

COMMONWEALTH OF VIRGINIA

Emergency Operations Plan



SUPPORT ANNEX #2 RECOVERY PROGRAMS

VIRGINIA DEPARTMENT
OF
EMERGENCY MANAGEMENT

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Lead Agency

- Virginia Department of Emergency Management (VDEM)

Support Agencies and Organizations

- Economic Crisis Task Force Agencies (see p. 4)
- Other Agencies of the Commonwealth of Virginia, as appropriate

Purpose

This document defines the framework in regard to the activation, operation, and demobilization of Recovery under the Virginia Emergency Operations Plan. It ensures recovery operations are conducted in a consistent manner in all events, while providing the necessary flexibility to quickly adapt to unique and changing conditions, and scale operations accordingly in a timely manner. It addresses the mission of the short and long term components of the recovery process, staffing, roles and responsibilities of primary and secondary support agencies, communications and information flow, and the associated logistical requirements to stand-up and support operations.

This document will provide for the development and implementation of an efficient, integrated, and comprehensive recovery strategy that includes: a timely and seamless transition from response to recovery operations; prompt and effective disaster assistance to affected individuals, localities, businesses and public agencies; long-term reconstruction activities to support and fulfill the recovery vision and strategy developed; and the incorporation of mitigation considerations throughout the process to make the community safer, stronger, and more resilient from any human-caused or natural disaster.

Scope & Applicability

The framework defined herein will be applicable to state and federal declared disasters and special events that involve the obligation of resources, incurrence of costs, and the delivery of disaster assistance to support all components of the recovery process.

Planning Assumptions

- Initial response actions/inactions will have a direct impact upon recovery.
- Local, regional and state resources will be used to the maximum extent possible to support and enhance the overall recovery process.

Policies

- All agencies assigned responsibilities within this annex will develop and maintain the necessary plans, standard operating procedures, mutual aid agreements, and model contracts to successfully accomplish their tasks.
- Emergency Support Function (ESF) #14 and the Economic Crisis Strike Force (ECSF) will be the organizational framework used to plan, implement and coordinate the short -, interim- and long-term components of recovery.
- Recovery will be accomplished in a manner that is: safe and secure; reduces or eliminates future risk from hazards; increases resilience; consistent with all applicable local, state, and federal laws, regulations and policies; cost effective and reasonable; and timely in the context of the impacts sustained.
- The recovery process will involve the coordination of and collaboration with local, state, and federal governments, regional entities, private sector and voluntary organizations, faith-based and community organizations.
- The private sector owns a significant portion of a community's critical

infrastructure and plays a major role in the recovery process.

Organizational Structure

The ECSF will provide the framework to develop the necessary plans to guide the long-term recovery process, as well as identify the necessary resources to support the implementation of these plans in a timely manner, in coordination with federal, local, NGO, and private sector partners. The ECSF is led by the Secretary of Commerce and Trade, in coordination with other secretariats as appropriate, and activated at the direction of the Governor. Membership includes high level representatives designated by the Secretaries of Education and Health and Human Resources and by the respective heads of the following agencies: the Department of Agriculture and Consumer Services, the Department of Business Assistance, the Department of Education, the Department of Housing and Community Development, the Department of Labor and Industry, the Department of Medical Assistance Services, the Department of Minority Business Enterprise, the Department of Social Services, the Virginia Community College System, the Virginia Employment Commission, the Virginia Economic Development Partnership, and the Virginia Tourism Authority. The ECSF shall also include representatives from such other agencies as may be designated by the Governor to meet the needs of a particular affected community. In addition, the Governor may designate such citizens as he deems appropriate to advise the ECSF.

The ECSF provides a single point of contact for citizens in affected communities to assist with accessing available government and private sector services and resources; assists localities in developing short-term and long-term strategies for addressing the economic crisis, and identifies opportunities for workforce retraining, job creation, and new investment.

Economic disaster as defined in the Code of Virginia (§ 2.2-205.1) is defined, in part, as a natural disaster or act of terrorism for which the

Governor has declared a state of emergency, or other economic crisis situations, which in the opinion of the Governor adversely affect the welfare of the citizens of the Commonwealth.

Concept of Operations

1. General

To promote and support the successful short- and long-term recovery process of the Commonwealth and its political subdivisions affected in a disaster by providing a coordination mechanism and the necessary resources that can support and accomplish the recovery strategy developed, as well as associated short-, interim- and long-term priorities established following a disaster to include:

Short Term

- Implement debris removal operations in a prompt and efficient manner to protect public health and safety by fulfilling the following priorities: clearing debris from key roads in order to provide access for emergency vehicles and resources into affected areas; providing access to critical facilities pre-identified by state and local governments in the planning process (see Tab E); and eliminating debris related threats to public health and safety.
- Assess and develop a strategy to address post-disaster short-, interim- and long-term disaster recovery damages/impacts/needs of affected communities-
 - ✓ Impacts on housing sector and the projected number of displaced persons on an interim and long-term basis.
 - ✓ The severity and scope of the infrastructure damage precipitating major service and economic disruptions and impacting negatively on overall

response and recovery operations.

- ✓ Impacts on key sectors of the communities' economic base.
- Identify, coordinate and leverage the delivery of resources (financial, technical and logistical) to support the recovery process.
- Update of potential Joint Field Office (JFO) and temporary housing sites in coordination with the appropriate ECSF agencies.
- Request federal assistance if situation warrants.
- Assess need to activate ECSF.
- Identify and establish a JFO and other field facilities to support recovery operations (e.g., Disaster Recovery Centers (DRCs)).
- Monitor recovery operations to ensure compliance with all applicable laws, regulations, policies and programmatic requirements (procurement, environmental, historic etc.)

Interim

- Identify alternate housing resources to support transition from shelter phase in coordination with ECSF agencies, and other supporting entities.
- Identify any potential/actual unmet needs and coordinate with the various sectors to identify the necessary resources to address needs identified in a timely fashion.
- Track, document and package costs to maximize and expedite the delivery of assistance/reimbursement process from available and applicable funding resources.

Long-Term

- Coordinate with the affected communities and provide the necessary support through the ECSF and in coordination with the appropriate federal, state, private, and voluntary agencies to develop and implement local, regional, and state recovery strategy.

2. Notification and Activation

This Annex, in conjunction with ESF #14 will be activated to address short-term recovery issues to include: supporting the event cost reimbursement process; reviewing and assessing initial damage assessments; recommending, arranging and supporting preliminary damage assessments (PDAs) as appropriate; supporting the development of the federal declaration request and associated documentation, and the establishment of a JFO in coordination with FEMA if approved.

Based on the initial assessment of long term recovery needs and resource requirements, and following consultation with the appropriate state officials and support agencies, the ESF 14 Long Term Liaison team will make a recommendation to activate the Economic Crisis Strike Force. This strike force will begin developing the necessary plans, priorities, initiatives and assistance to address the long term recovery issues identified.

3. Demobilization

As the cascading affects of the disaster event are stabilized and response operations in each functional area begin to transition to a normal status and eventually stand down, recovery operations will generally expand and become more robust to promptly assess and characterize the consequences and associated impacts of the disaster event. The recovery framework will be structured to effectively deliver disaster assistance in a timely manner and address the identified recovery needs.

In small to moderate size events, where the impacts to the community do not meet the requirements of a Presidential declaration for Public Assistance or Individual Assistance, ESF #14 operations will transition to the programmatic level where technical assistance and support will continue to be provided in the context of available resources within the state and voluntary organizational framework. Eligible costs associated with local response and recovery operations may be reimbursed through the state Public Assistance Program if there is a state declaration and the required thresholds are met. State agency costs associated with the mobilization and deployment of resources to support local response and recovery needs may also be eligible for reimbursement under this program.

The Virginia Disaster Relief Fund is available to assist in addressing unmet needs of disaster victims.

Roles & Responsibilities

Virginia Department of Emergency Management

- Staff ESF #14 when notified and identify requirements based on event characteristics and potential/actual recovery needs identified.
- Maintain an understanding of evolving event characteristics/common operating picture, associated consequences and impacts through standard communication pathways.
- Issue guidance regarding the tracking and documentation of all costs associated with response and recovery operations.
- Evaluate Initial Damage Assessments (IDAs) submitted and follow-up with localities to clarify and validate information provided, or request additional information as required.

- Assess impacts of event based on IDAs and assess the need to request a joint PDA.
- Coordinate the development of a socio-economic profile of affected localities with state/federal agencies as required.
- Coordinate PDA activities with affected localities and FEMA to ensure an efficient and timely assessment process.
- Receive, analyze and summarize PDA data submitted for affected communities in context of PA (thresholds) and IA criteria, as well as local and state resource capabilities.
- In coordination with FEMA, prepare a Federal Declaration of Emergency request for those identified localities where damages meet PA thresholds and IA criteria and forward it to the Secretary of Public Safety and Homeland Security, and the Governor's Office for approval via the State Coordinator of Emergency Management (SCO).
- If a federal declaration is received, identify potential locations for fixed and mobile Disaster Recovery Centers (DRCs) in coordination with affected localities and FEMA.
- Coordinate DRC efforts with supporting agencies and organizations.

Economic Crisis Strike Force Agencies

- Provide a single point of contact for citizens in affected communities to assist with accessing available government and private sector services and resources.
- Assist localities in developing short-term, interim, and long-term strategies for addressing the economic crisis.
- Identify opportunities for workforce retraining, job creation, and new investment.

Other Agencies of the Commonwealth of Virginia

- Provide any and all applicable assistance as available to aid in recovery and efforts.

Authorities & References

Authorities

- Virginia Emergency Services and Disaster Laws.
- Code of Virginia § 2.2-205.1

References

- Emergency Management Accreditation Program (EMAP) 4.6.4: The recovery plan or strategy shall address short- and long-term recovery priorities and provide guidance for restoration of critical functions, services, vital resources, facilities, programs, and infrastructure to the affected area.

Attachment 1 – Emergency Assistance

Most federal disaster recovery programs require a presidential disaster declaration pursuant to the Stafford Act to qualify for assistance. Some designated areas are also automatically eligible for Small Business Administration (SBA) and U.S. Department of Agriculture (USDA) programs upon presidential disaster declaration. However, the SBA, the USDA and the Fire Management Grant programs can also be activated independently from the Stafford Act declaration process.

In response to the Governor’s specific request, federal assistance in four general categories is available for a major disaster declaration through DHS/FEMA—direct assistance, individual assistance, public assistance, and hazard mitigation assistance. “Direct assistance” includes missions assigned to federal agencies for specific resources or services such as debris removal or medical care. The other three categories are programs authorized by the Stafford Act and coordinated with the Commonwealth. A declaration may authorize only individual assistance or only public assistance. Hazard mitigation opportunities are made available in most situations. Non-federal match funds are required for all three programs. The state is required by the CFR to develop and maintain administrative plans for each of the programs for which a state cost share is required. A brief description of the Stafford Act programs follows:

A. Individual Assistance

The term Individual Assistance (IA) applies to assistance for individuals and households. At least six (6) specific programs may be activated under this category.

- The Individuals and Households Program (IHP) is a combined FEMA and state program that provides money and services to people in the declared area whose property has been damaged or destroyed and whose losses are not covered by insurance. This assistance may include temporary housing (such as rental assistance), home repair and other needs assistance (ONA).¹ The ONA program is administered by the Department of Social Services.
- The U.S. Small Business Administration (SBA) can make federally subsidized loans to repair or replace homes, personal property or businesses that sustained damages not covered by insurance. The SBA can provide three (3) types of disaster loans to qualified homeowners and businesses: (i) Home Disaster Loans for homeowners and renters to repair or replace disaster-related damages to home or personal property; (ii) Business Physical Disaster Loans to business owners to repair or replace disaster-damaged property, including inventory, and supplies; and (iii) Economic Injury Disaster Loans as capital to small businesses and to small agricultural cooperatives to assist them through the recovery period. SBA repair and replacement loans may include the costs of mitigation measures to reduce vulnerability to future events.
- The Disaster Unemployment Assistance (DUA) Program provides unemployment benefits and re-employment services to individuals who have become unemployed as a direct result of the disaster. These benefits are made available to individuals not covered by other unemployment compensation programs, such as self-employed, farmers, migrant and seasonal workers, and those

¹ If a disaster is caused by a criminal act, such as terrorism, the victims and their families are eligible for assistance through state and federal programs to assist victims of crime. Implementation of these programs does not require a presidential declaration of major disaster and, if there is a declaration, takes precedence over the FEMA program (See Tab D).

who have insufficient quarter to qualify for other unemployment compensation. The program is administered by the Virginia Employment Commission.

- Legal Services – FEMA, through an agreement with the Young Lawyers Division of the American Bar Association, provides free legal services assistance to disaster victims. Legal advice is limited to cases that will not produce a fee (i.e., the attorneys work without payment). The program is administered by the Virginia Bar Association.
- Crisis Counseling is designed to provide supplemental funding to states for short-term crisis counseling services to people affected in disasters. The Commonwealth may request “Immediate Services” for immediate mental health needs (screening, diagnostic, counseling techniques, and outreach services) and “Regular Service”, designed to provide up to nine months of crisis counseling, community outreach, and consultation and education services to people affected by a disaster. The grant is administered by the Department of Behavioral Health and Developmental Services.
- Special Federal and State Tax Considerations may be offered taxpayers who have sustained a casualty loss from a declared disaster. This loss may be deducted or reflected on the federal and state income tax returns for the year in which the casualty actually occurred or on the tax returns for the preceding tax year. Copies or transcripts of previously filed tax returns will be provided free of charge to taxpayers located in the declared disaster area. Federal and state tax officials may postpone tax deadlines to provide extra time to file returns or pay taxes before assessing any penalties.

B. Public Assistance

This category of aid is available to public entities, and certain private non-profit organizations, to fund the repair, restoration, reconstruction, or replacement of a public facility or infrastructure that is damaged or destroyed by the disaster and to support emergency response actions taken during the disaster. Eligible applicants include state agencies, local governments, and other political subdivisions of the Commonwealth. Certain private nonprofit (PNP) organizations may also be eligible to receive assistance if they have programs and facilities that provide essential services of a governmental nature to the general public. Some examples of eligible PNPs are: electric cooperatives, volunteer fire departments and rescue squads, and public service authorities. FEMA provides at least 75% of the approved expenditures. In Virginia, the non-federal cost is shared between the state and local applicant (except PNP). The state pays between 10% and 25% of the approved expenditures

Public Assistance for Localities Not Declared for Federal Assistance

The Code of Virginia (§ 44-146.28) authorizes the use of state funds to “provide financial assistance to eligible applicants located in an area declared (by the Governor) to be in a state of emergency, but not declared to be a major disaster area for which federal assistance might be forthcoming.” This program is managed by VDEM under the same rules and regulations as the DHS/FEMA Public Assistance Program and is considered a “program of last resort” for those localities that cannot meet the full cost of disaster responsibilities.

C. Hazard Mitigation Assistance

This category of post-disaster aid provides funding for measures designed to reduce future damages or eliminate losses to public and private property. In the long term, mitigation measures reduce personal loss, save lives, and reduce the costs of responding to and recovering from disasters. Under the Stafford

Act, FEMA can provide hazard mitigation funds for up to 75% of the cost, with some restrictions, for planning and for the implementation of cost-effective projects.

Under a presidential declaration of major disaster, communities statewide can apply for mitigation funds through the Hazard Mitigation Grant Program (HMGP). The state, as a grantee, is responsible for notifying potential applicants of the availability of funding, defining a project selection process, ranking and prioritizing projects, and forwarding projects to FEMA for funding. The applicant, or sub grantee carries out approved projects. The amount of funding available for the HMGP under a disaster declaration is finite and is limited to 15% of FEMA's estimated total disaster costs for select other categories of assistance (less administrative costs). The Virginia Standard Hazard Mitigation Plan establishes priorities for the implementation of HMGP in the Commonwealth.

D. Non-FEMA Federal Disaster Assistance Programs

In addition to DHS/FEMA, many federal agencies have assistance programs that may be applicable after a disaster. Some programs, such as those that assist victims of crime or victims of un-intentional hazardous materials incidents, may operate as they do in non-disaster circumstances. Other programs may have 'disaster' or 'emergency' components to allow supplemental or enhanced grants if certain conditions are met. Many of the supplemental programs are tied to the presidential declaration of a major disaster under the Stafford Act. For instance, if a county or city is declared eligible for disaster assistance from DHS/FEMA, it may also be eligible for grants from the Department of Agriculture (Emergency Watershed Program administered by the Natural Resources Conservation Services - NRCS), the Department of Housing and Urban Development - HUD (Community Development Block Grant-CDBG), the Department of Labor (Workforce Investment Act) or the Department of Transportation (Federal Highways Administration).

Tab A – Small Business Administration (SBA) Disaster Declaration

In an event in which the state determines that there are damages to private and commercial properties which may be eligible for SBA assistance, the SBA conducts an independent assessment of the property damages. The Governor may request a disaster declaration directly to the SBA. However, if the Governor is requesting a declaration of major disaster from the president, he cannot request an SBA declaration concurrently. If FEMA responds to the Governor's request and indicates that a presidential declaration of major disaster is not warranted, the Governor may then request an SBA declaration. If the Governor appeals the FEMA determination, the state is not eligible for an independent SBA declaration until the appeal process is completed. FEMA is not involved in the activities of an independent SBA declaration.

SBA Disaster Loans

The SBA can make federally subsidized loans to repair or replace homes, personal property or businesses that sustained damages not covered by insurance. The SBA can provide three (3) types of disaster loans to qualified homeowners and businesses. These include Home Disaster Loans for homeowners and renters to repair or replace disaster-related damages to home or personal property; Business Physical Disaster Loans to business owners to repair or replace disaster-damaged property, including inventory, and supplies; Economic Injury Disaster Loans as capital to small businesses and to small agricultural cooperatives to assist them through the recovery period. SBA loans may be used to repair or reconstruct damaged structures and to implement mitigation measures to reduce future risks. In both SBA and presidential declarations, SBA loans are the only federal recovery assistance available to businesses.

Disaster Recovery Centers

Under an SBA declaration, the SBA opens one or more disaster recovery centers in the declared counties and cities and staffs them with loan officers to assist disaster victims with their paperwork.

Declaration Process

When the state requests a joint PDA, SBA will participate with FEMA on the assessment teams in counties and cities where substantial damages to residential and business structures have occurred. SBA will compile its own report indicating the severity of damages. If the state is approved for a presidential declaration of major disaster, SBA's disaster loan program will be available to property owners in the declared cities and counties. If the request for major disaster is denied, the Governor may apply for an independent SBA declaration. For more information, visit the SBA Disaster Services website at www.sba.gov/services/disasterassistance.

Tab B – U. S. Department of Agriculture Disaster Declaration

The Virginia Department of Agriculture and Consumer Services is the Commonwealth's primary point of contact for assessing agricultural damage and working to deliver federal assistance. The USDA Farm Service Agency (FSA) is the primary federal agency for most agricultural disaster recovery. FSA county offices provide a local point of contact, and FSA has numerous disaster assistance programs such as programs for crop loss, livestock, farm structures, trees, cropland, waterways and other needs. Most programs are subject to availability of funds and often depend upon special appropriations. All program rules are subject to change.

Three types of disaster declarations are authorized under 7 CFR 1945-A: presidential, USDA secretarial or FSA administrator's physical loss notification. The type of declaration is determined by the damage assessments. Current information about USDA disaster programs is available at the FSA website: <http://disaster.fsa.usda.gov/fsa.asp> or by contacting the state office via its website at: <http://www.fsa.usda.gov/va>

In the event of a presidential declaration of major disaster, the USDA notifies FSA of the primary counties named in the declaration. The declared counties and cities and the contiguous counties and cities (including in adjacent states) are eligible for USDA disaster assistance.

The USDA secretarial disaster may be requested by the Governor or the Governor's authorized representative without a presidential disaster declaration.

The FSA physical loss notification may be requested by the FSA state executive director.

Tab C – USDHS/FEMA Fire Management Assistance Declaration

The US Department of Homeland Security (DHS) Fire Management Assistance Grant Program (FMAGP) provides a 75% federal cost-share reimbursement to States for actual costs. FEMA fire management assistance grants are made available to state and local governments, including federally-recognized Indian tribes, to minimize immediate adverse effects, and to manage and control wildland fires that threaten to cause major disasters. The state, as the grantee, may apply for assistance on behalf of local sub-grantees. The assistance covers fire-related activities, including, but not limited to, firefighting and support services, pre-positioning federal, out-of-state, and international resources for up to 21 days, evacuations, sheltering, traffic control, emergency operations centers, and temporary repairs of damage caused by firefighting activities.

Declaration Process

Declarations operate on a 24-hour real-time basis and are frequently conducted over the telephone and with written follow-up. The Governor submits a request for a fire management assistance declaration to the FEMA Regional Director while the fire is burning uncontrolled. The FEMA Regional Director makes recommendation to the DHS Under Secretary, or designee.

The Under Secretary, or designee, approves or denies requests based on:

- The conditions that existed at the time of the request;
- Whether or not the fire or fire complex threatens such destruction as would constitute a major disaster.

DHS evaluates the threat posed by the fire or fire complex on four criteria:

- Threat to lives and improved property, including threats to critical facilities/infrastructure, and critical watershed areas.
- Availability of state and local firefighting resources.
- High fire danger conditions, as indicated by nationally accepted indices such as the National Fire Danger Ratings System.
- Potential major economic impact.

After making a determination, the Under Secretary, or designee, notifies the Regional Director who in turn notifies the state. The state has one opportunity to appeal any FEMA declaration denial. The FEMA Recovery Division Director will render the determination on the appeal, which will be the final administrative decision for FEMA.

Tab D – Disasters Caused by Criminal Acts

If a disaster is caused by a criminal act, such as terrorism, the individuals and families affected may qualify for assistance as victims of crime as well as victims of a disaster. The same program that provides assistance to individuals who suffer personal physical injury as a result of a crime and/or trying to prevent a crime or apprehending a criminal, may also provide assistance to multiple persons who are victims of acts of terrorism.

Criminal Injuries Compensation Fund (CICF)

The Virginia Compensating Victims of Crime Act became effective on July 1, 1977 to pay unreimbursed expenses of victims who suffer personal physical injury or death as a result of a crime. The Criminal Injuries Compensation Fund (CICF) is administered by the Virginia Workers' Compensation Commission and is funded by court fees, assessments on offenders for restitution, and a federal Victim of Crime Act (VOCA) grant to supplement monies available to victims of violent crime. Acts of terrorism are considered compensable crimes and eligible for compensation from the Fund.

CICF does not require a presidential declaration of major disaster to initiate its program in the aftermath of an act of terrorism. As soon as homeland security officials have determined that the cause of a disaster is criminal, the CICF services may be initiated. The CICF assistance, like the FEMA Individuals and Households Program (IHP), is a “last resort” service, meaning any insurance or other applicable financial assistance program must pay first.

The process of identifying eligible unreimbursed costs related to the crime (disaster) is similar to the FEMA process for determining eligibility for Other Needs Assistance (ONA) through the Individuals and Households Program (IHP).

Tab E – List of Critical Infrastructure and Key Resources Responsibilities

Critical Infrastructure/Key Resource Sectors	Associated State Agency	Associated Emergency Support Function
Chemical	Department of Emergency Management Department of Environmental Quality Department of Health Department of State Police Department of Agriculture & Consumer Services	ESF #5, ESF #8, ESF #10, ESF #11
Commercial Facilities	Virginia Economic Development Partnership Department of Emergency Management	ESF #7
Communications	Virginia Information Technology Agency State Corporation Commission	ESF #2
Critical Manufacturing	Department of Transportation	ESF #1, ESF #14
Dams	Department of Conservation and Recreation Department of Game and Inland Fisheries	ESF #11
Defense Industrial Base	Department of Military Affairs	ESF #16
Emergency Services	Department of Emergency Management State Police	ESF #5, ESF #13
Energy	Department of Emergency Management Department of Mines, Minerals & Energy	ESF #12
Financial Services	State Corporation Commission Department of the Treasury	ESF #14
Food & Agriculture	Department of Agriculture & Consumer Services Department of Health	ESF #11
Government Facilities	Department of General Services Department of State Police Department of Military Affairs	ESF #3, ESF #13, ESF #16
Healthcare & Public Health	Department of Health Department of Environmental Quality	ESF #6, ESF #8
Information Technology	Virginia Information Technology Agency	ESF #2
Nuclear Reactors, Materials, & Waste	Department of Emergency Management Department of Environmental Quality Department of Health Department of State Police Department of Conservation and Recreation Department of Game & Inland Fisheries	ESF #5, ESF #10, ESF #12, ESF #13,
Transportation Systems	Department of Transportation	ESF #1
Water & Wastewater Systems	Department of Health Department of Environmental Quality	ESF #8