

# EDITORIAL

## The Role of the Private Sector in Homeland Defense

In the aftermath of the terrorist attacks of September 11, the country has directed its collective focus to homeland security and defense. Preparedness and planning initiatives are being discussed—and in some cases implemented—at the federal, state, and local levels. Billions of dollars have been earmarked by the federal government to help fund and support these efforts, which include training first responders, purchasing response equipment, increasing security measures on many fronts, and more. Much like the *Exxon Valdez* oil spill of 1989 served as a wake up call of sorts, ultimately resulting in the development, passage and implementation of the Oil Pollution Act of 1990 (OPA 90), the terrorist attacks of last year have also spurred a wide variety of legislative measures aimed at ensuring homeland defense, homeland security, preparedness, and response planning.

When OPA 90 was signed into law on 18 August, 1990, it represented a major overhaul and redefinition of private sector and federal operational templates. Since the passage of the Act, lines of authority have been clear, and the responsibilities of the government and the private sector were defined and have been implemented very successfully over the last 11 years.

The private sector response community represents and performs a vital function in the achievement of the goals of OPA 90 as well as a myriad of other environmental statutes. They provide on a daily basis vital response services to clean up and mitigate pol-

lution when preventative measures have failed. These professional responders are highly trained and routinely respond and operate in very dangerous environments. They are on the front lines in order to ensure environmental safety and to mitigate the impacts of pollution. The private sector responder is hired and utilized by federal, state, local and private sector companies and organizations when pollution or the threat of pollution occurs.

It is my belief that the capabilities of the private sector response community, their equipment and personnel can provide vital resources in the National Arsenal necessary to assure Homeland Security. The private sector response community is highly trained and experienced in working with hazardous materials in dangerous environments, and as professionals in this business, they respond to such incidents on an average of 3–5 days per week. This continuity of responding regularly to hazardous material incidents begets a more experienced and equipped response team than can generally be offered by local police, fire, or other public HAZMAT response team.

To provide a better understanding of the resources the private sector can bring to bear to assist with first response efforts, the following table illustrates the results of a recent survey conducted by the Spill Control Association of America (SCAA)—an association that represents independent pollution spill response companies across the United States—regarding the

	Number of contractors	Number of available personnel
Total number of companies responding to survey	111	6265
Total number of responding contractors capable of level C response	111	6265
Total number of responding contractors capable of level B response	105	6217
Total number of responding contractors capable of level A response	93	6015
Total number of responding contractors capable of biohazard response	82	5751
Total number of responding contractors that have responded to anthrax scares	63	1497 responses
Total number of responding contractors capable of response to radioactive materials	35	3341

Last updated February 27, 2002.

Send e-mail to [info@scaa-spill.org](mailto:info@scaa-spill.org) to obtain maps depicting contractor locations.

capabilities of private sector first responders across the country.

Clearly, there are response resources available from the private sector that should be considered for first response purposes, and should not be duplicated by the public sector on the local, state, or federal levels. Unfortunately, most of the focus of current legislation is targeted at bolstering the response capability of the public sector, while the private sector response community remains, for the most part, ignored in the process. The design and implementation of any program regarding homeland defense, preparedness, and response must take the private sector responder into account. One way to ensure that this objective is met is to consider the following during the development of homeland defense and response initiatives:

- Identify private sector responders in each region of the US.
- Quantify the resources available from the private sector for first response activities, and create a national database consisting of this type of information.
- Create a joint training program to include the public and private sector, consisting of classroom training, tabletop drills, and deployment exercises. Participants in the training programs should be reimbursed for the involvement.

- Create a fund—the Oil Spill Liability Trust Fund could serve as the basis for a model that would be used to reimburse private sector responders for their involvement in these types of activities.

In summary, the professional private sector response community constitutes a highly trained and equipped workforce that is very capable of meeting response needs in the aftermath of a terrorist attack using a weapon of mass destruction. These privately owned response companies routinely respond to incidents involving acutely hazardous materials, and this experience cannot and should not be ignored—nor should it be duplicated—in any legislative efforts regarding homeland defense or security measures, response, and/or planning. Just as OPA 90 requires the listing of private sector resources for planning purposes, so should any response planning initiatives that are developed regarding homeland security. The model works—why not use it?

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