

DEPARTMENT OF MILITARY AFFAIRS
Division of Emergency Management
(New Administrative Regulation)

106 KAR 1:221. Local exercise.

RELATES TO: KRS 39A.050(2)(l), 39C.050(4), 39E.010(1), 42 U.S.C. 11001-11050

STATUTORY AUTHORITY: KRS 39A.050(2)(j), (m), 39A.070(3), 39E.040(6), 39E.080(4), 42 U.S.C. 11003(c)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 39A.050(2)(l) requires the Division of Emergency Management to institute exercise programs. This administrative regulation establishes requirements for exercising a local plan.

Section 1. Definitions.

- (1) "Exercise" means a test and evaluation of a local plan.
- (2) "Federal fiscal year" means a period beginning October 1 of a calendar year and ending September 30 of the following calendar year.
- (3) "Full-scale exercise" means a comprehensive test and evaluation of a local plan utilizing written objectives that emphasize the practice of multiple emergency management functions and require actual deployment of policy, coordination, and operations personnel, equipment, and resources in response to a simulated emergency.
- (4) "Functional exercise" means a limited test and evaluation of a local plan utilizing written objectives that emphasize the practice of direction and control procedures and require actual and simulated utilization of policy, coordination, and operations personnel, equipment, and resources in response to a simulated emergency.
- (5) "Local plan" means the written emergency operations plan of a city, county, charter county, or urban-county government, pursuant to KRS Chapters 39A to 39F.
- (6) "Tabletop exercise" means a group discussion led by a facilitator utilizing a written scenario narrative and a set of problem statements, directed messages, or prepared questions designed to test and evaluate a local plan.

Section 2. Tabletop Exercise Requirement. A tabletop exercise shall consist of:

- (1) Development and use of a written scenario based on a hypothetical emergency situation; and
- (2) Development and use of at least fifteen (15) written problem statements, directed messages, or prepared discussion questions worded specifically to test or evaluate the provisions of the local plan.

Section 3. Functional Exercise Requirement. A functional exercise shall consist of:

- (1) At least twenty-five (25) percent staffing of a primary or alternate local emergency operation center;
- (2) An operational test of communications and emergency power equipment in a local emergency operations center;
- (3) Use of message forms or status boards in a local emergency operations center;
- (4) Development and use of a written scenario based upon one (1) or more hazards specified in the local plan;
- (5) Development and use of five (5) or more written exercise objectives;
- (6) Testing of seven (7) or more disaster and emergency response functions specified in a local plan;
- (7) Development and use of written evaluation criteria;
- (8) Designation and use of a lead evaluator; and
- (9) Conduct of an exercise critique involving exercise participants.

Section 4. Full-scale Exercise Requirement. A full-scale exercise shall consist of:

- (1) Completion of the requirements of Section 3 of this administrative regulation, except subsections (1), (5), and (6);
- (2) At least seventy-five (75) percent staffing of a primary or alternate local emergency management operations center;
- (3) Development and use of ten (10) or more written exercise objectives;
- (4) Testing of fifteen (15) or more disaster and emergency services response functions specified in a local plan; and
- (5) Field deployment of at least five (5) emergency response and support agencies.

Section 5. Local Exercise Requirement.

- (1) Except as provided in subsection (2) of this section, a local director shall:
 - (a) Schedule, design, conduct, and document one (1) tabletop functional, or full-scale exercise by September 30 of each federal fiscal year; and
 - (b) At least once during each period of four (4) consecutive federal fiscal years, include in an exercise specified in paragraph (a) of this subsection, testing and validation of a local plan specified in KRS 39E.150.
- (2) During each period of four (4) consecutive federal fiscal years, a local director shall schedule, design, conduct, and document at least one (1) functional or full-scale exercise in lieu of one (1) tabletop exercise specified in subsection (1)(a) of this section.
- (3) Within thirty (30) days prior to conducting a tabletop exercise specified in subsection (1)(a) of this section, a local director shall submit a final draft of the following to the area manager:
 - (a) A completed KYEM Form 201, "Exercise Narrative Scenario," or computer-generated equivalent;
 - (b) A copy of the written exercise discussion problem statements, directed messages, and prepared questions established pursuant to Section 2(2) of this administrative regulation.
 - (c) A completed KYEM Form 202, "Exercise Objectives," or computer-generated equivalent.
- (4) Within thirty (30) calendar days following completion of a tabletop exercise, a local director shall submit to an area manager a written exercise report consisting of the following:
 - (a) A completed KyEM Form 201, "Exercise Narrative Scenario" or computer-generated equivalent.
 - (b) A copy of the written exercise discussion problem statements, directed messages, and prepared questions established pursuant to Section 2(2) of this administrative regulation.
 - (c) A completed KyEM Form 205, "Exercise Participant Roster" or computer-generated equivalent; and
 - (d) A completed KyEM Form 206, "Exercise Critique" or computer-generated equivalent.
- (5) Within thirty (30) calendar days prior to conducting a scheduled functional or full-scale exercise, a local director shall submit the final draft of the following forms or computer-generated equivalent to the area manager:
 - (a) A completed KYEM Form 201, "Exercise Narrative Scenario," and
 - (b) A completed KYEM Form 202, "Exercise Objectives."
- (6) Within thirty (30) calendar days following completion of a functional or full-scale exercise, a local director shall submit to a county judge/executive, mayor, or area manager a written local exercise report consisting of the following completed forms or their computer-generated equivalent:
 - (a) KYEM Form 201, "Exercise Narrative Scenario;"
 - (b) KYEM Form 202, "Exercise Objectives;"

- (c) KYEM Form 203, "Exercise Evaluation Criteria;"
- (d) KYEM Form 204, "Master Sequence of Events List;"
- (e) KYEM Form 205, "Exercise Participant Roster;"
- (f) KYEM Form 206, "Exercise Critique;" and
- (g) KYEM Form 207, "Exercise After-Action Report."

Section 6. Exercise Substitution.

(1) In lieu of conducting and documenting a scheduled tabletop, functional, or full-scale exercise in a federal fiscal year, a local director may request to substitute the actual response of a local disaster and emergency services organization to a major emergency situation or disaster occurrence in a local jurisdiction during the federal fiscal year of the actual response.

(2) A local director requesting to substitute an actual response to a major emergency or disaster occurrence, in lieu of conducting and documenting a scheduled tabletop, functional, or full-scale exercise shall, within sixty (60) calendar days following termination of associated emergency response operations, submit to the area manager, for transmittal to the Director of the Division of Emergency Management, an after-action report in memorandum form containing the following information:

- (a) A brief description of the type or kind of emergency situation or disaster that occurred in the local jurisdiction;
- (b) Date of the emergency situation or disaster occurrence;
- (c) The geographic area adversely affected by the emergency situation or disaster;
- (d) The estimated population in the adversely affected geographic area;
- (e) The major problems experienced and the actions taken by local government to mitigate or respond to the major problems;
- (f) Significant assets utilized to mitigate or respond to the emergency situation or disaster; and
- (g) Critique comments describing the general effectiveness of the mitigation or response efforts of local government forces, including the adequacy of the local plan and any significant deficiencies noted.

Section 7. Incorporation by Reference.

(1) The following material is incorporated by reference:

- (a) KYEM Form 201, "Exercise Narrative Scenario;"
- (b) KYEM Form 202, "Exercise Objectives;"
- (c) KYEM Form 203, "Exercise Evaluation Criteria;"
- (d) KYEM Form 204, "Master Sequence of Events List;"
- (e) KYEM Form 205, "Exercise Participant Roster;"
- (f) KYEM Form 206, "Exercise Critique;" and
- (g) KYEM Form 207, "Exercise After-Action Report."

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Division of Emergency Management, Emergency Operations Center, 100 Minuteman Parkway, Frankfort, Kentucky 40601-6168, Monday through Friday, 8 a.m. to 4:30 p.m.

This is to certify that The Adjutant General (TAG) has reviewed and approved this administrative regulation prior to its adoption, as required by KRS 39A.070(3).

HALDANE B. LAMBERTON, Major General, KYNG, Adjutant General

JEREMY C. SLINKER, Director

CHARLES T. JONES, Brigadier General US Army (Ret), Executive Director

APPROVED BY AGENCY: June 7, 2022

FILED WITH LRC: June 15, 2022 at 10:20 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on Wednesday, August 24, 2022, at 10:30 a.m. Eastern Time at 100 Minuteman Parkway, Bldg. 100, Room 202 (EOC 2nd Floor Conference Room) Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through August 31, 2022. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Corey Ann Howard Jackson, Legislative Liaison and Policy Specialist, Department of Military Affairs, 100 Minuteman Parkway, Frankfort, Kentucky 40601, phone (502) 330-3323, fax (502) 607-1240, email corey.a.jackson23.nfg@army.mil.