

Chapter 19 Reviews & Investigations

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Introduction

Reviews and investigations are two methods used by wildland fire and aviation managers to assess and improve the effectiveness and safety of organizational operations.

Reviews

Reviews are critical evaluations of operational preparedness, policies, or practices prior to, during, or after actual operations. The purpose of a review is to identify deficiencies in operational preparedness, policies or practices and recommend specific corrective action. Types of reviews include preparedness reviews, fire and aviation safety team reviews, National Cost Oversight Team, individual fire reviews, escaped prescribed fire reviews, and after action reviews.

Investigations

Investigations are critical examinations and systematic inquiries into incidents or accidents. The purpose of an investigation is to determine the organizational deficiencies that are the source of the incident or accident and recommend specific corrective actions. Types of investigations include non-serious wildland fire accident investigations, serious wildland fire accident investigations, entrapment investigations, shelter deployment investigations, and fire trespass investigations.

Incident

An incident is an unexpected occurrence in a sequence of events that produces no injury, death, or property damage, but has the potential to do so.

Accident

An accident is an unexpected occurrence in a sequence of events that produces an injury, death, or property damage.

Policy

The complexity and severity of the event will determine the type of review or investigation required, the level of investigation (local, state/regional, or national), and notification requirements. Fires, incidents, or accidents will be reviewed or investigated as follows:

Nature of Event	Type of Review or Investigation Required	Investigation Level
Fire in which entrapments/burnovers and/or fire shelter deployments have occurred	Serious Accident Investigation	Determined at National Level
Fire in which multiple serious injuries or fatalities have occurred	Serious Accident Investigation	National Level
Fire in which property damage exceeds \$250,000	Serious Accident Investigation	Determined at National Level
Fire in which a non-serious accident occurs	Non-Serious Accident Investigation	Determined at Local/State/ /National Level (based upon severity)
Fire that has escaped area defined in prescribed fire plan	Escaped Prescribed Fire Review	Determined at Local Level
* Immediate Notification of National Office Required		

1 Agency specific policy guides

2	Safety		Prescribed Fire	
3	BLM	<i>Manual 1112-2, 1112-1</i>	Prescribed Fire Handbook	
4	FWS	<i>Service Manual 095</i>	Fire Management Handbook	
5	NPS	<i>DO/RM-50</i>	RM-18, Chapter 10	
6	FS	<i>FSH-6709.11</i>	FSM-5140	

7
8 **Reviews**

9 Reviews address all or any aspects of wildland fire and aviation management.
10 Reviews may focus on program oversight, safety, leadership, operations,
11 specific incidents, preparedness, training, staffing, business practices, budget,
12 cost containment, planning, interagency cooperation, and coordination between
13 fire and other agency programs. Review teams will develop findings and
14 recommendations and establish priorities for action.

15
16 Reviews may be conducted in the form of Escaped Prescribed Fire Reviews,
17 Preparedness Reviews, Fire and Aviation Safety Team (FAST) Reviews,
18 Individual Fire Reviews, or program specific reviews.

19
20 **Types of Reviews**

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22 **Preparedness Reviews**

23 Wildland fire and aviation preparedness reviews are conducted annually prior to
24 the fire season to help the field unit prepare for the fire season, identify
25 operational, procedural, personnel, or equipment deficiencies, and recommend
26 corrective actions. Standards for preparedness reviews are based and conducted

1 according to established agency procedures. *Interagency Preparedness Review*
 2 *Checklists* can be found at: http://www.nifc.gov/references/prep_review.htm

- 3 • **BLM/FS** - *Preparedness reviews utilize several functional checklists that*
 4 *can be found at:*
 5 *http://www.fire.blm.gov/Standards/FIRE_AVIATION_PREPAREDNESS*
 6 *[_REVIEW_GUIDE.htm](http://www.fire.blm.gov/Standards/FIRE_AVIATION_PREPAREDNESS)*

7
 8 Review teams should include line and fire managers, fire and aviation operations
 9 specialists, dispatch and logistics specialists, fire business management
 10 specialists, and other technical experts as needed (safety & occupational health
 11 specialists, contracting officers). This expertise may be internal, interagency, or
 12 contract, and include members from other states/regions, geographic areas.
 13 Reviews will benefit greatly if interagency in composition. The agency
 14 administrator determines local level review team membership; state/regional
 15 level review team membership is identified by the State/Regional Director; and
 16 national review teams are identified by the National Fire Directors.

17
 18 **Preparedness Review Frequency/Reviewing Level**

	<i>Local</i>	<i>State/Regional</i>	<i>National</i>
19 BLM	<i>Annual/Any Level</i>	<i>2 yrs/National</i>	<i>4 yrs</i>
20 FWS	<i>Annual/Any Level</i>	<i>3-5 yrs/National</i>	<i>N/A</i>
21 NPS	<i>Annual</i>	<i>3-5 yrs/Regional</i>	<i>N/A</i>
22 FS	<i>Annual</i>	<i>N/A</i>	<i>N/A</i>

- 24 • **BLM** - *Copies of preparedness review reports will be distributed to the*
 25 *Director, Office of Fire and Aviation, and to the reviewed field office*
 26 *through the State Director. A copy of the written action plan addressing*
 27 *the executive summary findings will be submitted to the Director, National*
 28 *Office of Fire and Aviation, within (30) calendar days upon receipt of the*
 29 *review.*
- 30 • **BLM** - *Field office preparedness reviews will be conducted annually.*
 31 *Field Office will be reviewed every other year by the state office. National-*
 32 *level reviews of each state are conducted every four years.*
- 33 • **FS** - *FS preparedness reviews are guided by FSM 5100 /5190 on*
 34 *frequency of reviews and reporting requirements.*

35
 36 **Fire and Aviation Safety Team (FAST) Reviews**

37 Fire and Aviation Safety Teams assist agency administrators during periods of
 38 high fire activity by assessing policy, rules, regulations, and management
 39 oversight relating to operational issues. They can also do the following:

- 40 • Provide guidance to ensure fire and aviation programs are conducted
 41 safely.
- 42 • Review compliance with OSHA abatement plan(s), reports, reviews and
 43 evaluations.
- 44 • Review compliance with *Interagency Standards for Fire and Fire Aviation*
 45 *Operations.*

1 FAST reviews can be requested through geographic area coordination centers to
2 conduct reviews at the state/regional and local level. If a more comprehensive
3 review is required, a national FAST can be ordered through the National
4 Interagency Coordination Center.

5
6 FASTs include a team leader, who is either an agency administrator or fire
7 program lead with previous experience as a FAST member, a safety and health
8 manager, and other individuals with a mix of skills from fire and aviation
9 management.

10
11 FASTs will be chartered by their respective Geographic Area Coordinating
12 Group (GACG) with a delegation of authority, and report back to the GACG.

13
14 The team's report includes an executive summary, purpose, objectives,
15 methods/procedures, findings, recommendations, follow-up actions (immediate,
16 long-term, national issues), and a letter delegating authority for the review. As
17 follow-up, the team will gather and review all reports prior to the end of the
18 calendar year to ensure identified corrective actions have been taken. FAST
19 reports should be submitted to the geographic area with a copy to the Federal
20 Fire and Aviation Safety Team (FFAST) within 30 days. See Appendix O for
21 sample FAST Delegation of Authority.

22 23 **National Cost Oversight Team**

24 A National Cost Oversight Team will be assigned to a fire with suppression
25 costs of more than 5 million dollars. This team will include a Line Officer (team
26 lead), Incident Business Specialist, Incident Management Team Specialist, and a
27 Financial Specialist. The team lead and the receiving agency administrator can
28 agree to add team members as needed to address issues specific to the incident,
29 i.e., aviation, personnel, or contracting specialists.

30 31 **Individual Fire Reviews**

32 Fire reviews examine all or part of the operations on an individual fire. The fire
33 may be ongoing or controlled. These evaluations may be a local, state/regional,
34 or national review. These reviews examine a fire to evaluate decisions,
35 strategies, or correct deficiencies; identify new or improved procedures,
36 techniques or tactics; determine cost-effectiveness of an operation; compile
37 consistent and complete information to improve local, state/regional or national
38 fire management programs.

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1 **Reviewing Levels**

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3 **Local Level Review**

4 Should be conducted by the local manager (or designated representative) to
5 provide the agency administrator with recommendations or commendations
6 pertaining to the fire program or operations.

7

8 Examples of local reviews may include a daily review of WFSAs and fire
9 incident objectives, or closeouts with Incident Management Team (IMT) prior to
10 a team's release from the incident. IMT closeouts ensure effective transfer of
11 command of the incident to the local unit, or to another team, evaluates the
12 status of fire business, and addresses issues or suggested improvements. See
13 Appendix B.

14

15 **State/Regional Level Review**

16 Convened by the state/regional Fire Management Officer (FMO) (or designated
17 representative). This review is generally conducted for any fire that results in
18 controversy involving another agency, adverse media attention, or in large
19 expenditures of funds or involves serious injury to less than 3 personnel,
20 significant property damage, or is an incident with potential.

21

22 **National Level Review**

23 Convened by National Fire Director (or designate). This review is generally
24 conducted for any fire that involves agency wide or national issues, significant
25 adverse media or political interest, multi-regional resource response, a
26 substantial loss of equipment or property.

27

28 **Escaped Prescribed Fire Review**

29 For escaped prescribed fire review requirements see "Interagency Prescribed
30 Fire Planning and Implementation Procedures Reference Guide" or Chapter 18
31 of the book.

32

33 Escaped prescribed fire review direction is found in the following agency
34 manuals/direction.

- 35 • *BLM - BLM 9214 Prescribe Fire Handbook and the 9215 BLM Fire*
36 *Training Handbook.*
- 37 • *FWS - Fire Management Handbook*
- 38 • *NPS - RM-18, Chapter 10 & 13*
- 39 • *FS - 5140-1*

40

41 **After Action Review (AAR)**

42 An AAR is a learning tool intended for the evaluation of an incident or project
43 in order to improve performance by sustaining strengths and correcting
44 weaknesses. An AAR is performed as immediately after the event as possible
45 by the personnel involved. An AAR should encourage input from participants
46 that is focused on:

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- 1 • what was planned
- 2 • what actually happened
- 3 • why it happened
- 4 • what can be done the next time

5

6 It is a tool that leaders and units can use to get maximum benefit from the
7 experience gained on any incident or project. When possible, the leader of the
8 incident or project should facilitate the AAR process. However, the leader may
9 choose to have another person facilitate the AAR as needed and appropriate.
10 AARs may be conducted at any organizational level. However, all AARs follow
11 the same format, involve the exchange of ideas and observations, and focus on
12 improving proficiency. The AAR should not be utilized as an investigational
13 review. The format can be found in the *Interagency Response Pocket Guide*
14 (*IRPG*), *PMS #461*, *NFES #1007*

15

16 **Investigations**

17

18 **Guidance**

19 The following provides guidance and establishes procedures for accident
20 investigations (as defined below). The following information may be used as a
21 guide for this procedure as well as referencing the following applicable agency
22 guidance.

- 23 • *BLM - Handbook 1112-1, Safety and Health Management*
- 24 • *FWS - Fire Management Handbook*
- 25 • *NPS - RM-18, Chapter 3, and RM-50b*
- 26 • *FS - FSM-5100 and FSH-6709.11 FSM 5720 (Aviation), FSM 5130*
27 *(Ground Operations), FSM 6730 (Specific policy), FSH 6709.12, Chapter*
28 *30 (General guidance), and most recent Accident Investigation Guide, for*
29 *specific guidance."*

30

31 Per the 1995 Memorandum of Understanding between the U.S. Department of
32 the Interior and the U.S. Department of Agriculture "*Investigation of Serious*
33 *Wildland Fire-Related Accidents*," serious wildland fire-related accidents will
34 be investigated through the use of interagency investigation teams.

35

36 **Investigation Categories**

37

38 **Non-Serious Wildland Fire Accidents**

39 A non-serious wildland fire accident is an accident occurring to personnel and/or
40 property that may or may not result in serious injuries or substantial loss/damage
41 of property but given similar environment and a set of circumstances could have
42 resulted in serious injury or fatality or total property loss (example: engine
43 rollover with minor injuries). An accident is an unplanned, unwanted event that
44 results in injury and/or property damage.

45

1 Investigations are required and normally conducted at the state/region or local
2 level. However, a national level investigation may be conducted at the
3 discretion of the National Office. Notification to the National Fire Safety Office
4 is required.

5

6 **Non-Serious Wildland Fire Accident Investigation Process**

7

8 **Notification**

9 Agency specific reporting requirements shall be followed. In most instances,
10 supervisors will notify unit fire management officer, who will then make
11 notification through chain of command.

12

13 **Personnel Involved**

14 Treatment, transport, and follow-up care should be immediately arranged for
15 injured and involved personnel. Develop a roster of involved personnel and
16 supervisors and ensure they are available for interviews by the investigation
17 team. Attempt to collect initial statements from the involved individuals prior to
18 a Critical Incident Stress Management (CISM) session.

19

20 **Site Protection**

21 The site of the incident should be secured immediately and nothing moved or
22 disturbed until the area is photographed and visually reviewed. Exact locations
23 of injured personnel, and the condition and location of personal protective
24 equipment, and any damaged property or equipment must be documented.

25

26 **Investigation**

27

28 **Investigation Team**

29 Investigation team membership will depend upon the severity of the accident.
30 At a minimum, the team should consist of a chief investigator, a safety advisor,
31 and one technical specialist. Team members may have dual roles (e.g., chief
32 investigator/safety advisor). More complex accidents may require the need for a
33 Team Leader and multiple technical specialists.

34

35 **Reports**

36

37 **24 Hour Preliminary Brief Report**

38 This report contains only the most obvious and basic facts about the accident. It
39 will be completed and forwarded to the unit FMO who will then distribute
40 through chain of command. Names of injured personnel are not to be included
41 in this report (reference them by position).

42

43 **72 Hour Expanded Report**

44 This report provides more detail about the accident and may contain the number
45 of victims, severity of injuries, and information focused on accident prevention.

1 Names of injured personnel are not to be included in this report (reference them
2 by position).

3

4 **Final Report**

5 Within 45 days of the accident, a final report detailing the accident to include
6 facts, findings, and recommendations shall be submitted to the senior manager
7 dependent upon the level of investigation (e.g., Local agency administrator,
8 State/Regional Director, and Bureau Fire Director).

9

10 The Final Report (minus recommendations, conclusions and observations) will
11 be submitted to Wildland Fire Lessons Learned Center (WFLLC) by the
12 respective agency's National Fire Safety Leads. Website:
13 <http://www.wildfirelessons.net/Reviews.aspx>

14

15 **Final Report Format**

16

17 **Executive Summary**

18 A brief narrative of the facts involving the accident including dates, locations,
19 times, name of incident, jurisdiction(s), number of individuals involved, etc.

20

21 **Narrative**

22 A detailed chronological narrative of events leading up to and including the
23 accident, as well as rescue and medical actions taken after the accident. This
24 section should spell out in detail who, what, and where.

25

26 **Investigation Process**

27 A brief narrative stating the team was assigned to investigate the accident. It
28 should include a standard statement that human, material, and environmental
29 factors were considered. If one of these factors is determined to be
30 noncontributing to the accident, it should be addressed first and discounted. For
31 example, if the investigation revealed that there were no environmental findings
32 that contributed to the accident. Then simply the fact and move on to the next
33 factor. Human factors or material factors paragraphs should not be formulated
34 so as to draw conclusions, nor should they contain adjectives or to adverbs
35 describe and thus render an opinion into pertinent facts.

36

37 **Findings**

38 Findings are developed from the factual information and are listed in the
39 following order:

- 40 • Direct cause of the accident.
- 41 • Indirect causes which contributed to the accident.
- 42 • Other findings which, if left uncorrected, could lead to future accidents.

43

44 Opinions or recommendations are not findings.

45 Findings must be substantiated by the factual data within the report.

46

1 **Discussion**

2 Provide a brief explanation of factual and other pertinent information that lead to
3 the finding(s).

4
5 **Recommendation**

6 Provide a recommendation that is consistent with the finding(s) and identify at
7 which level the action(s) needs to occur.

8
9 **Conclusions and Observations**

10 Investigation team's opinions and inferences may be captured in the section.

11
12 **Maps/Photographs/Illustrations**

13 Graphic information used to document and visually portray facts.

14
15 **Appendices**

16 Reference materials (e.g., fire behavior analysis)

17
18 For additional information on accident investigations, refer to:

19 http://www.nifc.gov/safety_study/accident_invest/index.htm

20
21 **Serious Wildland Fire Accident**

22 A Serious Wildland Fire Accident is one that involves:

- 23 • Wildland fire shelter deployments or entrapments
- 24 • Any fatalities
- 25 • Three or more personnel who are inpatient hospitalized as a direct result, or
26 in support of, wildland fire operations,
- 27 • Substantial property or equipment damage of \$250,000 or more.

28
29 Notification to the National Fire and Aviation Safety Office is required.

30 National Office will determine the level of investigation. Agency contacts are
31 listed below:

- 32 • *BLM - Michelle Ryerson*
- 33 • *FWS - Rod Bloms*
- 34 • *NPS - Al King*
- 35 • *FS - Larry Sutton*
- 36 • *FS - Forest Service protocol for multiple fatalities or 3 or more serious*
37 *injuries requiring hospitalization investigation teams are assigned by the*
38 *Safety and Health Branch in the WO and are Chief's Office Investigation.*

39
40 **Entrapment**

41 Defined by National Wildfire Coordinating Group (NWCG) as situations where
42 personnel are unexpectedly caught in a fire behavior-related, life-threatening
43 position where planned escape routes and safety zones are absent, inadequate, or
44 have been compromised. Entrapments may or may not include deployment of a
45 fire shelter for its intended purpose, and they may or may not result in injury.

1 They include “near misses.” Notification to the National Fire and Aviation
2 Safety Office of the jurisdictional agency is required. Level of investigation will
3 be determined at the national level.

4 5 **Shelter Deployment**

6 Shelter deployment may occur in situations where individuals are not entrapped.
7 Any time a shelter is deployed (other than for training purposes), regardless of
8 circumstances, notification to the National Fire and Aviation Safety Office of
9 the jurisdictional agency is required. Level of investigation will be determined
10 at the national level.

11
12 For more information on conducting investigations, refer to USDI, Interior 485
13 Departmental Manual 7, Serious Accident Investigation; USDA Forest Service
14 Manual 6730, Accident Reporting and Investigation; the Interdepartmental
15 Memorandum of Understanding between the U.S. Department of the Interior
16 and the U.S. Department of Agriculture dated October 26, 1995; *Executive*
17 *Order 12196, Occupational Safety and Health Programs for Federal*
18 *Employees; 29 CFR 1960.29, Accident Investigation; 29 CFR 1960.70,*
19 *Reporting of Serious Accidents; Investigating Wildland Fire Entrapments;*
20 *Interagency Standards for Fire and Fire Aviation Operations; and the Fireline*
21 *Handbook.*

22 23 **Serious Wildland Fire Accident Investigation Process**

24 25 **Notification**

26 Interagency investigations will be co-led and/or have interagency team
27 members. Agency reporting requirements shall be followed. As soon as a
28 serious accident is verified, the following groups or individuals should be
29 notified: Agency administrator, public affairs, agency law enforcement, safety
30 personnel, county sheriff or local law enforcement as appropriate to jurisdiction,
31 National Interagency Coordination Center (NICC), agency headquarters, and
32 OSHA (within 8 hours only if resulting in a fatality[ies] or three or more
33 personnel are inpatient hospitalized).

- 34 • After initial notification, NICC will advise the national fire director(s) or
35 designee(s).
- 36 • The fire director(s) or designee(s) will ensure notification to the agency
37 safety manager and Designated Agency Safety and Health Official
38 (DASHO).

39 40 **Personnel Involved**

41 Treatment, transport, and follow-up care should be immediately arranged for
42 injured and involved personnel. Develop a roster of involved personnel and
43 supervisors and ensure they are available for interviews by the investigation
44 team. Consider relieving involved supervisors from fireline duty until the
45 preliminary investigation has been completed. Attempt to collect initial

1 statements from the involved individuals prior to a Critical Incident Stress
2 Management (CISM) session.

3

4 **Critical Incident Stress Management (CISM)**

5 Critical Incident Stress Management is the responsibility of local agency
6 administrators, who should have individuals pre-identified for critical incident
7 stress debriefings. The process for ordering CISM support can be found in
8 Appendix Q.

9

10 Also refer to *The Agency Administrator's Guide to Critical Incident*
11 *Management (PMS 926)*, available at:
12 <http://www.nwccg.gov/pms/pubs/PMS926-DRAFT.pdf>

13

14 Individuals or teams may be available through Employee Assistance Programs
15 (EAP's) or Geographic Area Coordination Centers (GACC's).

- 16 • A Critical Incident Stress Defusing should be provided no more than 8
17 hours after an incident, or if possible, it should be provided immediately
18 (one to two hours) after the incident, and usually takes 30 minutes to 1
19 hour.
- 20 • A Critical Incident Stress Debriefing should occur between 24 to 72 hours
21 after the incident, and usually takes 1-3 hours.

22

23 **Site Protection**

24 The site of the incident should be secured immediately and nothing moved or
25 disturbed until the area is photographed and visually reviewed. Exact locations
26 of entrapment(s), injury(ies), and fatality(ies), and the condition and location of
27 personal protective equipment, and any damaged property or equipment must be
28 documented.

29

30 **Investigation**

31

32 **Order Investigation Team**

33 Following initial notification of a serious accident, the National Fire Director(s)
34 will immediately dispatch an investigation team.

35

36 **Roles and Responsibilities**

37

38 **Director**

39 The Fire Director(s) or designee(s) of the lead agency, or agency responsible for
40 the land upon which the accident occurred, will:

- 41 • Immediately appoint, authorize, and dispatch an accident investigation
42 team.
- 43 • Ensure that resources and procedures are adequate to meet the team's
44 needs.
- 45 • Receive the factual and management evaluation reports and take action to
46 accept or reject recommendations.

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19-11

- 1 • Forward investigation findings, recommendations, and corrective action
2 plan to the DASHO (the agency safety office is the “office of record” for
3 reports).
- 4 • Convene a board of review (if deemed necessary) to evaluate the adequacy
5 of the factual and management reports and suggest corrective actions.
- 6 • Ensure a corrective action plan is developed, incorporating management
7 initiatives established to address accident causal factors.

8

9 Agency Administrator

- 10 • Identify agencies with statutory/accident jurisdictional responsibilities for
11 the incident; develop local preparedness plans to guide emergency
12 response.
- 13 • Provide for and emphasize treatment and care of survivors.
- 14 • Ensure the Incident Commander secures the accident site to protect
15 physical evidence.
- 16 • Conduct an in-briefing to the investigation team.
- 17 • Facilitate and support the investigation as requested.
- 18 • Implement CISM.
- 19 • Notify home tribe leadership in the case of a Native American fatality.
- 20 • Receive an in-briefing from the local agency administrator to include the
21 24-hour Preliminary Brief (if not already completed by local unit), as well
22 as other general information about the accident.
- 23 • Produce a 72-hour Expanded Report - see reports section below.

24

25 Team Composition

26

27 Team Leader

28 A senior agency management official, at the equivalent associate/assistant
29 regional/state/area/division director level. The team leader will direct the
30 investigation and serve as the point of contact with the agency DASHO.

31

32 Chief Investigator

33 A qualified accident investigation specialist is responsible for the direct
34 management of all investigation activities. The chief investigator reports to the
35 team leader.

36

37 Accident Investigation Advisor

38 An experienced safety and occupational health specialist or manager who acts as
39 an advisor to the team leader to ensure that the investigation focus remains on
40 safety and health issues. The accident investigation advisor also works to ensure
41 strategic management issues are examined.

42

43

44

45

1 **Interagency Representative**

2 An interagency representative will be assigned to every fire-related Serious
3 Accident Investigation Team. They will assist as designated by the team leader
4 and will provide outside agency perspective.

5
6 **Technical Specialists**

7 Personnel who are qualified and experienced in specialized occupations,
8 activities, skills, and equipment, addressing specific technical issues such as
9 arson, third-party liability, weather, and terrain.

- 10 • *BLM - Has established Serious Accident Investigation Teams (SAIT) that*
11 *are managed on a rotational basis. Dispatching is done from the National*
12 *Office of Fire and Aviation Safety Manager and teams are ordered through*
13 *NICC.*

14
15 **Reports**

16
17 **The 24-Hour-Preliminary Report**

18 This report contains only the most obvious and basic facts about the accident. It
19 will be completed and forwarded by the agency administrator responsible for the
20 jurisdiction where the accident occurred. Names of injured personnel are not to
21 be included in this report (reference them by position). In the case of an
22 entrapment and/or fire fatality, use *NWCG Wildland Fire Entrapment/Fatality*
23 *Initial Report, NFES 0869.*

24
25 **The 72-Hour Expanded Report**

26 This report provides more detail about the accident and may contain the number
27 of victims, severity of injuries, and information focused on accident prevention.
28 Names of injured personnel are not to be included in this report (reference them
29 by position).

30
31 **The Final Report**

32 Within 45 days of the incident, a Factual Report (FR) and a Management
33 Evaluation Report (MER) will be produced by the investigation team to
34 document facts, findings, and recommendations and forwarded to the DASHO
35 through the agency Fire Director(s).

36
37 **Factual Report**

38 This report contains a brief summary or background of the event, and facts
39 based only on examination of technical and procedural issues related to
40 equipment and tactical fire operations. It does not contain opinions,
41 conclusions, or recommendations. Names of injured personnel are not to be
42 included in this report (reference them by position). Post-accident actions
43 should be included in this report (emergency response attribute to survival of a
44 victim, etc). This report contains the following sections.

- 1 • **Executive Summary:** A brief narrative of the facts involving the accident
2 including dates, locations, times, name of incident, jurisdiction(s), number
3 of individuals involved, etc.
- 4 • **Narrative:** A detailed chronological narrative of events leading up to and
5 including the accident, as well as rescue and medical actions taken after the
6 accident. This section should spell out in detail who, what, and where.
- 7 • **Investigative Process:** A brief narrative stating the team was assigned to
8 investigate the accident. It should include a standard statement that
9 human, material, and environmental factors were considered. If one of
10 these factors is determined to be noncontributing to the accident, it should
11 be addressed first and discounted. For example, if the investigation
12 revealed that there were no environmental findings that contributed to the
13 accident. Then simply state that fact and move on to the next factor.
14 Human factors or material factors paragraphs should not be formulated so
15 as to draw conclusions, nor should they contain adjectives or adverbs to
16 describe and thus render an opinion into pertinent facts.
- 17 • **Findings:** Findings are developed from the factual information and are
18 listed in the following order:
- 19 ➤ Direct cause of the accident.
 - 20 ➤ Indirect causes which contributed to the accident.
 - 21 ➤ Other findings which, if left uncorrected, could lead to future
22 accidents.
 - 23 ➤ Opinions or recommendations are not findings.
 - 24 ➤ Findings must be substantiated by the factual data within the report.
 - 25 ➤ Maps, Illustrations, and Photographs: graphic information used to
26 document and visually portray facts.
 - 27 ➤ Records: factual data and documents used to substantiate facts
28 involving the accident. Appendices: excerpts, tests results, and
29 similar items used as reference information for documented facts
30 involving the accident.

31
32 Factual Reports will be submitted to Wildland Fire Lessons Learned Center
33 (WFLLC) by the respective agency's National Wildland Fire Safety Leads.
34 Website: <http://www.wildfirelessons.net/Reviews.aspx>

35 36 **Management Evaluation Report (MER)**

37 The MER is intended for internal use only and explores management policies,
38 practices, procedures, and personal performance related to the accident. It takes
39 the abnormalities/and findings identified in the factual report and categorizes
40 them for management. This report may contain:

- 41 • Opinions by the investigators as to the cause of the accident.
- 42 • Conclusions and observations.
- 43 • Confidential information.
- 44 • Recommendations for corrective measures.

45

1 This report includes the following sections:

- 2 • **Executive Summary:** A brief narrative of the facts involving the accident.
3 Keep this section short. Readers can refer to the factual report if they want
4 more detail.
- 5 • **Other Findings:** Other findings not contributing to the accident but, if left
6 uncorrected, could lead to other accidents.
- 7 • **Other Information:** This paragraph can contain opinions by the
8 investigators, conclusions and observations, and confidential information
9 which the team feels is relevant for management consideration. (This
10 paragraph is not required).
- 11 • **Recommendations:** Recommendations are prevention measures
12 management may take to prevent similar accidents. Although this is not an
13 requirement, there should be a recommendation for each cause. The
14 recommendations must be reasonable, feasible, relate to the cause(s) of the
15 accident, and allow for definitive closure. Depending upon the scope of
16 impact the recommendations can be implemented by a local unit, the state
17 office or the national office. The team should specify who should
18 implement the recommendations.
- 19 • **Enclosures:** Information not contained in the Factual Report, but which
20 the team feels necessary to support their recommendations. Since this
21 report can be obtained by the public under certain circumstances, do not
22 include anything that is not needed to substantiate recommendations.
23

24 **Board of Review**

- 25 • A Board of Review is used to evaluate recommendations, determine
26 responsibility, and follow up on serious accident investigations. After
27 determining responsibility for an incident, the Board of Review can make
28 recommendations ranging from no action taken to termination of
29 employment.
- 30 • Only the Agency Director or Deputy Director may appoint a Board of
31 Review.
32

33 For additional information on accident investigations, refer to:
34 http://www.nifc.gov/safety_study/accident_invest/index.htm
35

36 **Fire Investigation & Trespass**

37 **Introduction**

38 Agency policy requires any wildfire to be investigated to determine cause,
39 origin, and responsibility. Accurate fire cause determination is a necessary first
40 step in a successful fire investigation. Proper investigative procedures, which
41 occur concurrent with initial attack, more accurately pinpoint fire causes and can
42 preserve valuable evidence that would otherwise be destroyed by suppression
43 activities.
44
45

1 The agency or its employees must pursue cost recovery or document why cost
2 recovery is not initiated for all human caused fires on public and/or other lands
3 under protection agreement.

4
5 Fire trespass refers to the occurrence of unauthorized fire on agency-protected
6 lands where the source of ignition is tied to some type of human activity.

7 8 **Policy**

9 The agency must pursue cost recovery, or document why cost recovery is not
10 required, for all human-caused fires on public lands. The agency will also
11 pursue cost recovery for other lands under fire protection agreement where the
12 agency is not reimbursed for suppression actions, if so stipulated in the
13 agreement.

14
15 For all human-caused fires where negligence can be determined, trespass actions
16 are to be taken to recover cost of suppression activities, land rehabilitation, and
17 damages to the resource and improvements. Only fires started by natural causes
18 will not be considered for trespass and related cost recovery.

19
20 The determination whether to proceed with trespass action must be made on
21 “incident facts,” not on “cost or ability to pay.” Trespass collection is both a
22 cost recovery and a deterrent to prevent future damage to public land. It is
23 prudent to pursue collection of costs, no matter how small. This determination
24 must be documented and filed in the unit office’s official fire report file.

25 The agency administrator has the responsibility to bill for the total cost of the
26 fire and authority to accept only full payment. On the recommendation of the
27 State/Regional Director, the Solicitor/Office of General Counsel may
28 compromise claims of the United States, up to the monetary limits (\$100,000)
29 established by law 31 U.S.C. 3711[a], 4 CFR 103-104, and 205 DM 7.1 and 7.2.
30 The Solicitor/Office of General Counsel will refer suspension or termination of
31 the amount, in excess of \$100,000, exclusive of interest, penalties, or
32 administrative charges, to the Department of Justice.

33
34 Unless specified otherwise in an approved protection agreement, the agency that
35 has the land management jurisdiction/administration role is accountable for
36 determining the cause of ignition, responsible party, and for obtaining all
37 billable costs, performing the billing, collection, and distribution of the collected
38 funds. The agency with the fire protection responsibility role must provide the
39 initial determination of cause to the agency with the land management
40 jurisdiction/administration role. The agency providing fire protection shall
41 provide a detailed report of suppression costs that will allow the jurisdictional
42 agency to proceed with trespass procedures in a timely manner.

43
44 Each agency’s role in fire trespass billing and collection must be specifically
45 defined in the relevant Cooperative Fire Protection Agreement. The billing and
46 collection process for federal agencies is:

- 1 • For example, a federal agency fire occurs on another federal agency's land
2 and is determined to be a trespass fire. BLM provides assistance, and
3 supplies costs of that assistance to the federal agency with jurisdictional
4 responsibility for trespass billing. The responsible federal agency bills and
5 collects trespass, and BLM then bills the federal agency and is reimbursed
6 for its share of the collection.
- 7 • For example, where BLM administered land is protected by a state agency,
8 the billing and collection process is:
- 9 ➤ The state bills BLM for their suppression costs. The BLM will
10 pursue trespass action for all costs, suppression, rehabilitation, and
11 damages, and deposits the collection per BLM's trespass guidance.
- 12
- 13 All fires must be thoroughly investigated to determine cause. Initiation of cause
14 determination must be started with notification of an incident. The initial attack
15 incident commander and the initial attack forces are responsible for initiating
16 fire cause determination and documenting observations starting with their travel
17 to the fire. If probable cause indicates human involvement, an individual trained
18 in fire cause determination should be dispatched to the fire. Agency References:
- 19 • **BLM** - 9238-1
20 • **FWS** - *Fire Management Handbook Chapter 4 or*
21 *www.fws.gov/fire/redbook/trespass.pdf*
22 • **NPS** - *RM-18, Chapter 8 and RM-9*
23 • **FS** - *FSM-5130 and FSM-5300*