

14B NCAC 03 .0509 PERSONNEL, TRAINING, AND EQUIPMENT STANDARDS FOR REGIONAL RESPONSE TEAM REQUIREMENTS FOR ALL PROGRAM PERSONNEL:

(a) Requirements for all system personnel

- (1) Qualified personnel shall be no less than 18 years of age;
- (2) Qualified personnel shall be an employee of a Sponsoring Agency or an employee of the North Carolina Division of Emergency Management. By participating in this program, program personnel remain employees of their Sponsoring Agency and at no time become State employees entitled to State benefits unless they are an employee of NCEM;
- (3) Qualified personnel shall maintain no less than 48 hours of hazardous material training annually consistent with 29 CFR 1910.120(e);
- (4) Qualified personnel shall possess the qualifications of character and general fitness requisite for a public servant and be of good moral character and entitled to the high regard and confidence of the public, as evidenced by not having been convicted by a local, state, federal, or military court of:
 - (A) a felony;
 - (B) a crime or unlawful act defined as a Class 1A, Class 1, or Class 2 misdemeanor within the five-years prior or four or more crimes or unlawful acts as defined as a Class 1A, Class 1, or Class 2 misdemeanor regardless of the date of conviction;
 - (C) not having been convicted of an offense that would prohibit the possession of a firearm or ammunition, under 18 U.S.C. 922, which is hereby incorporated by reference with subsequent amendments and editions under G.S. 150B-21.6 can be found at no cost <https://www.govinfo.gov/content/pkg/USCODE-2018-title18/pdf/USCODE-2018-title18-partI-chap44.pdf>;
 - (D) being truthful in providing information to the appointing agency;
 - (E) not having pending or outstanding charges that, if convicted, would exclude eligibility under this Rule.
- (5) make the following notifications:
 - (A) within seven days of the qualifying event, notify the Sponsoring Agency in writing of all criminal or traffic offenses for which the individual is charged or arrested;
 - (B) within seven days of the qualifying event, notify the Sponsoring Agency in writing of all criminal offenses for which the individual pleads no contest, pleads guilty, or convicted;
 - (C) within seven days of criminal summons pursuant to the provisions of Article 17 of Chapter 15A of the G.S., shall notify the Sponsoring Agency that he or she has been served by a judicial official;
 - (D) within seven days of the date the case was disposed of in court, the Sponsoring Agency, provided they have knowledge of program personnel's arrests or criminal charges and final dispositions, shall also notify the NCEM of arrests or criminal charges and final disposition of the criminal charges against program personnel; and
 - (E) within seven days of the issuance of all Domestic Violence Protective Orders pursuant to G.S. 50B and Civil No Contact Orders pursuant to G.S. 50C, the Sponsoring Agency, provided they have the knowledge of the order, shall also notify NCEM of these orders.

(b) Requirements for all system equipment:

- (1) equipment shall be made available for inspections and inventory by NCEM personnel;
- (2) program resources shall maintain any state-owned equipment per manufacturer's recommendations and immediately notify NCEM of any damage to state owned and issued equipment; and
- (3) upon separation, all parties to a program agreement shall return all state property within 30 days to NCEM.

(c) Regional Response Team Personnel and Training Requirements:

- (1) Regional Response Teams shall maintain at all times a minimum of 28 qualified personnel;
- (2) Regional Response Teams shall maintain any additional support personnel as required for a technician-level entry team. These personnel must additionally meet the requirements of 29 CFR 1910.120, which is adopted and incorporated by reference with subsequent changes or amendments under G.S. 150B-21.6 as outlined in the latest published standard by the EPA and can be found at: <https://www.ecfr.gov/current/title-29/subtitle-B/chapter-XVII/part-1910/subpart-H/section-1910.120> at no cost, to operate on a hazardous materials incident scene but are not required to be qualified to make entry into a hazardous or potentially hazardous environments;

- (3) NCEM shall be responsible to provide any additional technical specialists required to support Regional Response Team operations;
 - (4) Regional Response Teams shall respond with qualified personnel who are capable of providing a regional response to hazardous materials incidents requiring technician-level entry capability as that term is and as defined in G.S. 166A-21; and
 - (5) Regional Response Teams shall limit its hazardous materials response team activity to that within the safety and training levels specified by 29 CFR 1910.120.
- (d) Regional Response Team Equipment Requirements:
- (1) Regional response teams shall maintain a functionally equivalent cache of equipment required in the FEMA Resource Typing Document for a Type II Hazardous Materials Response Team, which is adopted and incorporated by reference with subsequent changes or amendments under G.S. 150B-21.6 as outlined in the latest published standard by FEMA and can be found at: <https://rtlt.preptoolkit.fema.gov/Public/Resource/View/4-508-1248?q=hazardous%20materials> at no cost.
 - (2) Equipment shall be maintained in a state of readiness and with a means to transport all required equipment.

History Note: Authority G.S. 166A-21; 166A- 22; 166A-23;
Eff. March 1, 2024.