

This examination was given using the chain oral testing process, and candidates were given ten minutes to respond to each question. Candidate responses to each question were rated on a five-point scale (1 to 5) from nil response through optimum according to determinations made by the SMEs. Oral communication for each question was also rated on the five-point scale. This five-point scale includes 5 as the optimal response, 4 as a more than acceptable passing response, 3 as a minimally acceptable passing response, 2 as a less than acceptable response, and 1 as a much less than acceptable response. The appellant received the following scores for the technical component for each question, in order: 5, 3, 3, and 1. He received the scores of 5, 5, 5, and 5 for the oral communication components.

The appellant challenges his scores for the technical component for the Incident Command – Fire Incident scenario. As a result, the appellant's test material, video, and a listing of PCAs for the scenario were reviewed.

The Incident Command-Fire scenario concerned a report of a hazardous materials incident at a tank farm in February. It is 4:00 PM, 15° F, with little to no wind. There are three tanks in the immediate area and the tank on fire is a flammable liquid storage tank in close proximity to the two other flammable liquid storage tanks. Side A faces a road which is currently experiencing heavy traffic. Upon arrival, the candidate observes the centermost tank on fire and there is liquid leaking from near the top of the tank. There is also a fire in the diked area that surrounds the three tanks. Responding apparatus are having difficulty accessing the emergency scene due to the high traffic and plant workers are beginning to gather at the storage facility entrance. Instructions asked candidates to base their responses on the text *Hazardous Materials: Managing the Incident* and their experience. Question 1 asked for information that should be gathered in the size-up process. Question 2 asked for specific actions that should be taken to mitigate the incident.

The assessor noted that the appellant failed to locate his command post uphill and upwind, and to ensure the pipes and valves leading to the tanks were shut off. These were mandatory responses to question 2. He also noted that the appellant missed the opportunity to provide the time when the incident started, which was an additional response to question 1, and to ensure the proper amount of foam on scene, which was an additional response to question 2. On appeal, the appellant argues that he indicated he would approach the scene from uphill and upwind, and indicated that apparatus were delayed, and he had access concerns to the facility, due to the volume of traffic at that time of day. He also stated that he said the time was 4:00 PM and workers may still be in the facility.

In reply, question 1 asked for the information that should be gathered in the size-up process, and included in this information should be the time when the

incident started. The appellant began his presentation by giving a list of size-up factors, but he did not include the time the incident started. One of the size-up factors he was concerned with was apparatus and manpower, and he stated that apparatus would be delayed and they have difficulty accessing the area so additional alarms would be required early in the process. This is not the same as the action listed by the assessor. The appellant indicated that the time was 4:00 PM and workers could still be present within the facility. As such, the appellant indicated the time of day, but he had not indicated that he was concerned with the time that the incident started. The time that the responders arrived on scene was a separate action.

Additionally, while the appellant approached from uphill and upwind, he also stated that he would attempt a 360-degree view upon his arrival. As such, he may have driven by the tank facility and established the command post downhill and downwind. In any event, he did not state that he would locate his command post uphill and upwind in response to question 2. The appellant stated that he was establishing Roxxon Road command, but he did not state where the command post was. He also did not state that he would ensure the pipes and valves leading to the tanks were shut off. He missed two mandatory responses, as well as other responses, and his score of 1 for this component will not be changed.

CONCLUSION

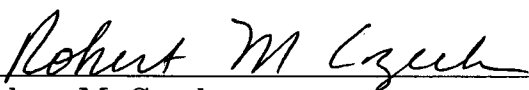
A thorough review of appellant's submissions and the test materials indicates that the decision below is amply supported by the record, and the appellant has failed to meet his burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION
THE 7th DAY OF DECEMBER, 2016



Robert M. Czech

Chairperson

Civil Service Commission

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