



U.S. Department
of Transportation

**Federal Highway
Administration**

Memorandum

SP-87-035-HM

Subject Motor Carrier Safety Assistance Program (MCSAP)—
Emergency Response Issue

From Director, Office of Motor Carrier Safety
Field Operations

To Regional Directors of Motor Carrier Safety
Regions 1–10

Date September 28, 1987

Reply to
Attn of HFO-20

Many states are requesting MCSAP funding to purchase emergency response equipment and for participation in emergency response related training courses. An oral policy decision was rendered on September 10, 1986, that the MCSAP will not fund the purchase of emergency response equipment unless written documentation supports that such equipment is directly related to enforcement. In addition, only the costs attributable to first or immediate response are eligible.

First response is interpreted differently by states. This memorandum will attempt to clearly define our interpretation of what a first response entails and how to determine what training and equipment is eligible.

For purposes of MCSAP eligibility as to labor reimbursements first response would include the following:

1. General identification that a problem exists.
2. Attending to any injured parties, including obtaining medical assistance.
3. Notification of emergency response and fire protection agencies.
4. Clearing the immediate area of the at-risk public.
5. Establishing immediate traffic control.
6. Maintaining control of the scene until officials trained in emergency response have arrived.

The MCSAP can pick up a proportionate share of training related to identification of the hazardous condition. This would include the abilities to recognize placards, to read and understand shipping papers, to reference emergency response guides and chemical dictionaries for what immediate actions are necessary, to develop awareness of agencies and associations to be contacted, and to respond to the immediate needs of the injured.

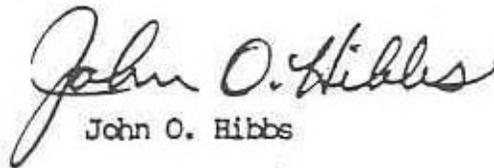
When a state indicates a desire to purchase emergency response equipment, it will be necessary to consider the following factors:

1. Is the equipment necessary in line with the Headquarter's definition of first response? Is the item necessary for problem identification, securing the scene, contacting emergency response .and fire protection agencies or associations, or for responding to the immediate needs of the injured?
2. Is the equipment requested required issue for other agency employees not normally dedicated to full emergency response? For example, if all state troopers, not just the emergency response unit and the MCCSAP personnel, are required to be equipped with encapsulated suits, then it would be expected that the MCSAP personnel would be equally equipped.
3. Is the equipment requested related to enforcement? These items must be considered on an individual basis through the state's justification process. At the time of request the state must identify that a problem exists and how purchase of the specific piece of equipment will impact on the problem.

It is recognized that states on occasion attempt to justify the need for the state-of-the-art emergency response equipment based upon the increased potential that an inspector will encounter a hazardous materials incident due to the nature of his/her job. It is felt that our definition of first response covers the immediate needs even under the circumstances of a release discovered during a vehicle inspection. The primary objectives would still be to identify the problem, secure the area, attend to any injured parties and obtain the assistance of those more knowledgeable in emergency response.

Finally, the Headquarter's definition recognizes that true emergency response is not a part-time job. It takes a great deal of training, both initial and update, to be proficient in the area. It is felt that a little training could be potentially more hazardous to all involved. At the same time, it has been determined that MCSAP cannot afford the degree of training and equipping required to make the individual expert in emergency response. The expenditures in the area would only detract from the primary goal of the program of reducing commercial vehicle involvement in accidents, including those involving hazardous materials.

It is hoped that this information will assist in future questions pertaining to first response. Should you have any questions, please contact Ron Ashby at FTS 366-2947.



John O. Hibbs

cc: David Sargent – DHM-50