



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
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OPNAVINST 3440.15C
N9
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OPNAV INSTRUCTION 3440.15C

From: Chief of Naval Operations

Subj: DEPARTMENT OF THE NAVY NUCLEAR WEAPON INCIDENT RESPONSE
MANAGEMENT

Ref: (a) SECNAVINST 8120.1
(b) DoD Directive 3150.08 of 20 January 2010
(c) DoD 3150.8-M, Nuclear Weapon Accident Response
Procedures (NARP), 22 February 2005
(d) DoD Instruction 6055.17 of 13 January 2009
(e) DoD Instruction 5200.08 of 10 December 2005
(f) OPNAVINST 5721.1F
(g) DoD Directive 3025.18 of 29 December 2010
(h) OPNAVINST 3440.16D
(i) CJCSI 3431.01C
(j) OPNAVINST 1601.7L
(k) DoD S-5210.41-M, Nuclear Weapon Security Manual,
13 July 2009 (NOTAL)
(l) DoD Directive 5230.16 of 20 December 93
(m) BUMEDINST 6470.10B
(n) NAVMED P-5055 of 3 Feb 2011
(o) OPNAVINST F3100.6J
(p) SWOP 25-2 of 5 Feb 2008 (NOTAL)

Encl: (1) Acronyms
(2) Public Affairs Requirements
(3) Legal Requirements
(4) Nuclear Weapon Incident Planning and Response
Guidance
(5) Defense Threat Reduction Agency (DTRA) Operations
Center
(6) Navy Response Task Force (N-RTF) Joint Coordination
Center
(7) Security Guidance

1. Purpose. To implement references (a) through (c), to conform to nuclear weapons (NW) and NW system responsibilities and authorities delineated in reference (a), and to provide policy to prepare for, mitigate, and respond to NW and or NW

components incidents. This instruction does not address improvised nuclear devices, radiological dispersal devices or NW recapture and recovery operations, which are addressed in separate directives. This instruction is a complete revision and should be reviewed in its entirety.

2. Cancellation. OPNAVINST 3440.15B.

3. Definitions and Acronyms. References (b) and (c) contain definitions and acronyms applicable to this instruction. Acronyms used in this instruction are provided in enclosure (1).

4. Scope. This policy applies to all Navy activities when responding to an NW incident involving NW and or NW components in Department of the Navy (DON) custody.

5. Background

a. DON is responsible for the securing, handling, storing, maintaining, assembling, and transporting NW and NW components in DON custody. NW and NW components are designed to be safe for all anticipated evolutions and the environments in which they occur. The possibility of an unexpected event or abnormal environment resulting in an NW incident requires DON plans and procedures to protect personnel and property from any health or safety hazards that may result from an NW incident. References (a) through (c) apply.

b. Reference (c) is a comprehensive source of the Department of Defense (DoD) guidance and technical information, and assigns responsibilities to all agencies involved in NW incident response as directed by the Secretary of Defense (SECDEF). Specifically, reference (c) assigns responsibility to geographic combatant commanders (GCCs) for directing and coordinating DoD response actions to incidents involving NW in DoD custody. The authorities applicable to such DoD response depend on numerous factors including the geographic location of the NW incident itself (e.g., in U.S. territory versus foreign territory; on or off a DoD installation).

c. Reference (c) requires a Navy initial response force (N-IRF) and or Navy response task force (N-RTF) to respond to an NW incident involving an NW in DON custody in U.S. territory or territorial seas.

(1) The N-IRF is a tailored force dispatched from within the Navy installation, by the N-IRF commander, immediately upon notification of an NW incident to establish security, to mitigate immediate effects of the NW incident, and to establish and maintain command and control (C2) until relieved by the N-RTF.

(2) The N-RTF is a force led by a flag officer (FO) and is appropriately staffed, trained, and equipped to coordinate all actions necessary to control and recover from an NW incident and to direct consequence management activities at an NW incident site.

d. Any N-IRF and or N-RTF response to an NW incident occurring in foreign territory will be per references (a) through (c), enclosures (2) through (7), and applicable GCC guidance.

e. Reference (d) directs DON installation emergency management policy implementation.

f. For weapons in DON custody, within the fence line or within U.S. territorial waters, the N-RTF will execute its tasking, as required, from either Naval Submarine Base Kings Bay or Naval Base Kitsap.

g. Per references (b) and (c), for an NW incident involving an NW in DON custody, in U.S. territory, but outside a naval installation, the Navy will respond to SECDEF approved request for forces following the Global Force Management process. An appropriate representative of the service or agency that has primary command responsibility may designate a national defense area (NDA) as soon as possible to protect NW or NW components under these circumstances per reference (e).

6. Policy. It is Navy policy to:

a. Respond to and mitigate the consequences of incidents worldwide involving U.S. NW and other nuclear or radiological incidents resulting from nuclear or radiological materials in DON custody, either when directed or when acting under immediate response authority as defined in reference (f).

b. Support the Department of Energy (DOE), as directed by the President or SECDEF or when acting under immediate response authority as defined in reference (g), in responding to incidents involving U.S. NW in DOE custody, per section 1535 of title 31, United States Code (U.S.C.).

c. Require that requests for DoD support from other Federal departments and agencies be submitted to the OSD Executive Secretary through the appropriate DoD channels using the DoD request for assistance process consistent with operational availability and SECDEF approval.

d. In conjunction with the U.S. Northern Command (USNORTHCOM), cooperate with Federal officials and state, tribal, and local governments in developing contingency plans for responding to a Navy NW incident at appropriate facilities within their purview within the continental United States (CONUS). Planning shall be per this instruction and references (d) and (h). GCCs will direct an NW incident response for outside the continental United States (OCONUS) events.

7. Discussion

a. Incident reporting is per reference (c).

b. Initial incident C2 for NW in DON custody in CONUS is as outlined below or as subsequently directed by the SECDEF.

(1) C2 of the initial responders and the IRF is direct from the National Military Command Center (NMCC) to the on-scene commander (OSC) and N-IRF commander. If the SECDEF has designated USNORTHCOM to assume command of the response, C2 will be direct from USNORTHCOM to the OSC and N-IRF commander.

(2) Following notification by NMCC to the Navy Operations Center (NOC) of an NW incident, the NMCC will direct the NOC to deploy the appropriate N-RTF to the incident site and the N-RTF commander shall report directly to NMCC. If the SECDEF has designated USNORTHCOM to assume command of the response, the order to deploy the N-RTF will come from USNORTHCOM and the N-RTF commander shall report directly to USNORTHCOM.

c. As specified in reference (b), the Secretary of the Navy (SECNAV) is responsible for training, organizing, and equipping N-RTFs and N-IRFs to support necessary actions in response to a U.S. NW incident occurring in Navy custody or when directed by SECDEF. Consequently, fleet designated N-IRF or N-RTF commanders shall be prepared to assume immediate control at the scene of an NW incident, initiate emergency actions as necessary to minimize the initial impact of such events, maintain control over classified material, and implement this policy.

d. As outlined in reference (d) and within fleet operating structures, U.S. Fleet Forces Command (USFLTFORCOM), U.S. Pacific Fleet (COMPACFLT), and applicable Navy component commanders are responsible to their respective GCC for incorporating applicable installation emergency planning guidance and procedures for responding to all hazards, including chemical, biological, radiological, nuclear and enhanced conventional weapons. As specified in reference (b), these forces shall be capable of providing support commensurate with the potential for an NW incident during respective theater NW deployment.

e. The Commandant of the Marine Corps will provide Marine Corps security force battalions (MSFB) to support initial response to, and appropriate support for, an NW incident occurring inside Federal boundaries. On SECDEF orders, MSFB are prepared to provide similar support outside Federal boundaries.

8. Responsibilities

a. Chief of Naval Operations (CNO). Consistent with references (a), (b), and (f), the Office of the Chief of Naval Operations (OPNAV) staff shall support the DON NW Incident Response Program within functional areas of responsibility as listed below.

(1) Deputy Chief of Naval Operations (DCNO) (Operations, Plans, and Strategy) (CNO N3/N5). Is the DON echelon 1 supported FO responsible to plan, monitor, coordinate, and advise CNO on Navy NW and NW systems global employment, operational strategy, policy, and plans; international politico-military matters; and the operational status of Navy NW and NW systems forces. CNO N3/N5 shall:

(a) Exercise CNO responsibility and serve as CNO principal advisor to SECNAV for matters involving Navy NW as per reference (a).

(b) Coordinate with and advise, as directed by CNO, the SECDEF, Joint Staff, or NMCC on issues pertaining to command of the Navy operating forces responding to an NW incident or exercise.

(c) Provide Navy Joint Nuclear Accident Incident Response Team (JNAIRT) members per reference (i).

(d) Direct an OPNAV staff extended Navy crisis action team (ECAT) per references (d) and (j) to facilitate and coordinate inter-service and inter-agency response forces in support of senior DON, DoD, and national authorities. Respond to requests from the JNAIRT.

(e) Collaborate with DCNO (Integration of Capabilities and Resources) (CNO N8) to ensure programming requirements and priorities support DoD and DON policies and objectives.

(f) Review and coordinate the 5-year NW incident exercise calendar among participating Navy organizations and activities. Monitor N-RTF incident annual exercises and the 5-year national level full-scale exercises (FSEs). Provide FSE list, as updated, to DCNO (Warfare Systems) (CNO N9), USFLTFORCOM and COMPACFLT.

(g) Provide a member to the NW Accident/Incident Response Subcommittee (NWAIRS).

(2) DCNO (Information Dominance) (CNO N2/N6). CNO N2/N6 shall serve as resource sponsor for DON NW systems associated with nuclear command, control, and capabilities, as per reference (a).

(3) CNO N8. CNO N8 is the echelon 1 supported FO for allocation of resources, support, and program requirements integration for Navy NW incident response across resource sponsors and USFLTFORCOM and COMPACFLT. CNO N8 shall:

(a) Assess Navy NW incident response requirements to ensure that adequate resources are allocated to acquire, operate, train, maintain, and guide advocacy for DoD and GCC NW incident priority requirements.

(b) In conjunction with CNO N3/N5, CNO N9, and USFLTFORCOM and COMPACFLT, assess and identify potential areas for investments linked to required DoD, Joint Staff, and GCC operational capabilities for any potential Navy NW incident response.

(c) Provide resources necessary to ensure readiness for NW incident response is maintained for their respective weapon systems.

(d) Provide appropriate staff members to the ECAT per reference (j).

(e) Provide a member to the JNAIRT per reference (i).

(4) CNO N9. CNO N9 is the DON echelon 1 supported FO for an NW incident response. CNO N9 shall:

(a) Participate in executing direction of SECDEF, Joint Staff, or NMCC during actual or exercise NW events as directed by CNO.

(b) Provide members to the ECAT per reference (j). Coordinate with Director, Information, Plans and Security (OPNAV N31) and Director, Strategy and Policy (OPNAV N51) to ensure proper crisis team and JNAIRT membership.

(c) Assess and resource DON NW and NW systems requirements for safety, security, supply support, NW radiological control (RADCON) and NW incident response.

(d) Provide guidance and procedures for physical security of NW or NW components involved in an incident per reference (k).

(e) Provide funding to support N-RTF commanders' requirements to man, equip, and perform required duties for NW incidents and exercises ashore.

(f) Provide a member to NWAIRS.

(5) Chief of Information (CHINFO). CHINFO shall:

(a) Serve as principal public affairs advisor to SECNAV and CNO in preparing for and responding to an NW incident

(b) Ensure Navy public affairs guidance is coordinated with the Office of the Assistant Secretary of Defense (Public Affairs) (OASD (PA)) to ensure conformance with established national policy.

(c) Provide public affairs guidance to subordinates consistent with the policies outlined in references (c) and (l) and enclosure (2) to appropriate commands for use in planning for and responding to public queries and actions resulting from an NW incident.

(d) Provide a member to the ECAT per reference (j).

(6) Special Assistant for Naval Investigative Matters and Security (CNO N09N). CNO N09N is responsible for, or cognizant of, any Navy investigations of an NW incident and for coordination with any outside investigations.

(7) Judge Advocate General (JAG). JAG shall:

(a) Serve as principal legal advisor (PLA) to SECNAV and CNO in preparing for and responding to an NW incident.

(b) Provide appropriate commands with legal guidance consistent with reference (c) and enclosure (3) and to be used in the event of an NW incident.

(c) Provide members to the ECAT response team per reference (j).

(d) Coordinate legal advice with the general counsel concerning compliance with public law.

b. Chief, Bureau of Medicine and Surgery (BUMED). BUMED shall:

(1) Provide technical guidance through a memorandum of understanding (MOU) with Director, Strategic Systems Programs (DIRSSP) on the medical aspects of radiation hazards associated with an NW incident.

(2) Develop procedures for the medical treatment of contaminated personnel and mass casualties and provide assistance and technical guidance for identifying and locating facilities for the treatment of contaminated personnel.

(3) Establish radiation protection standards and provide information on the biological effects of radiation.

(4) Train medical personnel in the provisions of references (m) and (n) for the treatment of irradiated or radioactively contaminated personnel.

(5) Provide guidance to medical personnel on the priorities of treatment for critical, serious, and minor injuries as they apply to an NW incident.

(6) Provide technical guidance on the decedent affairs aspects of an NW incident.

(7) Advise organizations responsible for the development of equipment for radiation protection and decontamination.

c. Commander, Naval Education and Training Command (NETC). NETC shall, with DIRSSP assistance:

(1) Coordinate and develop training courses and provide standardized training in:

(a) NW and radiological safety;

(b) NW security;

(c) Radiation detection and monitoring;

(d) Explosive ordnance disposal (EOD); and

(e) Damage control and firefighting procedures, contamination control, decontamination, and disposal of radioactive waste materials.

(2) Develop and maintain computer based training for N-IRFs and N-RTFs based on USFLTFORCOM-developed Navy mission essential tasks (NMETS).

(3) Ensure that response to an NW incident shall be included as part of normal fleet damage control and shore-based emergency management plan.

d. Commander, Naval Sea Systems Command (NAVSEASYSKOM). NAVSEASYSKOM shall:

(1) Provide direct support to DIRSSP for NW RADCON technical guidance and assistance through a MOU, per reference (a).

(2) Maintain technical advisors and provide technical guidance and advice concerning radiological monitoring, contamination control, decontamination, and contaminated material disposal.

(3) Provide a Navy radiation health officer or civilian health physicist to serve as director of the Accident Site Health Group (ASHG).

(4) Procure, maintain, and distribute required radiation detection and monitoring equipment.

(5) Provide an environmental specialist to the N-RTF commander to function as the director of the Site Remediation Working Group (SRWG).

(6) Coordinate and develop remediation plans for an NW incident response.

e. Commander, Naval Facilities Engineering Command (NAVFACENGCOM). NAVFACENGCOM shall provide civil engineering support equipment for an NW incident response.

f. Commander, Space and Naval Warfare Systems Command (SPAWARSYSKOM). SPAWARYSKOM shall provide primary technical

advice and assistance to Navy and Marine Corps forces, ashore and afloat, on the employment of portable communications systems capable of providing secure voice, record copy, and satellite communication capabilities.

g. Commander, Naval Air Systems Command (NAVAIRSYSCOM). NAVAIRSYSCOM shall provide technical assistance and advice to the CNO and subordinate commands and forces, ashore and afloat, for the Tomahawk weapons system, the Tomahawk nuclear program, and the Tomahawk air vehicle.

h. DIRSSP. DIRSSP shall:

(1) Serve as the program manager and technical authority for technical operations, safety, and maintenance of DON NW and NW systems. DIRSSP is the supporting FO to CNO N9 for developing and coordinating policies associated with the safety, security, supply support, NW RADCON and radiation health and associated NW incident response for DON NW and NW systems.

(2) Serve as the technical authority for defining credible NW incidents for training and exercise purposes.

(3) Serve as the technical authority for advising NW resource sponsors (CNO N9 and CNO N8) of requirements to ensure NW incident readiness is maintained.

(4) Serve as program manager for technical operations and maintenance of NW and NW systems.

(5) Ensure strategic weapons facilities (SWFs) prepare NW incident response plans.

(6) Provide policy guidance to SWFs commanders concerning preparatory NW incident planning in support of NW handling, maintenance, and logistic operations, including, but not limited to, the provisions of reference (c).

(7) Establish the minimum training for incident response forces. Assist NETC in developing response force training courses.

(8) Ensure that SWFs' NW incident exercises are conducted at least quarterly.

(9) Ensure that SWFs are capable of handling the effects of a radiological incident onsite. Ensure preparations and relationships with local civil authorities are adequate to protect life, property, and the environment during the initial phase of an NW incident.

(10) Designate appropriate N-IRF commander for NW incidents that ensures adequate SWF initial on-scene response during an NW incident within the SWF.

(11) Ensure that SWFs initiate appropriate reports to the NMCC, USNORTHCOM, CNO, USFLTFORCOM, and other organizations and commands per reference (o).

(12) Task the SWFs to provide technical, administrative, and personnel support to the N-IRF and N-RTF to complete incident response and site restoration.

(13) Develop policy, guidance, and procedures for the Navy NW incident response plan based on technical authority, SWF operating requirements, and guidance from CNO N3/N5, CNO N9, and USFLTFORCOM.

(14) Develop NMETs for the N-IRFs and N-RTFs in coordination with USFLTFORCOM.

i. USFLTFORCOM, COMPACFLT, and Navy Component Commanders.
These commands shall:

(1) Ensure the safe, secure, and reliable technical operation and maintenance of fielded NW and NW systems under their cognizance.

(2) Ensure appropriate operational NW platforms and storage sites designated per reference (p), and other activities specifically assigned an NW incident response mission, prepare NW incident plans. The listing of designated response activities must be coordinated with, and provided to, the appropriate GCC (copy to CNO N9), per reference (c).

(3) For an NW incident afloat, the N-IRF commander is the commanding officer or embarked FO and need not be specifically designated. Nuclear certified activities and those units in fleet nuclear force regeneration plans are generally

those required to maintain an N-IRF. The listing of N-IRF commanders will be provided to the responsible GCC with a copy furnished to CNO N9. Responsibilities for N-IRFs are contained in reference (c). Afloat N-IRFs will be comprised of unit personnel and will have capabilities tailored to their existing damage control organization.

(4) Designate an FO to serve as the commander of the regional N-RTF for Navy NW incidents within the GCC's area of responsibility (AOR). Conduct an N-RTF mission analysis and subsequent operational level planning. Provide CNO N9 and GCC with the N-RTF updates as significant changes occur. Definitions and responsibilities for N-RTFs are contained in reference (c).

(5) Provide policy guidance to N-IRF and N-RTF commanders and subordinate commands concerning preparatory incident planning in support of NW handling and logistic movements. This guidance should be consistent with the provisions of reference (c) and the direction provided in reference (d).

(6) Develop and publish procedures that allow the N-RTF commander the authority to task Navy commands, under the USFLTFORCOM and COMPACFLT command authorities, within 75 miles of incident response as necessary to carry out initial actions.

(7) Determine man, train, and equip requirements to ensure operational readiness of N-RTFs and provide to the applicable headquarters for resourcing through CNO N9.

(8) Coordinate training of response forces with DIRSSP and NETC.

(9) Ensure the N-RTF and all supporting elements are exercised annually.

(10) Ensure appropriate N-RTF commanders maintain a listing of Department of Homeland Security security clearances and access requests for Federal, state, and local responders to facilitate emergency management planning and coordination.

(11) Coordinate communication requirements for an NW incident response within the GCC's AOR and ensure planning is

consistent with Navy communication planning. Ensure that communications facilities and equipment are sufficient to provide voice and record communications, secure voice, video teleconferencing (secure and non-secure), and photographic capability, when possible, between an NW incident scene and the NMCC, GCCs, NOC, USFLTFORCOM Maritime Operations Center (MOC), and other pertinent commands and agencies.

(12) Provide notification to N-RTFs of all Navy NW movements.

(13) Develop NMETs for the N-IRFs and N-RTFs in coordination with DIRSSP and NETC.

(14) Provide additional Navy support to the incident scene, as requested by the N-RTF commander until the GCC assumes C2 of the NW incident.

(15) Initiate appropriate NW incident, safety, and JAG Manual investigations.

(16) USFLTFORCOM will establish procedures for providing initial Navy response to an NW incident.

j. N-RTF Commanders. N-RTF commanders shall:

(1) Establish NW incident plans as part of emergency management planning to be used by activities and units within a GCC's AOR. This guidance should include, but not be limited to, the provisions outlined in reference (c) and enclosure (4).

(2) Identify the Interagency Combating Weapons of Mass Destruction Database of Responsibilities, Authorities, and Capabilities (INDRAC) as a strategic information reference resource to aid in planning, advocacy, training, and exercises for the N-RTF mission. INDRAC Web sites are (non-classified Internet protocol router network (NIPRNET)), <http://indrac.dtra.mil>, and (secret Internet protocol router network (SIPRNET)), <https://indrac.dtra.smil.mil>.

(3) Outline procedures and discuss coordination with Federal, state, tribal, and local governments, as required.

(4) Perform duties as delineated per reference (c), enclosure (4), and amplifying instructions issued by the appropriate GCC, USFLTFORCOM, or COMPACFLT, as appropriate.

(5) Serve as the principal DON interface between Federal, state, and local authorities for NW incident response planning.

(6) Conduct NW incident duties as assigned by USFLTFORCOM and COMPACFLT orders or directives.

(7) Maintain a trained staff to perform the functions addressed herein and in reference (c). Ensure, at a minimum, training is provided for N-RTF as promulgated by NETC, Defense Threat Reduction Agency (DTRA), and DIRSSP.

(8) Provide appropriate follow-on operations report-3 (OPREP-3) per reference (o).

(9) Provide command legal assistance and public affairs guidance.

(10) Determine the requirements for outside assistance and notify the NMCC, GCC, CNO N9, and USFLTFORCOM MOC.

(11) Coordinate logistics support with national, fleet, and U.S. Navy command centers.

(12) Exercise the N-RTF and all supporting elements at least annually. At a minimum, N-RTF exercises are to consist of a command post exercise or table top exercise, including all aspects of reference (c) and enclosure (4), with the involvement of, at their discretion, NMCC, DoD, other Federal agency, state and local governments. Supporting elements shall conduct a field exercise at least annually to ensure proper use and operability of equipment.

(13) Conduct an annual review of plans, procedures, and capabilities.

(14) Support national-level N-RTF FSE, including all aspects of emergency response, at least every 5 years. FSEs are coordinated by the GCC with support from DTRA and CNO N3/N5.

(15) Provide a detailed report of annual N-RTF exercises conducted, to include scenario, elements exercised, participants, lessons learned and corrective actions to CNO (N3/N5 and N9) via USFLTFORCOM.

k. N-IRF Commanders. N-IRF commanders shall:

(1) Maintain a trained force to perform the functions addressed here. Plans and training programs will be developed and coordinated with the respective N-RTF commander to ensure effective N-IRF and or N-RTF coordination. DIRSSP and NETC will develop required training to meet reference (c) direction. Maintain a trained staff to perform the functions addressed herein and in reference (c). Ensure, at a minimum, training is provided for N-IRF as promulgated by NETC, DTRA, and DIRSSP.

(2) Upon notification of an NW incident involving NW or NW components:

(a) Designate initial OSCs for the NW incident.

(b) Evaluate the situation to determine if the requirements of this directive apply. If an NW incident has occurred, initiate appropriate initial phone and message notification of the event, per references (b) and (o), and provide advice for protecting life, property, and the environment to Federal, state, tribal, and local authorities.

(3) Assume immediate military control at the incident scene and take such action, within limits of their authority and capability, as may be necessary to minimize the initial effects of an NW incident.

(4) Perform duties as delineated in reference (c), enclosure (4), and amplifying instructions issued by the appropriate GCC; USFLTFORCOM; COMPACFLT; Commander, U.S. Naval Forces Europe; and N-RTF commander. These duties include provision for firefighting, rescue and medical operations, and security operations that may include establishment of an NDA.

(5) Upon relief, assist the N-RTF commander, as directed.

l. DON NW Capable Activities and EOD Units and Detachments. Per reference (p), NW capable and EOD activities shall:

(1) Maintain detailed NW incident response plans and directives. At a minimum, these plans and directives will include applicable procedures outlined in this instruction as amplified by GCC, fleet, type, or system commanders. Directives are to be tailored to the individual command and should address the interface with supporting Navy commands and other DoD and civil agencies. Reference (c) will be used as a guide to develop procedures.

(2) Annually update resources capable of responding to or being employed in response to an NW incident within the INDRAC. INDRAC Web sites are NIPRNET: <http://indrac.dtra.mil>; and SIPRNET: <https://indrac.dtra.smil.mil>.

9. Action. Commanders shall prepare plans or directives consistent with the provisions of this instruction to ensure DON has the ability to quickly and safely respond to an NW incident, when required.

10. Records Management. Records created as a result of this instruction, regardless of media and format, shall be managed per SECNAV M-5210.1 of January 2012.

11. Reports Control. The reporting requirements contained within this instruction are exempt from reports control by SECNAV M-5214.1 of December 2005.



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ACRONYMS

AOR	area of responsibility
ARG	Accident Response Group
ASHG	Accident Site Health Group
BUMED	Bureau of Medicine and Surgery
C2	command and control
CEAT	community emergency action team
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
CHINFO	Chief of Information
CJCS	Chairman, Joint Chiefs of Staff
CNO	Chief of Naval Operations
CONUS	continental United States
COMPACFLT	Commander, U.S. Pacific Fleet
DCNO	Deputy Chief of Naval Operations
DERP	Defense Environmental Restoration Procedures
DIRSSP	Director, Strategic Systems Programs
DoD	Department of Defense
DOE	Department of Energy
DON	Department of the Navy
DSN	Defense Switched Network
DTRA	Defense Threat Reduction Agency
ECAT	extended Navy crisis action team
ECP	entry control point
EOD	explosive ordnance disposal
EPA	Environmental Protection Agency
EPCRA	Emergency Planning and Community Right to Know Act
FEMA	Federal Emergency Management Agency
FO	flag officer
FRMAC	Federal Radiological Monitoring and Assessment Center
FSE	full-scale exercise
GCC	geographic combatant commander
ICP	incident command post
INDRAC	Interagency Combating Weapons of Mass Destruction Database of Responsibilities, Authorities and Capabilities
JAG	Judge Advocate General
JIC	Joint Information Center
JNAIRT	Joint Nuclear Accident Incident Response Team
MOC	Maritime Operations Center

MOU	Memorandum of Understanding
MRAT	Medical Radiobiology Advisory Team
MSFB	Marine Corps security force battalions
NAVAIRSYSCOM	Naval Air Systems Command
NAVFACENCOM	Naval Facilities Engineering Command
NAVSEASYSYSCOM	Naval Sea Systems Command
NDA	national defense area
NETC	Naval Education and Training Command
NIPRNET	non-classified Internet protocol router network
N-IRF	Navy initial response force
NMCC	National Military Command Center
NMETS	Navy mission essential tasks
NOC	Navy Operations Center
NOTAL	"not to all"
N-RTF	Navy response task force
NW	nuclear weapon(s)
NWAIRS	Nuclear Weapons Accident/Incident Response Subcommittee
OASD (PA)	Office of the Assistant Secretary of Defense (Public Affairs)
OCONUS	outside the continental United States
OGC	office of general counsel
OPNAV	Office of the Chief of Naval Operations
OSC	on-scene commander
PAO	public affairs officer
PLA	principal legal advisor
RADCON	radiological control
SECDEF	Secretary of Defense
SECNAV	Secretary of the Navy
SIPRNET	secret Internet protocol router network
SPAWARSYSCOM	Space and Naval Warfare Systems Command
SRWG	Site Remediation Working Group
SWF	strategic weapons facility
U.S.	United States
U.S.C.	United States Code
USFLTFORCOM	U.S. Fleet Forces Command
USNORTHCOM	U.S. Northern Command
WRG	Weapons Recovery Group

PUBLIC AFFAIRS REQUIREMENTS

1. Purpose. To implement reference (1).

2. Discussion

a. An NW incident, whether in a remote or populated area, has immediate public impact. In today's global information environment, the assumption must be made that media worldwide and the public will have nearly instantaneous knowledge of any incident. As quickly as they can, news media will be at the scene and local citizens will immediately seek information as to what happened and how the incident affects them. Given public apprehension and anticipated widespread news coverage of the NW incident, a dynamic, transparent, and comprehensive public affairs program must be rapidly implemented to ensure the credibility of the response effort.

b. Commanders at all levels are responsible for monitoring public understanding, identifying public concerns, and executing public affairs and community relations activities. These functions are usually delegated to the command's public affairs officer (PAO).

(1) It is generally U.S. Government policy to neither confirm nor deny the presence or absence of NW at a specific activity unless public safety concerns dictate otherwise. Further, most information on NW and their storage locations are classified.

(2) In the event of loss, seizure, or theft of an NW or component or seizure of an NW storage site, the OASD (PA) shall release information. This does not apply OCONUS, foreign territories, and possessions where specific government agreements exist for the release of this information.

3. Action

a. During an NW incident occurring CONUS, the OASD (PA) and the N-IRF or N-RTF commander are required to confirm to the general public the presence or absence of NW or radioactive nuclear components, when necessary, in the interest of public safety or to reduce or prevent widespread public alarm.
Notification of

public authorities also is required if the public is, or may be, in danger of radiation exposure or other danger posed by the NW or NW components.

b. During an NW incident OCONUS, the OASD (PA) or the GCC, with concurrence of the foreign government through the appropriate chief of U.S. mission, may confirm the presence of NW or radioactive nuclear components in the interest of public safety.

c. Notification of public authorities also is required if the public is, or may be, in danger of radiation exposure or other danger posed by the weapon or its components.

d. The CNO shall, in coordination with CHINFO:

(1) Immediately establish liaison with PAOs at OASD (PA), NMCC, GCC, DOE, Federal Emergency Management Agency (FEMA), DTRA, Joint Information Center (JIC), and other services from the news desk at CHINFO. Additionally, the Department of State PAO shall be notified and consulted for an NW incident OCONUS or when the potential exist that contamination may cross the borders of the United States.

(2) Coordinate media briefings by appropriate Navy officials; coordinate with OASD (PA) in the preparation of press releases for national-level release.

(3) Ensure that the N-RTF commander is advised, through appropriate operations centers, of national-level media activity addressing Navy NW incident response and recovery operations.

e. USFLTFORCOM and COMPACFLT shall:

(1) Notify CHINFO, OASD (PA), and the GCC PAO of an NW incident and provide timely, accurate data regarding emergent events as they become available.

(2) Make provisions for regional FEMA, DOE, GCC, and service public affairs representation on the ECAT to ensure that coordinated public affairs guidance is available at all levels of command.

(3) Ensure public affairs responsibilities, as outlined in references (c) and (1), are addressed in their contingency plans and are followed by N-IRF or N-RTF commanders. The public affairs procedures shall be in the form of a checklist and shall include the items contained in reference (e).

(4) Provide contingency public information releases as contained in references (c) and (1). Actual releases should be tailored to the existing situation, as necessary.

(5) Ensure adequate public affairs manning, communications, and logistic support for response to an NW incident are provided.

(6) Conduct annual training briefings on the public affairs aspects of an NW incident. This training should include the policy guidance contained in references (c) and (1), as well as the command's implementing guidance.

f. N-IRF and N-RTF commanders shall ensure the following public affairs issues are addressed in their contingency plans:

(1) Procedures for obtaining public affairs guidance from OASD (PA) and or executing exceptions to policy of "neither confirm nor deny" the presence of NW. These procedures should be in the form of a checklist and should contain the following:

(a) OASD (PA) and CHINFO duty officer telephone numbers. For OASD(PA), the following numbers apply: working hours - commercial (703) 697-5131 or Defense Switched Network (DSN) 227-5131; after hours duty officer cell phone - (703) 678-6162. For CHINFO: duty hours, phone DSN 227-7391 or commercial (703)697-7391; after hours, duty officer cell phone - (703) 304-2761.

(b) Procedures for announcing that the scene of an NW incident has been declared an NDA. Authority for this declaration is the Federal police power of DoD that is inherent in the responsibilities charged to DoD under the various statutory provisions dealing with the development, storage, and use of NW. Policy and guidance is provided in references (c) and (e).

(c) Procedures for establishing a JIC for all NW incidents when the public is, or may be, affected. The JIC should provide for representation from and communication facilities for DoD, DOE, FEMA, and state and local public affairs officials. As directed by the N-RTF commander, the senior Navy public affairs representative shall develop and coordinate all media releases from the JIC. The N-IRF or N-RTF commander is responsible for the technical accuracy and security classification of all media releases.

(d) Procedures for activating a community emergency action team (CEAT) to respond to public concerns and to keep civil officials informed. All information to be given to the public by the CEAT shall be approved by the N-RTF commander.

(2) Public affairs manning requirements, including communications and logistic support.

(3) Public affairs coordination with the PLA to address the legality of security force actions, the viability of the NDA, and other issues addressed in enclosure (3).

(4) Prepared sample contingency news releases per references (c) and (1).

(5) Provisions for news media support in the JIC.

LEGAL REQUIREMENTS

1. Purpose. To provide requirements, identify legal resources and establish minimum standards to be followed by N-IRF and N-RTF commanders, command legal officers, staff judge advocates, and the office of general counsel (OGC).

2. Discussion

a. The responsibilities and procedures outlined in this enclosure and references (b) and (c) are applicable to all naval activities and should be used in the development and execution of plans to provide prompt legal support to the N-IRF and N-RTF commanders.

b. An NW incident will present many complex legal issues for both the N-IRF and N-RTF commanders. Both, in their turn, represent the U.S. Government to the general public, state, tribal, and local officials. Legal issues arising may include:

(1) Exercising the Navy's legal authority and responsibility to secure, control, and protect NW assets within the limits of U.S. law governing the use of military personnel and equipment to maintain order or assist civil authorities on nonmilitary property (e.g., Posse Comitatus restrictions).

(2) Restricting the general public or assuming exclusive control of private property (either real or personal) for purposes of public safety or protection of classified material.

(3) Questions of Federal supremacy where Federal interests are in conflict with state, tribal, or local interests.

(4) Recovering lost military equipment or classified material from civilian personnel.

(5) Processing claims against the United States for personal injury, death, and loss or damage to property.

(6) Application of the standing rules of engagement or standing rules for the use of force as applicable to the NW incident based on the geographic location and direction from higher authority.

(7) Coordinating with host nation laws, regulations, and policies when responding to an NW incident in foreign territory.

(8) Law of the Sea issues applicable to an NW incident occurring outside the U.S territorial sea.

c. Naval JAG and OGC command counsel should assist in developing contingency plans and related documents and should be assigned to the N-IRF and N-RTF as the PLA. Advanced planning will permit the N-IRF or N-RTF commander to anticipate legal problems and will facilitate assigning legal responsibilities in the event of an incident.

3. Action. The PLA shall:

a. Ensure a claim processing facility is established at the NW incident site and adequate support personnel, equipment, and claims forms are available.

b. Establish channels for coordinating technical legal matters with higher headquarters and other Federal departments and agencies.

c. Organize and supervise the legal element at the NW incident site, including the claims processing facility.

d. Review operational plans to ensure they meet legal requirements, particularly in the areas of security, identification of installation status under section 11004 of title 42, U.S.C., identification of appropriate state and local officials to receive notification, and documentation of facts for use in potential claims and litigation.

e. Coordinate with and advise the PAO and other appropriate responding elements on the legality of security force actions and viability of the NDA.

f. Ensure preliminary and follow-up reports required by SECNAV Manual 5510.36 of June 2006, by section 9603 of title 42, U.S.C. (the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)), by section 11004 of title 42, U.S.C. (the Emergency Planning and Community Right to Know Act (EPCRA)), and by section 2705 of title 10, U.S.C. (the Defense Environmental Restoration Procedures (DERP)), as applicable, are

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submitted by the N-IRF or N-RTF commander. Section 9603 of title 42, U.S.C. (CERCLA) requires notifying the National Response Center of the release of a hazardous substance. Section 11004 of title 42, U.S.C. (EPCRA) requires notifying the state and local emergency planning committee of the release of a hazardous substance. Section 2705 of title 10, U.S.C. (DERP) requires DoD notify Environmental Protection Agency (EPA), state, and local authorities of a release or threatened releases of hazardous substances at a DoD facility.

NUCLEAR WEAPON INCIDENT PLANNING AND RESPONSE GUIDANCE

1. Purpose. To provide guidance concerning procedures to be included in NW incident response directives and bills. This guidance is applicable to those NW capable activities listed in reference (p) and other activities designated by USFLTFORCOM and COMPACFLT.

2. Discussion. References (b) and (c) contain guidance to be followed at the outset of, and during, an NW incident. The procedures are flexible and may be modified as necessary to accommodate any NW incident. For shore activities identified above, the NW response plans should include provisions for using applicable resources available from DoD, DOE, DTRA, FEMA, and other organizations as outlined in reference (d). For afloat units, plans should be included in the damage control bill. The guidance provided here and in reference (d) was developed consistent with peacetime operations. During periods of advanced defense readiness conditions or actual combat, DON commanders, commanding officers, and officers-in-charge will use these procedures consistent with prevailing operational requirements.

3. USFLTFORCOM and COMPACFLT Responsibilities. USFLTFORCOM and COMPACFLT shall ensure that designated activities develop NW incident plans incorporating the minimum standards contained in reference (c) and that the plans are coordinated with the appropriate DON and non-DON agencies and commands. These plans should be reviewed and updated at least annually.

a. Within the constraints of mission assignment, NW incident plans should include the following:

(1) Establishment of a command duty officer or officer-of-the-day emergency action plan detailing procedures to be followed when notified of:

(a) An NW incident within their geographic jurisdiction.

(b) A request for assistance from the NMCC, NOC, DTRA operations center, GCC, or other services or agencies.

(2) Procedures for assuming initial command at the scene of an NW incident. These procedures should include provisions for:

(a) Providing immediate physical security for classified material including provisions for requesting support from civil law enforcement agencies and assets from other services.

(b) Establishing timely communications, including:

1. NW incident reporting under reference (o).
2. Telephone (DSN or commercial), radio, or land-line communications between the NW incident scene and chain-of-command.
3. Effective communications with state, tribal, local, FEMA authorities, and response elements.

(c) Providing emergency medical and fire assistance including provisions for requesting support from civilian hospitals and fire departments.

(d) Providing protective actions recommendations, in conjunction with FEMA and other Federal agencies when practical, to state, tribal, and local authorities.

(e) Assisting the N-IRF or N-RTF commander of an NW incident scene by providing or obtaining:

1. Transportation.
2. Messing and billeting facilities.
3. Medical facilities and medical personnel, as available.
4. Laundry facilities.
5. Administrative support.

6. Communications facilities and equipment sufficient to provide voice and record communications, secure voice, video teleconferencing (secure and non-secure), and photographic capability, when possible, between an NW incident scene and the NMCC, GCCs, NOC, USFLTFORCOM MOC, and other pertinent commands and agencies.

7. Assistance in identifying augmenting forces and material via the NMCC, GCC, CNO, USFLTFORCOM, COMPACFLT, or Navy component commander, as appropriate.

(3) Procedures for the training of command personnel in an NW incident response.

(4) Public affairs and legal requirements as outlined in enclosures (2) and (5) of this instruction.

b. In addition to the previous outlined requirements, all activities assigned an NW mission should ensure that the following are incorporated in an NW incident response plans:

(1) Procedures to be followed during routine storage, maintenance, handling, logistics movement, and operational readiness maneuver scenarios.

(2) A comprehensive exercise program of credible NW and radiological incidents. As a minimum, selected scenarios should be exercised quarterly with each major area of incident response exercised periodically.

(3) Procedures for rendering assistance, when requested, to other services, Federal, or civil activities involved in an NW incident.

c. N-RTF plans should include provisions for the establishment of an incident command post (ICP), JIC, ASHG Center, Weapons Recovery Group (WRG), and SRWG that are addressed further in enclosure (5). N-IRF commanders also should be cognizant of the functions and requirements of these activities.

DEFENSE THREAT REDUCTION AGENCY (DTRA) OPERATIONS CENTER

1. Purpose

a. The DTRA operations center was established under a joint DoD and DOE agreement. DTRA operations center was established to assist the NMCC and JNAIRT, service operations centers, DOE, and civil authorities in the execution of their responsibilities during an NW incident involving radioactive material.

b. As per reference (b), the military services, DTRA, and DOE provide DTRA's INDRAC Web site with information necessary to maintain records regarding the location and capability of specialized units and teams that can be employed for emergency radiological incident operations.

2. Discussion. The Navy's responsibility with respect to the joint agreement is to establish procedures to ensure that the DTRA operations center is advised of all radiological incidents. DTRA operations center's principal task and functions are to:

a. Maintain current information from DOE, DTRA, and the services as to location and availability of specialized DoD and DOE teams or organizations capable of responding to incidents involving radioactive material.

b. Receive notification of an NW incident and requests for assistance.

c. Request assistance, as necessary, from DoD or DOE.

d. Provide NW incident information to appropriate commands and agencies.

e. Obtain all available information regarding the radioactive material involved in the NW incident and disseminate to response forces at the site.

f. Refer public queries to the JIC established by the service or agency having primary command responsibilities at the NW incident site.

NAVY RESPONSE TASK FORCE (N-RTF) JOINT COORDINATION CENTER

1. Purpose. To provide an overview of significant jointly staffed nodes of the NW incident N-RTF organization.

2. Discussion

a. ICP - serves as the primary coordination center for the N-RTF commander. It is the focal point for C2 of on-site operations and coordination of actions with supporting activities, both on and off site, including liaison with outside Federal, state, local, and tribal agencies and responders.

b. JIC - serves as the focal point for development of information released to public and press as authorized by the N-RTF commander. The facility will provide for the coordination between the N-RTF commander, Federal, state, local, and tribal authorities, as well as the OASD (PA). To allow for access to non-naval activities, the JIC should be located outside the security and NDA perimeter.

c. ASHG - serves as the N-RTF commander's central element for establishing and administering occupational health and safety programs (including radiological hazards) implemented to protect all on-site personnel responding to, or on-site personnel affected by, an NW incident. Information provided by the ASHG is essential during the decision making processes for weapons recovery that could affect on-site workers' health and safety and has an off-site impact, as well. The ASHG provides the N-RTF commander with a centralized source of current on-site health and safety information. ASHG information is shared with the Federal Radiological Monitoring and Assessment Center (FRMAC) to assist them in establishing appropriate and effective off-site actions in response to an NW incident.

(1) The senior Navy radiation health officer or radiation safety advisor on the N-RTF should establish and direct operation of the ASHG until relieved by a designated representative from Commander, NAVSEASYSKOM and shall then serve as the liaison between the N-RTF commander and the ASHG director.

(2) DOE Accident Response Group (ARG) health and safety response personnel report to and coordinate their efforts through the ASHG. Reference (d) provides information concerning supporting elements available to the ARG.

(3) The ASHG is the single control point for the N-RTF commander for off-site information through liaison with the FRMAC. The FRMAC is a DOE-managed center established to coordinate radiological monitoring and assessment support to state and local governments. The DOE off-site technical director is responsible for the FRMAC. Responsibility for FRMAC operations may be transferred to the EPA at a time mutually agreed upon by DOE and EPA.

(4) Elements of the Consequence Management Assessment Team from DTRA are located in the ASHG to advise and assist the N-RTF commander on matters relating to radiological health and safety issues. The Armed Forces Radiobiology Research Institute's Medical Radiobiology Advisory Team (MRAT) is such an asset. The MRAT can be present or contacted by telephone for state-of-the-art medical radiobiology advice.

d. WRG - serves as the N-RTF commander's central element for planning and executing the recovery process which includes the safe recovery, packaging, and transporting of NW and components involved in the NW incident. The senior DoD representative will direct the operations of the WRG. The deputy WRG director will be a member of the DOE ARG. The WRG will draw the majority of personnel and expertise from the DOE ARG, especially for weapons recovery, packaging, and transport.

e. SRWG - serves as the N-RTF commander's central element for beginning the site remediation process. The SRWG will initiate the site remediation planning process, develop the long term plan, and begin plan implementation. The SRWG works closely with and draws expertise from Federal, state, local, and tribal government agencies. The senior installation environmental representative will establish and direct operations of the SRWG until relieved by a designated representative from Commander, NAVFACENGCOM.

SECURITY GUIDANCE

1. Purpose. To provide guidance for planning and conducting security operations at the scene of an NW incident.

2. Discussion

a. The presence of NW or NW components at an NW incident site requires immediate implementation of an effective security program. In all cases, close coordination with civil authorities will be essential throughout the NW incident response effort.

b. All N-IRF and N-RTF commanders shall include a security annex in response plans outlining procedures to be followed during an NW incident. References (c) and (k) provide guidance for planning and conducting security operations at the scene of an NW incident. The complexity and scope of security planning will depend on the existing resources of the command.

c. The timely application of a range of emergency procedures is critical to the successful prosecution of an NW incident response. It is imperative, therefore, that advanced planning and training be conducted between firefighters, security forces, medical, and EOD personnel to ensure that emergency procedures are allowed to proceed unimpeded while appropriate NW security is maintained.

d. In addition to the guidance provided in references (c) and (k), security plans should identify the requirement to:

(1) Establish a security perimeter including a single entry control point (ECP). The ECP should be located at, or near but not to interfere with, the contamination control station.

(2) Establish entry control procedures.

(3) Establish entry control logs that contain, as a minimum:

(a) Names.

(b) Parent organization.

(4) Establish an on-site security command center.

(5) Establish procedures and ensure security personnel are briefed on the limits of their authority for enforcing the security boundaries, apprehending versus arresting civilian personnel, using deadly force, and responding to potential tactics the news media and civilian populace might use in their quest for information.

(6) Establish procedures for recovery of government material from unauthorized personnel.

(7) Establish procedures for briefing and debriefing personnel.

(8) Establish procedures for traffic control.

(9) Establish procedures for marking and securing the NDA.

(10) Coordinate with the legal officers and PAOs on the response force staff, and Federal, state, tribal, and local law enforcement agencies to address the legality of security force action and viability of the NDA.

e. N-IRFs and N-RTFs should maintain sufficient security personnel and equipment to control an NW incident site, including perimeter security, entry control, and protection of classified material. Security personnel should have, and be trained and prepared to deploy with weapons, ammunition, cold weather gear, protective masks, radios, canteens, helmets, and other equipment as necessary.