

**NATIONAL TRANSPORTATION SAFETY BOARD
OFFICE OF AVIATION SAFETY
WASHINGTON, D.C.**

July 27, 2009

ADDENDUM A

**EMERGENCY RESPONSE GROUP CHAIRMAN'S
FACTUAL REPORT**

A. ACCIDENT : **DCA09MA026**

 LOCATION : Weehawken, New Jersey

 DATE : January 15, 2009

 TIME : 1527 eastern standard time¹

 AIRPLANE : Airbus A320-214, [N106US], Serial #1044

 OPERATOR : US Airways

B. SUMMARY

On July 24, 2009 the New Jersey Office of Emergency Management (NJ OEM) provided the New Jersey Civilian Defense and Disaster Control Act to the National Transportation Safety Board. Attachment 6 of this Addendum includes the NJ OEM documents describing the purpose, duties and functions of the State of New Jersey during an emergency.

Cynthia L. Keegan
Senior Survival Factors Engineer

¹ All times are Eastern Standard Time, based on a 24-hour clock, unless otherwise noted. The time of the accident is approximate, and based upon various witness accounts.

US Airways
Weehawken, NJ
January 15, 2009
DCA09MA026

**National Transportation Safety Board
Washington, D.C.**

Attachment 6

New Jersey Civilian Defense and Disaster Control Act

2 Pages

New Jersey Civilian Defense and Disaster Control Act:

App.A:9_33. Purpose of civilian defense act and disaster control act:

The purpose of this act is to provide for the health, safety and welfare of the people of the State of New Jersey and to aid in the prevention of damage to and the destruction of property during any emergency as herein defined by prescribing a course of conduct for the civilian population of this State during such emergency and by centralizing control of all civilian activities having to do with such emergency under the Governor and for that purpose to give to the Governor control over such resources of the State Government and of each and every political subdivision thereof as may be necessary to cope with any condition that shall arise out of such emergency and to invest the Governor with all other power convenient or necessary to effectuate such purpose. *L.1942, c. 251, p. 680, s. 1. Amended by L.1949, c. 86, p. 396, s. 2; L.1953, First Sp.Sess., c. 438, p. 2404, s. 2.*

App.A:9_40.4. Duties of municipal emergency management coordinator

Each municipal emergency management coordinator shall be responsible for the planning, activating, coordinating, and the conduct of emergency management operations within his municipality. *L.1953, c.438, s.10; amended 1989,c.222,s.4.*

App.A:9_40.5. Proclamation of state of local disaster emergency within municipality; powers of coordinator

Whenever, in his opinion, a disaster has occurred or is imminent in any municipality, the municipal emergency management coordinator of that municipality shall proclaim a state of local disaster emergency within the municipality. The municipal emergency management coordinator, in accordance with regulations promulgated by the State Director of Emergency Management, shall be empowered to issue and enforce such orders as may be necessary to implement and carry out emergency management operations and to protect the health, safety, and resources of the residents of the municipality. *L.1953, c.438, s.22; amended 1989,c.222,s.5.*

App.A:9_40.6. Aid in time of disaster or emergency

No representative of any municipality shall request aid in time of disaster or emergency directly from noncontiguous municipalities nor shall any municipality or public or semipublic agency send personnel or equipment into a disaster stricken municipality unless and until such aid has been directed by the county emergency management coordinator or his deputies. Specific exemptions from the action of this section may be granted only by authority of the State Director of Emergency Management. *L.1953, c.438, s.23; amended 1989,c.222,s.6.*

App.A:9_42.2. Duties of county emergency management coordinator

The county emergency management coordinator shall be responsible for the development, coordination, and activation of countywide mutual aid emergency management plans; and for the activation of such emergency management facilities and services as are available from the resources of the county government. *L.1953, c.438, s.13; amended 1989,c.222,s.11.*

App.A:9_51. Extraordinary emergencies; powers; compensation boards; proceedings for compensation

Whenever, in his opinion, the control of any disaster is beyond the capabilities of local authorities, the Governor is authorized:

1. To assume control of all emergency management operations.
2. To proclaim an emergency if he deems the same necessary.
3. Temporarily to employ, take or use the personal services, or real or personal property, of any citizen or resident of this State, or of any firm, partnership or unincorporated association doing business or domiciled in this State, or of any corporation incorporated in or doing business in this State, or the real property of a nonresident located in this State, for the purpose of securing the defense of the State or of protecting or promoting the public health, safety or welfare; provided, that such personal services or property shall not be employed or used beyond the borders of this State unless otherwise authorized by law.

State Office of Emergency Management Directive:

DIRECTIVE NO. 105 (September 29, 1999)

SUBJECT: REQUIRED USE OF THE INCIDENT COMMAND SYSTEM (ICS) AS A STANDARD INCIDENT MANAGEMENT SYSTEM FOR EMERGENCY MANAGEMENT

PURPOSE:

To facilitate efficient and effective assistance to those impacted, it is important that all State, county and local emergency response and allied support agencies utilize common terminology, integrated communications, consolidated action plans, single/unified command, modular organization, manageable span of control, comprehensive resource management and designated incident facilities during emergencies or disasters.

EXECUTIVE ORDER 101: Established an Office of Emergency Management in the Division of State Police, Department of Law and Public Safety. The Office of Emergency Management shall be under the supervision, direction and control of the Superintendent of the New Jersey State Police, who will act as the State Director of the Office of Emergency Management.

EXECUTIVE ORDER 39 - **FUNCTIONS AND DUTIES OF THE STATE DIRECTOR**

The Office of Emergency Management is the lead State agency in disaster recovery operations and it is responsible for coordinating State preparedness plans for major disasters.