



**Support Annex 3
Private Sector Coordination**

Coordinating Agency

Support Agencies and Organizations

West Virginia Division of Homeland
Security and Emergency Management
(WVDHSEM)

All

Purpose

A. The Private Sector Coordination Support Annex to the West Virginia Emergency Operations Plan (WVEOP) describes the framework used for incident management activities involving the private sector during emergencies requiring a coordinated State response. This annex ensures an effective coordination and integration with the private sector, both for-profit and not-for-profit, including the Nation’s critical infrastructure, key resources, other business and industry components, and not-for-profit organizations (sometimes called non-governmental organizations (NGOs), including those serving special needs populations, engaged in response and recovery.

B. Provide for the security of the State of West Virginia while simultaneously protecting the legitimate interests of the private sector by acknowledging and protecting the sensitive nature of business activities involving the private sector, and endorsing the Critical Infrastructure Security and Resilience (CISR) efforts of the private sector.

Scope

A. This annex does not alter existing private-sector responsibilities for emergency management under the law. Existing contractual or other legal relationships between local jurisdictions, State, regional and National level agencies and the private sector are not supplanted by this annex.

B. The restricted Concept of Operation for the Private Sector Coordination Support Annex includes guidance and procedures for the coordination of effort to protect and restore essential services with a wide array of public and private incident managers and CISR security partners within immediate incident areas as well as at local jurisdiction, State, regional and National levels.

C. The roles and interfaces of voluntary and other not-for-profit organizations and linkages of potential donors of goods and services to State government agencies and NGOs is detailed in the Support Annex (SPT) 7 Volunteer and Donations Management and the Emergency Support Function (ESF) 6 Mass Care, Emergency Assistance, Housing, and Human Services.

Policies

A. The State of West Virginia encourages cooperative relations between private-sector organizations and State, and local jurisdictions regarding prevention, preparedness, mitigation, response, and recovery activities. Active public-private sector coordination and cooperation is critical through the emergency management cycle, beginning with planning. It is in the best interest of the State, local jurisdictions and the private sector to develop appropriate emergency response plans and information-sharing processes and protocols. These should be tailored to their unique requirements of their respective sectors or industries, and mapped clearly in regional, State, and local emergency response plans and information-sharing networks.

B. This annex is intended to be consistent with the WVEOP, the National Response Framework (NRF), the National Disaster Recovery Framework (NDRF), and the National Incident Management System (NIMS).

C. The State of West Virginia supports measures that ensure site accessibility for essential services providers responding to disasters or emergencies. Essential services providers, as defined in the Stafford Act as amended by Public Law 109-347, include: “(a) a municipal entity; (b) a nonprofit entity; or (c) a private, for-profit entity” that contributes to efforts to respond to an emergency or major disaster. These entities provide:

- Telecommunications service;
- Electrical power;
- Natural gas;
- Water and sewer services; or
- Any other essential service

D. The State of West Virginia encourages processes that support informed cooperative decision making.

E. The State of West Virginia encourages extensive two-way and multidirectional sharing between the public and private sectors of operational information and situational awareness relative to potential or actual incidents.

F. The State of West Virginia works cooperatively to develop and apply processes, procedures, and communications protocols that support sharing of information at the appropriate levels.

G. The State of West Virginia encourages private-sector organizations to develop and maintain capabilities needed to respond to and manage a complete spectrum of incidents

and emergencies, except in cases where the capabilities are inherently governmental in nature.

H. In certain circumstances, Federal and State law requires appropriate authorities to include private-sector representatives in incident management planning, operations, and exercises; when not required, it encourages such participation whenever practical.

I. The State of West Virginia treats information provided by the private sector, from receipt through destruction, in a manner consistent with applicable statutes and regulations.

J. The State of West Virginia will avoid actions that disrupt existing relationships between voluntary aid providers at the local jurisdiction level when possible.

K. The State of West Virginia may direct private-sector response resources in some cases in which contractual relationships exist. The State of West Virginia also retains its full authorities to oversee and control as appropriate infrastructure involved in an incident.

L. All agencies assigned responsibilities within this Annex will develop and maintain the necessary plans, standard operating procedures, and mutual aid agreements to accomplish their tasks.

M. WVDHSEM is responsible for the development and maintenance of this annex. This should occur at minimum once every two years.

N. All records are preserved and kept in accordance with local, State, and Federal records requirements.

O. All essential services providers should conduct an annual test or exercise of their response plans that includes alert, notification, and activation procedures for key personnel with the integration of all key stakeholders.

Situation

A. An incident or emergency has occurred that impacts essential service provider functions and may necessitate the activation of the WVEOP and the Private Sector Coordination Support Annex.

B. A major disaster could include complete destruction of essential CISR, and the destruction of public-private operated essential services requiring a coordinated effort by State agencies and the public-private sector to restore essential services to the people of the State of West Virginia.

Planning Assumptions

- A.** An incident can occur at any time, with or without warning, and may disrupt the ability of State government to provide essential services to citizens of the State of West Virginia.
 - B.** An emergency may necessitate the cooperation between key government officials and their staffs with key Chief Executive Officer (CEO), corporate president, or other senior leadership of the public-private sector to develop a plan to restore essential services to the people of the State of West Virginia.
 - C.** Extraordinary measures will be required to ensure a rapid return to normal conditions.
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Organizational Structure

- A.** WVDHSEM is the coordinating agency for the State of West Virginia in times of emergencies. In the event of an emergency that may require the activation of the WVEOP and the Private Sector Coordination Annex, it will be the responsibility of WVDHSEM to verify the emergency, notify, and coordinate with all other State agencies necessary to handle the emergency.
 - B.** The State organization for response to activation of the Private Sector is determined by the West Virginia State Emergency Operations Center (WVSEOC).
 - C.** State resources will be utilized in accordance with the WVEOP, unless otherwise directed by the Governor or WVDHSEM Director.
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Concept of Operations

A. Individual Institutions

1. Each private institution is responsible to its stakeholders for developing, testing, and implementing its own security and business continuity plan to assure its capability to deliver goods and products to its customers. Included in this planning are an understanding of, and contingency plan for, supply chain disruptions and other dependencies. Also included are plans for staffing and employee preparedness.
2. In many communities, critical infrastructure owners and operators, in addition to developing their own security programs and Continuity of Government /Concept of Operations (COG/COOP) plans, are responsible for coordinating their programs and plans with State and local governments' emergency response plans.
3. Private sector entities will also need to coordinate their plans with the plans of other private sector entities in the community so that allocation of critical resources proceeds without conflicts.

4. Institutions are encouraged to work with WVDHSEM in the creation of resource mission sets prior to a disaster. These mission sets will work in two ways, both specifying resource needs the business anticipates asking for and specifying resource needs the business can provide to the State.

5. Institutions are encouraged to recommend individuals to WVDHSEM to serve as a Private Sector Liaison in the WVSEOC.

Agency Responsibilities Matrix

Supporting Agency	Acronym	Responsibilities
West Virginia Division of Homeland Security and Emergency Management	WVDHSEM	<ul style="list-style-type: none"> • Coordinates the development plans, processes, and relationships, and facilitates coordinated response planning with the private sector at the operational and tactical levels. • Shares information, including threats and warnings, before, during, and after an incident. • Coordinate, inform, and orient the private sector on the contents of the NRF, and encourages and facilitates the development and coordination of equivalent private sector planning. • Coordinates and conducts State and local incident management functions with the private sector and State, local jurisdictions. • Develops, implements, and operates information-sharing and communication strategies, processes, and systems with homeland security stakeholders. • Providing the overarching coordination lead for incident communications to the public, including the special needs population, during an incident requiring a coordinated Federal response. • In coordination with West Virginia Intelligence Fusion Center (WVIFC), maintain a contact list, including e-mail information, of CISR incident communications coordinators.
All		<ul style="list-style-type: none"> • Provide Support as requested

Authorities & References

Authorities

West Virginia Code §15-5

West Virginia Code §15-6

West Virginia Code §6-1A

Presidential Policy Directive/PPD-21

Section 1016(e) of the USA Patriot Act of 2001 (42 U.S.C. 5195c(e))

44 U.S.C. 3502(1)

44 U.S.C. 3502(5)

Federal Information Security Management Act of 2002 (44 U.S.C. 3542(b))

Homeland Security Act of 2002

Executive Order 13636 of February 12, 2013

References

The National Infrastructure Protection Plan (NIPP) -- NIPP 2013

State of West Virginia Emergency Operations Plan, Basic Plan

National Response Framework, as amended