Certain federal agencies require all persons taking part in emergency drills at nuclear facilities to attend a specified annual course for emergency workers. Outside of these requirements, TEMA has no formal policies or procedures outlining training requirements (whether specific classes, subject matter, or hours of continuing professional education) for its staff and ESCs, other than the statements in the ESC Operations Guide that ESCs must participate in meetings, conferences, classes for training, exercises, and SEOC activation and that alternate ESCs must be as trained as primary ESCs.

We conducted a review of federal emergency worker class sign-in rosters and WebEOC (web-based emergency operations center software) exercise log-ins for calendar year 2006. We found that 14 of 44 ESCs participating in the May 2006 exercise at the Watts Bar nuclear facility, 23 of 50 ESCs participating in the August 2006 exercise at the Sequoyah nuclear facility, and 11 of the 35 ESCs participating in the October 2006 exercise at the Oak Ridge facility had not received the necessary training as required by the various federal agencies.

While TEMA does maintain a training database based on agency-provided training class sign-in rosters and staff's self-reported attendance of external training, the agency is not using this information to monitor the preparedness of its staff and ESCs. Without such monitoring, TEMA cannot ensure that its staff and ESCs obtain federally required training for nuclear facility exercises, stay current with their HAZMAT certifications, or have all appropriate training needed to perform their duties in the event of an emergency. TEMA officials concede that they do not monitor training received by TEMA staff, stating that it is the individual's responsibility to ensure that he or she has received the needed courses. There is no formal guidance or TEMA-required training for ESCs to ensure they have the skills and information needed to act in an emergency.

Without adequate training requirements, oversight, and monitoring, TEMA cannot ensure that the people tasked by the Governor and General Assembly to respond to emergencies on the state's behalf (TEMA staff and departmental ESCs) are properly prepared to perform their emergency duties.

### **Recommendation**

To ensure that Tennessee Emergency Management Agency staff maintain necessary skills and are up-to-date with current emergency management practices and issues, the Director and agency management should develop continuing education policies and procedures and annual training requirements for its staff and a monitoring system to alert management when thresholds are not met. In addition, TEMA leadership should formally consider staff failures to meet

minimum standards of readiness in performance evaluations and staffing decisions. Similar policies, procedures, and requirements should be established for appointees to the agency's Emergency Services Coordinator program to ensure that such personnel are trained to work with TEMA and its equipment and are up-to-date on emergency management practices and issues.

When TEMA leadership determines that other agencies are not ensuring that appointees are meeting these requirements and/or that these agencies have not adequately implemented such policies, procedures, and requirements, the TEMA Director should notify the Governor's office.

### **Management's Comment**

We do concur with this finding. Below is our statement in regard to the changes that have taken place or that are in process to correct this finding.

A. TEMA Training Requirements will be found:

- In the Tennessee Emergency Management Strategic Plan 2007-2010 on page 5, under the Training Objectives-Milestones, training requirements for TEMA Staff, state and local responders, and ESC are assigned.
- In the Emergency Services Coordinators Operations Guide, on page 4 in section 5, "TEMA Requires that all ESC's meet the NIMS compliance standards."
- In the TEMA Area Coordinators Operations Guide, on page 30 in Annex D, is a list of "Required Before Assuming Full Duties" for TEMA Area Coordinators and Local Emergency Management Directors.

B. Documentation of TEMA Required Training:

- The 2007 ESC Meeting Training Agenda
- Supporting Class Rosters

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**3. Federal Emergency Management Performance Grant funds may not be disbursed to counties that are at greatest risk and need them the most because of a lack of standardized applications for funding; objective criteria for assessing county risk factors, eligibility, and post-award performance; and a formal process for prioritizing funds disbursement**

### **Finding**

The Emergency Management Performance Grant program is a federal program that provides funding to enhance states' and urban areas' emergency management and catastrophic

planning capabilities and to leverage regional resources. The program requires a 50/50 funding match by award recipients. For fiscal year 2006, Tennessee received approximately \$3.5 million dollars, 46% (about \$1.6 million) of which was passed on by the Tennessee Emergency Management Agency (TEMA) to 61 of the state's 95 counties. See Appendix 2.

During our review, we observed a lack of documentation and objectivity in the Emergency Management Performance Grant program process in regard to the subgrantee application and prioritization process. Counties do not formally apply for the grant. Informal discussions are held between TEMA regional staff and counties who wish to receive funds. During this informal process, TEMA regional staff determine whether the county meets program guidelines and whether to recommend funding to the Director. If recommended, counties are asked to make a formal request for grant funds. TEMA conducts no formal analyses of requesting counties' current situation and emergency management plans linking them to annual federally defined state emergency planning goals and priorities. [The goals address such areas as hazard identification, hazard mitigation, communication, and training.] While TEMA regional directors submit their regional prioritized wish lists for each year's grants, there is no documented, statewide, standard risk-based prioritization formula and process ensuring that the counties most at risk and in need of the most help receive higher priority rankings when funds are disbursed. Only after a county has been approved to receive funds do TEMA and the county create a Project Worksheet detailing what funds will be used for and that activities are in alignment with state emergency management goals.

While the federal Emergency Management Performance Grant program does not regulate how states disburse funds to the local emergency management agencies, in terms of best practices, the auditors believe a certain level of structure is necessary to ensure objective decision-making. Without a formal detailed application, a pre-defined risk-based prioritization system for awarding funds, and a post-award process that evaluates whether counties are meeting their goals and objectives, there is little documented objectivity on record to support TEMA's decisions or to suggest that the grant funds are being disbursed most effectively to meet the state's emergency management goals and needs.

### **Recommendation**

TEMA should consider developing a formal application and an objective, documented scoring system for applications, based on risk levels and the state's Emergency Management Performance Grant goals. This would help TEMA to identify which counties should participate in funding and to support prioritized rankings clear of outside influences. The applications and the corresponding assessment scores should then be periodically reviewed for performance by program management on a statewide, not just a regional, basis.

## Management's Comment

We do concur with the finding. While the Emergency Management Performance Grant (EMPG) program is discretionary funding and does not have a requirement to pass through funding the local governments, TEMA has always tried to pass-through as much funding as feasible. The prioritization process, in the past, had not been fully documented, but it is based on past performance, risk, and ability to meet program requirements. The regional staffs are an integral part of assessing the needs and capabilities of the counties they work with on a daily basis. There have been several assessments from other programs that have helped in identifying risk. These assessments were from National NIMCAST, Hazard Mitigation, and Homeland Security.

Program management will work with the regions to develop an initial funding availability document in which the county can state whether or not they are interested in and can meet the requirements of the program. This document can include items such as contact information, current participant in program, and a checklist of capability to meet program requirements. This document will be signed by the local Emergency Management Agency (EMA) director and the county mayor if the county is interested in participating in the EMPG program. Counties not interested in participating will not be a part of the assessment where they are ranked for funding disbursement.

Program management will work with the regions to develop a standardized assessment tool in which to rank the counties for the disbursement of EMPG funds. This assessment tool can include ranking for all or some of these: past performance, risk, need, an Emergency Management Agency established by local law, a full-time Emergency Management Director hired or appointed in accordance with the TCA and who is an employee of the jurisdiction, in compliance with Title VI of the Civil Rights Act of 1964, an approved personnel merit system, a state approved Basic Emergency Operations Plan (BEOP), in compliance with the TCA on Emergency Management, and capability to meet program requirements.

Based on these findings, the recommendations for funding disbursement will still be made by each regional director and approved by the TEMA Director.

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#### **4. The agency is not properly monitoring subgrantees for program and financial compliance according to state and federal guidelines**

##### **Finding**

In January 2006, the Office of Grants & Training, U.S. Department of Homeland Security, found that TEMA was not performing subgrantee monitoring activities for Homeland Security and Emergency Management Performance Grant funds as required by both state Department of Finance and Administration Policy 22 and OMB Circular A-133.

Policy 22 defines monitoring as the review process used to determine a subrecipient's compliance with the requirements of a state or federal program. The policy further states that there should be a separate monitoring staff from program operations. Policy 22 cites as a basis for its authority Office of Management and Budget (OMB) Circular A-133, "Audits of States, Local Governments, and Non-profit Organizations." OMB A-133, subpart D.400d(3), indicates that a pass-through entity should monitor the activities of subrecipients to ensure federal awards are used for authorized purposes in compliance with laws, regulations, contract provisions, or grant agreements, and that performance goals are achieved. Not following the policies and guidelines could result in the misuse of awarded funds and cause the state to suffer penalties and/or decreased funds.

In February 2007, TEMA informed the Office of Grants and Training and state auditors that the program monitor position has been filled only sporadically since September 2004 and had been vacant since July 2006. TEMA staff further stated that hiring a monitor is on hold because the Military Department is awaiting approval to move the position under the Administrative Services Division of the Military Department and out of TEMA.

### **Recommendation**

Until the formal transfer of the program monitor position to the Military Department's Administrative Services Division, the agency should maintain a person in that position and ensure that proper subgrantee monitoring is being conducted. TEMA officials should take steps to ensure that when the position is moved, the function of the position still serves to monitor subgrantees for program compliance.

### **Management's Comment**

We concur in part that program monitoring was deficient in the areas of formalized site visits and reporting as outlined by the Subrecipient Monitoring Plan. However, we do not concur in part seeing that the programs were monitored in accordance with federal and state regulations through coordination by the appropriate program managers with federal, state, and local representatives.

Department of Military (DOM) has a subrecipient monitoring plan in place. This plan identifies all Homeland Security and other federal agency contracts as low risk. The program monitoring position originally resided under the Tennessee Emergency Management Agency (TEMA). However, DOM recently transitioned this responsibility from TEMA to the Office of Internal Review. The Office of Internal Review has completed monitoring in guidance with the current Subrecipient Monitoring Plan. The Office of Internal Review is currently working on the FY08 Subrecipient Plan.

However, please note that the program staff within TEMA make regular on-site visits in regard to the Homeland Security contracts. These on-site visits are to check the status of the

contracts and to assist the counties with any issues that they may have. TEMA also receives adequate backup documentation, including invoices, purchase orders, and bid documents, from the counties before reimbursements are made. This ensures that the federal awards are used for authorized purposes in compliance with the federal laws and regulations. Also, another process control is the Title VI Coordinator, who will not process a contract as well as release a payment request, if the recipient is not in compliance. In addition to the above, an inspection at the federal and state levels is performed at the contract closeout, in order to inspect the work and review the final documentation provided. TEMA also receives Bi-Annual Reports from the counties on the status of each Homeland Security contract. This report represents the status of projects associated with each contract. The Bi-Annual reports are also submitted to Department of Homeland Security. Another oversight TEMA has in place is the employment of area coordinators throughout the state. Each county is assigned an area coordinator. The area coordinator assists the local counties with planning and execution of the contract. The area coordinators regularly visit these counties and assist the program staff with any issue that may arise with the counties in regard to the Homeland Security contracts.

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**5. The agency lacks written emergency management plan review policies and procedures and lacks complete documentation that staff have reviewed political subdivisions' emergency management plans for conformity with the Tennessee Emergency Management Plan, thereby increasing management's risk of statutory noncompliance and increasing the risk that local emergency management plans are not adequate and appropriate and might hamper an emergency response**

**Finding**

A review of Tennessee Emergency Management Agency (TEMA) files documenting the existence of county emergency management plans and TEMA's approval of them revealed that 21 counties' files did not have a letter documenting the latest plan review and approval by TEMA. One county's file had an undated approval letter. Agency staff provided an additional four dated but unsigned letters for four counties from computer files.

According to Section 58-2-106(b)(2), (3), and (4), *Tennessee Code Annotated*, TEMA is responsible for adopting standards and requirements for county emergency management plans that include ensuring that the plans are coordinated and consistent with the Tennessee Emergency Management Plan (TEMP); assisting political subdivisions in preparing and maintaining emergency management plans; and periodically reviewing such plans for consistency with the TEMP and standards and requirements adopted under this section. There are no written policies and procedures concerning these statutory requirements for program management and staff reference. The director of the Planning, Exercising, and Training Division states that TEMA normally asks each county to completely renew and revise its emergency management plans every four years. Approximately 50 of the 95 counties have full-time, paid local emergency management directors capable of producing these revisions. However, the other approximately

45 counties have volunteer directors with very limited resources and time to make plan revisions. TEMA's regional office planners do the preliminary oversight of (and, in the case of counties with volunteer directors, the actual revision of) local plans before they are forwarded to the central office. The standing procedure is to develop and execute a staggered schedule which addresses these most difficult counties on a regional basis, allowing agency staff to do several each quarter and meet the requirement to have all plans renewed and reviewed within a four-year term. At the central office, the division director and another planner review all of the counties' plans for compliance with the TEMP and structural soundness relative to local policy. If approved, a formal letter is sent to the county mayor and local emergency management director documenting TEMA's approval. A copy of this approval letter is to be kept on file at the TEMA central office until the next scheduled review.

Without written policies and procedures and complete documentation of plan reviews and approvals, the agency cannot ensure that current and future staff fulfill statutory requirements regularly, consistently, and completely. If county emergency management plans are not regularly reviewed for compliance with the state's plan, the risk increases that counties will not be able to mount a proper emergency response or to coordinate response efforts with state resources.

### **Recommendation**

The Planning, Exercising, and Training Division should develop written policies and procedures governing the receipt, review, and approval of political subdivisions' emergency management plans. Through periodic review, the division should ensure that complete documentation is maintained of its review and approval of county emergency management plans so that management can be assured that statutorily required tasks are completed.

### **Management's Comment**

We do concur with the finding. In the past, the Planning Directorate, the Planner in charge of Local Plans, and the applicable Regional Planner were responsible for reviewing and approving/disapproving the local basic emergency operations plan (BEOP). These individuals are highly trained and knowledgeable in the emergency management field. To have the approved planning content in a local BEOP meant the plan must mirror the state plan (TEMP)—meaning the plan had an Introduction section, a Basic section, and 16 Emergency Support Functions (ESFs). A local county Basic Emergency Operations plan will include: the 16 ESFs and assigns responsibility by functions; will be signed by the County Mayor/County Executive; and will include a Terrorism Annex, an Avian Flu/Pandemic plan, and a Mass Casualty/Mass Fatality Plan. All of these items are part of the Tennessee Emergency Management Plan. Also, the West Tennessee Regional Directorate used one county's BEOP, which met the standards, as an example for the rest of the counties to use. The regions have a five-year rotation schedule for the updating of county plans. The counties are aware of the rotation schedule.

The Tennessee Emergency Management Agency, Planning Directorate, and Regional Directorates are currently in the process of revising how TEMA reviews and approves/disapproves local plans. In the future, local plans may be reviewed by the Emergency Management Accreditation Program (EMAP) standards; the TEMP, based on TCA 58-2-106(b) (2), (3), and (4); and National Incident Management System (NIMS)/Incident Command System principles. Each county plan that is reviewed will have a check sheet and a letter stating approval or disapproval with recommendations. An example of the check sheet is attached. Each county plan will be reviewed by the Planning Directorate's representative Planner as assigned and the applicable Regional Planner.

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## RECOMMENDATIONS

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### ADMINISTRATIVE

The Tennessee Emergency Management Agency should address the following areas to improve the efficiency and effectiveness of its operations.

1. The Director should take appropriate measures to ensure that appropriate written policies and procedures are developed and that specific staff are assigned to monitor and track the following to ensure that
  - appointment and authorization letters of ESCs are obtained prior to an ESC taking office, as evidence of the commissioner's delegation of authority;
  - state departments and agencies develop the required written directive within the department or agency establishing the ESC program and the authority of the ESCs;
  - ESCs actively participate and attend monthly meetings and exercises, that vacancies or excessive absences are brought to the appropriate commissioner's notice, and that the Governor's office be informed if the agency commissioner does not replace an ESC in a timely manner or if an entire agency is not represented at all at meetings or exercises;
  - ESCs hold an appropriately high-level position within an agency to avoid the potential issue of directing staff that outrank the ESC in day-to-day operations;
  - ESCs obtain and maintain necessary training and skills to perform their emergency management duties, are familiar with TEMA guidelines and equipment, and are up-to-date with current emergency management practices and issues;
  - ESCs have taken the required federal training prior to taking part in nuclear facility exercises; and
  - state departments and agencies provide ESCs the equipment required by the Tennessee Emergency Management Plan.
  
2. To ensure that Tennessee Emergency Management Agency staff maintain necessary skills and are up-to-date with current emergency management practices and issues, the Director and agency management should develop continuing education policies and procedures and annual training requirements for staff and a monitoring system to alert management when thresholds are not met. In addition, TEMA leadership should formally consider staff failures to meet minimum standards of readiness in performance evaluations and staffing decisions. Similar policies, procedures, and requirements should be established for appointees to the agency's Emergency

Services Coordinator program to ensure that such personnel are trained to work with TEMA and its equipment and are up-to-date on emergency management practices and issues.

When TEMA leadership determines that other agencies are not ensuring that appointees are meeting these requirements and/or that these agencies have not adequately implemented such policies, procedures, and requirements, the TEMA Director should notify the Governor's office.

3. TEMA should consider developing a formal Emergency Management Performance Grant program application and an objective, documented scoring system for applications, based on risk levels and the state's Emergency Management Performance Grant goals. This would help TEMA to identify which counties should participate in funding and to support prioritized rankings clear of outside influences. The applications and the corresponding assessment scores should then be periodically reviewed for performance by program management on a statewide, not just a regional, basis.
4. Until the formal transfer of the program monitor position to the Military Department's Administrative Services Division, the agency should maintain a person in that position and ensure that proper subgrantee monitoring is being conducted. TEMA officials should take steps to ensure that when the position is moved, the function of the position still serves to monitor subgrantees for program compliance.
5. The Planning, Exercising, and Training Division should develop written policies and procedures governing the receipt, review, and approval of political subdivisions' emergency management plans. Through periodic review, the division should ensure that complete documentation is maintained of its review and approval of county emergency management plans so that management can be assured that statutorily required tasks are completed.

## **APPENDIX 1**

### **Title VI Information**

All programs or activities receiving federal financial assistance are prohibited by Title VI of the Civil Rights Act of 1964 from discriminating against participants or clients on the basis of race, color, or national origin. The Tennessee Emergency Management Agency (TEMA) received federal funds of approximately \$4.9 million in fiscal year 2006 and \$7.6 million in fiscal year 2007. Indirectly, the agency was the recipient of another \$95.7 million in fiscal year 2006 and an estimated \$60 million in fiscal year 2007 in federal homeland security and disaster funds that were passed on to other public and private agencies.

The agency has no Title VI Coordinator but reports to the Military Department's Civil Rights Coordinator on these matters. Departmental Title VI coordination is vested with the Title VI Process Action Team. Each major section of the department is represented. At a minimum, the team consists of a representative from each of the four divisions (Administrative Services, Army National Guard, Air National Guard, and TEMA). The composition of the Process Action Team will proportionately be racially reflective of the Military Department. According to the Civil Rights Coordinator, the agency did not receive any Title VI complaints during the past two years. If there are complaints, they can be filed with the federal department, the Military Department's Civil Rights Coordinator, or the agency providing the service.

As of January 2007, none of TEMA's 16 agency contracts were with minority vendors.

**TEMA Staff Ethnicity and Gender  
By Job Position  
As of January 12, 2007**

| <b>Title</b>                               | <b>Gender</b> |               | <b>Ethnicity</b> |              |                 |
|--|---------------|---------------|------------------|--------------|-----------------|
|  | <i>Male</i>   | <i>Female</i> | <i>White</i>     | <i>Black</i> | <i>Hispanic</i> |
| Accounting Technician 2                    | 0             | 1             | 0                | 1            | 0               |
| Accountant 2                               | 0             | 1             | 1                | 0            | 0               |
| Administrative Services Assistant 2        | 2             | 3             | 3                | 1            | 1               |
| Administrative Services Assistant 3        | 1             | 9             | 7                | 3            | 0               |
| Administrative Services Assistant 4        | 0             | 5             | 5                | 0            | 0               |
| Administrative Services Assistant 5        | 1             | 0             | 1                | 0            | 0               |
| Communications Systems Analyst 2           | 1             | 0             | 1                | 0            | 0               |
| Database Administrator 2                   | 1             | 0             | 1                | 0            | 0               |
| Electrical Alarms Technician Supervisor    | 1             | 0             | 1                | 0            | 0               |
| Electrical Alarms Technician               | 1             | 0             | 1                | 0            | 0               |
| Emergency Management Area Coordinator      | 16            | 2             | 18               | 0            | 0               |
| Emergency Management Assistant Director    | 1             | 0             | 1                | 0            | 0               |
| Emergency Management Administrator 1       | 5             | 0             | 4                | 1            | 0               |
| Emergency Management Administrator 2       | 7             | 1             | 8                | 0            | 0               |
| Emergency Management Director              | 1             | 0             | 1                | 0            | 0               |
| Emergency Management Officer 2             | 7             | 1             | 8                | 0            | 0               |
| Emergency Management Officer 3             | 2             | 1             | 3                | 0            | 0               |
| Emergency Management Planner 2             | 4             | 1             | 5                | 0            | 0               |
| Emergency Management Planner Supervisor    | 2             | 0             | 2                | 0            | 0               |
| Environmental Specialist 3                 | 2             | 1             | 3                | 0            | 0               |
| Environmental Specialist 4                 | 2             | 0             | 2                | 0            | 0               |
| Environmental Specialist 5                 | 1             | 0             | 1                | 0            | 0               |
| Environmental Specialist 6                 | 1             | 0             | 1                | 0            | 0               |
| Executive Assistant 2                      | 2             | 0             | 2                | 0            | 0               |
| Facility Supervisor                        | 1             | 0             | 0                | 1            | 0               |
| GIS Technician 2                           | 1             | 0             | 1                | 0            | 0               |
| Information Resource Support Specialist 3  | 1             | 0             | 1                | 0            | 0               |
| Information Resource Support Specialist 5  | 1             | 0             | 1                | 0            | 0               |
| Information Officer                        | 1             | 0             | 1                | 0            | 0               |
| Information Systems Manager 2              | 1             | 0             | 1                | 0            | 0               |
| Radio Communications Technician 3          | 4             | 0             | 4                | 0            | 0               |
| Radio Communications Technician Supervisor | 1             | 0             | 1                | 0            | 0               |
| Radio Systems Analyst                      | 1             | 0             | 1                | 0            | 0               |
| <b>Total</b>                               | <b>73</b>     | <b>26</b>     | <b>91</b>        | <b>7</b>     | <b>1</b>        |

## APPENDIX 2

### Counties Receiving Emergency Management Performance Grant Funds Fiscal Year 2006

| West Tennessee               |    |               |
|------------------------------|----|---------------|
| BENTON COUNTY                |    | \$ 6,000.00   |
| CARROLL COUNTY               |    | 34,783.00     |
| CHESTER COUNTY - HENDERSON   |    | 15,883.00     |
| CROCKETT COUNTY              |    | 16,183.00     |
| DECATUR COUNTY               |    | 5,000.00      |
| DYER COUNTY                  |    | 13,382.00     |
| FAYETTE COUNTY               |    | 16,900.00     |
| GIBSON COUNTY                |    | 38,000.00     |
| HARDIN COUNTY                |    | 12,882.00     |
| HAYWOOD COUNTY - BROWNSVILLE |    | 22,183.00     |
| HENDERSON COUNTY             |    | 12,882.00     |
| HENRY COUNTY                 |    | 10,882.00     |
| LAUDERDALE COUNTY            |    | 16,257.00     |
| MADISON COUNTY - JACKSON     |    | 40,683.00     |
| McNAIRY COUNTY               |    | 20,682.00     |
| OBION COUNTY - UNION CITY    |    | 23,090.00     |
| SHELBY COUNTY - MEMPHIS      |    | 123,882.00    |
| TIPTON COUNTY - COVINGTON    |    | 20,682.00     |
| WEAKLEY COUNTY               |    | 16,282.00     |
| # of Counties                | 19 | \$ 466,518.00 |

| Middle Tennessee                  |  |              |
|-----------------------------------|--|--------------|
| BEDFORD COUNTY                    |  | \$ 20,369.00 |
| CHEATHAM COUNTY                   |  | 18,359.00    |
| COFFEE COUNTY                     |  | 19,519.00    |
| DAVIDSON COUNTY - METRO-NASHVILLE |  | 117,656.00   |
| DICKSON COUNTY                    |  | 12,559.00    |
| FRANKLIN COUNTY                   |  | 21,659.00    |
| HICKMAN COUNTY                    |  | 20,000.00    |
| HUMPHREYS COUNTY                  |  | 17,459.00    |
| LAWRENCE COUNTY - LAWRENCEBURG    |  | 28,459.00    |
| LINCOLN COUNTY                    |  | 30,859.00    |
| MARSHALL COUNTY                   |  | 18,659.00    |
| MONTGOMERY COUNTY                 |  | 40,159.00    |
| PUTNAM COUNTY - COOKEVILLE        |  | 35,559.00    |
| ROBERTSON COUNTY                  |  | 18,259.00    |
| RUTHERFORD COUNTY                 |  | 28,659.00    |

|                             |    |               |
|-----------------------------|----|---------------|
| SMITH COUNTY                |    | 8,000.00      |
| WARREN COUNTY - McMinnville |    | 15,359.00     |
| WAYNE COUNTY                |    | 8,000.00      |
| WILLIAMSON COUNTY           |    | 30,259.00     |
| WILSON COUNTY               |    | 35,559.00     |
| # of Counties               | 20 | \$ 545,370.00 |

|                                  |    |                |
|----------------------------------|----|----------------|
| East Tennessee                   |    |                |
| ANDERSON COUNTY                  |    | \$ 12,921.00   |
| BLOUNT COUNTY                    |    | 16,921.00      |
| BRADLEY COUNTY - CLEVELAND       |    | 27,421.00      |
| CARTER COUNTY - ELIZABETHTON     |    | 25,421.00      |
| COCKE COUNTY - NEWPORT           |    | 18,921.00      |
| CUMBERLAND COUNTY - CROSSVILLE   |    | 26,821.00      |
| GREENE COUNTY - GREENEVILLE      |    | 26,321.00      |
| HAMBLÉN COUNTY - MORRISTOWN      |    | 15,921.00      |
| HAMILTON COUNTY                  |    | 97,021.00      |
| HAWKINS COUNTY                   |    | 12,000.00      |
| JEFFERSON COUNTY                 |    | 25,922.00      |
| JOHNSON COUNTY                   |    | 14,721.00      |
| KNOX COUNTY - KNOXVILLE          |    | 85,021.00      |
| LOUDON COUNTY                    |    | 18,721.00      |
| McMINN COUNTY                    |    | 16,301.00      |
| MORGAN COUNTY                    |    | 6,000.00       |
| ROANE COUNTY                     |    | 19,000.00      |
| SCOTT COUNTY                     |    | 12,721.00      |
| SEVIER COUNTY                    |    | 17,921.00      |
| SULLIVAN COUNTY                  |    | 41,021.00      |
| ERWIN-UNICOI COUNTY              |    | 16,000.00      |
| WASHINGTON COUNTY - JOHNSON CITY |    | 30,221.00      |
| # of Counties                    | 22 | \$ 583,259.00  |
| TOTALS For all 3 regions         | 61 | \$1,595,147.00 |