



## Region 4

# Regional/Area Contingency Plan

To report spills, call the National Response Center United States Coast Guard Headquarters, Washington, D.C.

**24-hour number: (800) 424-8802**

### Regional Response Centers:

**US Environmental Protection Agency,  
Region 4, Atlanta, GA**

404-562-8705

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**US Coast Guard, District 7, Miami, FL**

305-415-6800 (maritime emergency only)

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**US Coast Guard, District 8, New Orleans, LA**

504-589-6225

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**US Coast Guard, District 5,  
Portsmouth, VA**

757-398-6441 or 800-334-8377

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### State Emergency Contact Information:

#### Alabama

800-843-0699

#### Florida

850-245-2010 or 800-320-0519

#### Georgia

404-362-2671 or 800-241-4113

#### Kentucky

800-255-2587

#### Mississippi

800-222-6362

#### North Carolina

800-858-0368 or 919-807-6308

#### South Carolina

888-481-0125

#### Tennessee

800-262-3300

## Region 4 Regional Contingency Plan/Area Contingency Plan (RCP/ACP)

### Letter of Promulgation


In accordance with the provisions of the Federal Water Pollution Control Act of 1972 as amended by the Clean Water Act of 1977, and Section 105 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, the National Oil and Hazardous Substances Contingency Plan (NCP) was developed by the United States Environmental Protection Agency (U.S. EPA). Section 300.210 of the NCP states that a Regional Contingency Plan shall be prepared for each standard Federal region. The Region 4 Oil and Hazardous Materials Contingency Plan has been developed with cooperation of all designated Federal Agencies and State governments. This plan provides a mechanism for coordinating responses to releases of oil or hazardous substances within the States of Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee and with the Tribal lands of the federally recognized Native American Tribes in Region 4.

This plan is effective on the date of the last signatory and supersedes the previous plan. This revised RCP/ACP has been published electronically and is available for viewing or download from the Region 4 Regional Response Team (RRT IV) website: <https://r4.ercloud.org/r4rrt/>.


Comments and recommendations regarding this plan should be addressed to Gary Andrew, U.S. EPA RRT IV Coordinator ([Andrew.Gary@epa.gov](mailto:Andrew.Gary@epa.gov)) or Rich Lavigne, USCG RRT IV Coordinator ([Richard.j.lavigne@uscg.mil](mailto:Richard.j.lavigne@uscg.mil)). Requests for amendments and changes will be addressed during regularly scheduled RRT Meetings.

  
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12/17/2019  
Date

  
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12/18/2019  
Date

  
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12/19/2019  
Date

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## **SECTION 1. INTRODUCTION**

### **1.1 Background**

Federal Region 4 is comprised of the seven southeastern states (Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, and Tennessee), one commonwealth (Kentucky), and six federally recognized Indian tribes. Within Region 4 at the federal level, responses to oil discharges and hazardous substance releases are governed by several laws and regulations. The Clean Water Act (CWA), as amended by the Oil Pollution Act of 1990 (OPA 90), deals with oil discharges into navigable waters of the United States. The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) establishes the framework for response to hazardous substance releases which threaten human health and the environment. Both statutes mandate the development of contingency plans, and there is significant overlap in the type and scope of information required to do so. Sections 300.210(b) and (c) of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) require the development of a Regional Contingency Plan (RCP). Section 311(j)(4) of the CWA requires development of an Area Contingency Plan (ACP), capable of removing a worst case oil discharge. In the coastal sections of Region 4, the United States Coast Guard (USCG) has developed multiple Area Contingency Plans based on the Captain of the Port (COTP) jurisdictions. By contrast, the entire Inland zone of Region 4 has been designed as a single “Area” for contingency planning purposes. In order to minimize confusion and maximize resources, the RCP and the Inland ACP are combined in this document as an Integrated Contingency Plan (“RCP/ACP” or the “Plan”).

The responsibility for both the RCP and the Inland ACP lies with the Region 4 Regional Response Team (RRT4). This Plan is the policy document for preparedness and response to discharges and releases in Region 4, as the RCP is designed to implement the NCP at the Regional level. The RRT4 also serves as the Area Committee for the Inland zone ACP. This RCP/ACP fulfills the requirements of the NCP and the CWA, and also provides for the Regional approach to a response under the National Response Framework (NRF), particularly Emergency Support Function #10—Hazardous Materials (ESF #10). The remainder of the Introduction section is aligned with the relevant paragraphs of the NCP. The issue of plan update cycles and schedules is also covered in the Introduction to the Plan, to ensure that the information is accurate and remains up to date.

In 2003, Homeland Security Presidential Directive-5 (HSPD-5) was issued which required the Secretary of Homeland Security to develop a national incident management system for response to domestic incidents, regardless of cause, size or complexity. In 2004, the Department of Homeland Security issued the National Incident Management System (NIMS) which is designed to permit effective coordination among responders at all jurisdictional levels and across all disciplines. The essential component of NIMS is adoption of the Incident Command System (ICS). Although the overwhelming majority of emergency incidents are handled on a daily basis by a single jurisdiction at the local level, there will be instances in which successful domestic incident management operations depend on the involvement of emergency responders from

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multiple jurisdictions, as well as personnel and equipment from other states and the federal government. Utilization of the NIMS ICS Unified Command principles will enhance efficient coordination across a broad spectrum of organizations and activities.

Because NIMS ICS is the national standard for incident management, the main body of the RCP/ACP is organized along the following NIMS ICS concepts: Command, Operations, Planning, Logistics, and Finance. These sections of the Plan contain information on how federal responses are organized and conducted, the relationship of the various plans, the array of federal resources which are available, and how federal responses are financed.

Finally, references are provided throughout the Plan to various Standard Operating Procedures (SOPs), Memoranda of Agreement (MOAs), Memoranda of Understanding (MOUs), and other relevant supporting documents, which are provided as Annexes to the RCP/ACP.

### **1.2 Purpose and Objectives**

The purpose of the Plan is to provide the organizational structure and procedures to prepare for and respond to oil discharges and releases of hazardous substances, pollutants, and contaminants. The Plan is written to both implement the NCP at the Regional level and to provide the Inland ACP for Region 4.

In conjunction with other planning tools, this Plan will also lend itself to potential designation of Sub-Areas for response planning within the Region 4 Inland zone. Specific information regarding identification of equipment, sensitive environmental and economic areas and other response specific information will be identified during development of these Sub-Area Plans in specified locations by the appointed Area Committees, where appropriate.

### **1.3 Authority and Applicability**

The RCP is developed pursuant to Sections 300.210 of the NCP. The NCP is required by Section 105 of CERCLA, as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), and by Section 311(d) of CWA, as amended by OPA 90. The ESF #10 components of this plan are required by the [Robert T. Stafford Disaster Relief and Emergency Act \(Public Law 93-288\)](#), as amended. The RCP is applicable to response actions taken pursuant to the authorities under CERCLA, Section 311 of CWA, and OPA 90. The NCP requires establishment of Regional Response Teams (RRTs), which are responsible for Regional planning and preparedness activities before response actions, and for providing advice and support to the Federal On-Scene Coordinator (OSC) when activated during a response.

The ACP is required by Section 311(j)(4) of CWA. To accomplish the coordinated planning structure envisioned under the law, Section 4202(a) of OPA 90 requires the President to designate specific Areas for which Area Committees are established. Each Area Committee, under the direction of an OSC, must prepare and submit to the President for approval an ACP that, in conjunction with the NCP, is adequate to remove a worst case discharge from a vessel or facility operating in or near that Area.



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Through [Executive Order 12777](#), the President delegated to the Administrator of the United States Environmental Protection Agency (EPA) responsibility for designating the Areas and appointing the committees for the inland zone as designated in the NCP. The Administrator further delegated this authority to the US EPA Regional Administrators, and designated the 10 pre-existing RRT areas as the Areas for OPA 90 planning purposes.

This Plan is applicable to response actions taken pursuant to the authorities under CERCLA and under Section 311 of the CWA, as amended.

Discussion of the various federal statutes and regulations governing the response to discharges and releases to the environment are provided in Section 4 of this Plan.

### **1.3.1 Geographic Boundaries**

The following text is excerpted from the MOA between EPA Region 4 and the USCG Fifth, Seventh, and Eighth Districts which is provided in Annex A to this Plan:

#### **A) Inland Zone Boundary Designation**

EPA Region 4 provides the pre-designated OSC (See Annex B) for pollution response in the Inland zone. All reported discharges or releases, or a substantial threat of such discharges or releases of oil or hazardous substances, pollutants or contaminants originating within the Inland Zone requires an EPA OSC to evaluate the situation with respect to a potential federal response.

EPA Region 4 is bordered by EPA Region 3, EPA Region 5, EPA Region 6, and EPA Region 7. Responsibilities regarding responses to incidents along inland waterways between these EPA Regions are delineated in formal MOUs. These MOUs are provided in Annex A of this Plan. <https://r4.ercloud.org/r4rrt/wp-content/uploads/2018/05/Annex-A-Jurisdictional-Response-Boundaries.pdf>

#### **B) Coastal Zone Boundary Designations**

The cognizant USCG COTP is the pre-designated OSC for pollution response in the Coastal zone. All discharges or releases, or a substantial threat of such discharges or releases of oil or hazardous substances originating within the Coastal Zone are the responsibility of the USCG OSC.

The Coastal zone boundary description for the USCG OSCs located within Region 4 can be also be found in Annex A and is illustrated in the Region 4 Phone Duty Web-mapping application, which can be accessed at: <https://epa.maps.arcgis.com/apps/View/index.html?appid=242cab6cedfe4d3cbf0b5029c1146657>

## **1.4 Scope**

The Region 4 RCP/ACP has been developed in accordance with the NCP, and the procedures contained in this plan are intended to conform to the provisions of the NCP. This plan is applicable to response actions taken pursuant to the authorities under CERCLA and the CWA, as amended. The geographical boundaries of this plan are those defining Federal Region 4 and includes

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Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina and Tennessee. The agreements between EPA and the States are included in Appendix A.

This plan is applicable to and in effect for:

- (1) Discharges of oil and CWA Hazardous Substances into or on the navigable waters and adjoining shorelines of the United States that lie within the Inland zone of the region as defined in this Plan. When discharges of oil into or on the navigable waters and adjoining shorelines within the jurisdiction of a USCG designated area and the applicable ACP, the response will be managed under that applicable ACP in conjunction with the NCP.
- (2) Releases into the environment of the Inland zone, of hazardous substances, and pollutants or contaminants which may present an imminent and substantial danger to public health or welfare. When releases or threats of releases of hazardous substances occur within the jurisdiction of a USCG designated area and the applicable ACP contains provisions for a response to such a release, that ACP shall govern the response to that release, in conjunction with the NCP.
- (3) Additional resource and support requirements above those available through the applicable COTP ACP will be coordinated through the provisions of this Plan and the NCP as needed.

This Plan provides the direction and procedures for the pre-designated OSC to follow in order to ensure an efficient, safe, and effective response. The Plan contains information on the various types of assistance available to Federal OSCs from RRT member agencies during response actions. This plan also contains separate annexes for response to incidents resulting from a natural disaster, a radiological incident, and responses to incidents involving Weapons of Mass Destruction (WMD).

### **1.5 Plan Review and Update Cycle**

The RCP/ACP shall be reviewed in-depth and updated once every 5 years at a minimum. The Plan may require more frequent updates based on lessons learned from responses to major incidents, significant national policy changes or developments, or direction from the standing Region 4 RRT, as appropriate.

#### **1.5.1 Plan Implementation**

Agencies signatory to this plan should participate in a training process to ensure familiarity with its contents. Other participating agencies are encouraged to use this plan in all response training. Signatory agencies may establish an annual training program within their agencies to ensure that all parties:

- Understand and are fully aware of their respective roles and responsibilities;
- Understand their role in the Unified Command System;
- Understand how they coordinate and communicate with other parties and agencies;

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- Understand what and where their assignments will be at a spill scene;
- Understand the overall level of commitment they are to devote to spill response operations; and
- Understand how they will be notified and when to respond to such notification.

Agency spill responders and key personnel should review this plan on an annual basis. Each agency is responsible for regular review of this document.

### **1.5.2 Exercises**

Exercise scheduling is vital to the success of a national and regional program, though it requires a commitment of time and resources, particularly for large exercises. Coordinated scheduling allows key players to be available and budgets to be planned. Exercises can be scheduled in numerous ways. For example, “Area” exercises should be scheduled through the National Strike Force Coordination Center in coordination with regional agencies and industry. Smaller annual exercises/drills will be notified through the RRT 4 Training and Education Committee. This scheduling function is a task of the committee, and the exercise/drill schedule is posted on the RRT 4 website.

## **SECTION 2. COMMAND**

### **2.1 Command Structure – Unified Command Organization**

The NCP and the NRF identify NIMS as the national standard for response management. This system is a structure that brings together federal and state agencies, responsible parties (RPs), and additional tribal or local government responders as appropriate, to achieve an effective and efficient response. The structure under which these parties come together is commonly referred to as the ICS. In the ICS, command may be assigned to a single individual acting as an Incident Commander (IC), or to a group of ICs acting as a Unified Command (UC) In Region 4, the preferred approach in responding to a discharge or a release under the NCP is for an OSC to either form or join an established UC in order to coordinate command of the incident among various parties and multiple jurisdictions. In the Unified Command, decisions with regard to the response will be made by consensus and documented through a single Incident Action Plan (IAP) for each operational period. It should be noted that in this structure, the OSC retains ultimate authority in a response operation for decisions relating to an oil discharge or release of hazardous substances. However, the OSC will exert his/her own authority independent of the UC only if other members are not present or are unable to reach consensus within a reasonable timeframe.

The UC is responsible for the overall management of the incident and incident activities including the development and implementation of strategic decisions and approval of the order and release of resources. The UC should be composed of the OSC, State IC, Local IC, Responsible Party and additional Command Staff including Safety, Information and Liaison Officer positions. The UC establishes incident objectives, and oversees and delegates responsibilities to the four functional units, which are the Operations, Planning, Logistics and Finance/Administration Sections, which are further detailed in sections 3-6 of this Plan. For additional information on the duties of the IC/UC and other Command Staff positions under ICS, please reference the EPA Incident Management Handbook at:

[https://emp.epa.gov/empadmin/dynamicContent/centralrepo/EMP/Incident%20Management%20Handbook\\_IMH.pdf](https://emp.epa.gov/empadmin/dynamicContent/centralrepo/EMP/Incident%20Management%20Handbook_IMH.pdf)

Commonly used objectives for an incident involving response to a discharge or a release are:

- Ensure the safety of citizens and response personnel
- Control the source of the release
- Manage a coordinated response effort
- Maximize protection of environmentally sensitive areas including wildlife and historic properties
- Contain and recover released material
- Recover and rehabilitate injured wildlife
- Remove substance from impacted areas
- Minimize economic impacts

- Keep stakeholders informed of response activities
- Keep the public informed of response activities

## **2.2 Response Organization: Roles and Responsibilities**

This section describes the individuals and organizations that make up the framework of the National Response System and discusses their responsibilities.

### **2.2.1 Federal OSC Responsibilities**

The OSC is the predesignated Federal official, operating at the scene of an oil or hazardous substances incident in accordance with executive powers established through law, regulation, executive orders and agency delegations. The OSC directs response efforts and coordinates all other efforts at the scene of a discharge or release.

The USCG designates the COTP as OSCs for the Coastal zone areas where an ACP is required. The COTP will also act as the OSC for incidents that occur in the Inland zone where the release, discharge, or threat of release or discharge, occur from commercial vessels or from marine transportation-related fixed facilities. In the past, Region 4 has pre-designated OSCs in the Regional Area Contingency Plan (RACP). Given the pace of change and rapid development of various regional and national response plans, listing OSCs in the RACP is no longer sufficient. Therefore, all Region 4 OSCs hired under OSCs position descriptions are designated OSCs for purposes of the National Oil and Hazardous Substances Contingency Plan and relevant statutes. EPA will provide the OSC for incidents that occur in the Coastal zone where the release, discharge, or threat of release or discharge, occur from fixed facilities as defined by CERCLA other than marine transportation-related fixed facilities. EPA will also provide the OSC should the incident involve non-marine transportation related incidents including railroad, highway, or pipeline owners/operators/carriers.

In the case of a release of a hazardous substance on a Department of Defense (DOD) or Department of Energy (DOE) facility, the responsible lead agency will designate the OSC. If an oil discharge occurs on a DOD or DOE facility, the USCG or EPA will provide the OSC depending on whether the response is in the Coastal zone or the Inland zone, respectively. In the case of a federal agency other than EPA, DOD, DOE, or USCG, such agency shall provide OSCs for all removal actions that are not emergencies.

The OSC may monitor local, Tribal, State, or private actions to remove a discharge, and may provide technical assistance to local, Tribal, State, or RP response personnel. When the OSC has determined that a discharge or release poses or may present a substantial threat to public health or welfare, he/she is authorized by the NCP to direct all private, State, or Federal actions to remove the discharge or to mitigate or prevent the threat of such a discharge. In addition, the OSC may remove or arrange for the removal of the discharge to mitigate or prevent the substantial threat of the discharge; the OSC may remove and, if necessary, destroy a vessel that is discharging or threatening to discharge, without regard for any other provision of law governing contracting procedures or employment of personnel by the Federal Government ([40 CFR 300.322](#)).

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Upon receipt of notification of a discharge or release, the OSC is responsible for conducting a preliminary assessment to determine the following items:

- threat to human health and the environment;
- the responsible party and its capability to conduct the removal; and
- feasibility of removal or the mitigation of impact.

The OSC shall ensure that the trustees for natural resources are promptly notified of discharges. The OSC shall coordinate all response activities with the affected natural resource trustees and shall consult with them regarding the appropriate removal action to be taken. Where the OSC becomes aware that a discharge may affect any endangered or threatened species, or their habitat, the OSC shall consult with the appropriate natural resource trustee.

The OSC's general responsibilities are described below.

- a. Overseeing development of the ACP in the area of the OSC's responsibility, in cooperation with the RRT, and designated state and local representatives.
- b. Coordinate with appropriate Federal Agencies and ensure funding to permit timely removal actions;
- c. Notify the appropriate State and Federal Agencies (See Annex C of this Plan for Region 4 Downstream Notification Procedures)
- d. Determine whether proper response actions have been initiated. If the party responsible for the release or spill does not act promptly in accordance with the directions of the OSC or does not take appropriate actions, or if the party is unknown, the OSC shall respond in accordance with provisions of the NCP and agency guidance, and coordinate activities as outlined in this RCP/ACP.
- e. Collect information concerning the discharge or release:
  - its source and cause;
  - potentially responsible parties;
  - the nature, amount, location, direction, and time of discharge;
  - pathways to human and environmental exposure;
  - potential impact on human health, welfare, and safety, and the environment;
  - possible impact on natural resources and property;
  - priorities for protecting human health and welfare and the environment; and
  - estimated cost for the response.
- f. Certifying the financial responsibility of vessel owners and operators.
- g. Consult with and inform the RRT4 members of reported discharges and releases through Pollution Reports in Message Format (POLREPs).
- h. Consult with the appropriate Regional or District office regarding situations potentially requiring temporary or permanent relocation. In the event of a declared Federal disaster, coordinate with the Federal Emergency Management Agency (FEMA) Federal Coordinating Officer (FCO) as appropriate.
- i. Implement appropriate community relations activities.

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- j. Address worker health and safety issues prior to and during a response operation and comply with all worker health and safety regulations.
- k. Coordinate with the Agency for Toxic Substances and Disease Registry (ATSDR), as deemed necessary, regarding possible public health threats.
- l. Coordinate with the US EPA Office of Radiation and Indoor Air (ORIA) and DOE in emergencies involving radiological hazards.

As requested by the NRT or RRT4, the OSC shall submit to the RRT4 a complete report on the removal operation and the actions taken. The report shall record:

- the situation as it develops,
- the actions taken,
- the resources committed, and
- the problems encountered.

### ***2.2.1.2 Special Teams***

Various federal agencies can provide special forces that a FOOSC may call upon for assistance during an oil spill or hazardous substance release. These special forces are described below.

- **US EPA Special Teams:**
  - **US EPA ERT** – A group of EPA technical experts who provide around-the-clock assistance at the scene of hazardous substance releases. ERT offers expertise in such areas as treatment, biology, chemistry, hydrology, geology, and engineering. ERT can provide support to the full range of emergency response actions, including unusual or complex emergency incidents. In such cases, ERT can bring in special equipment and experienced responders, and can provide the OSC or lead responder with experience and advice.
  - **Radiological Emergency Response Team (RERT)** – A specialized unit that responds to emergencies requiring the cleanup of radioactive substances. RERT provides onsite and lab-based radiation risk monitoring services.
  - **Chemical, Biological, Radiological, and Nuclear Consequence Management Advisory Division (CBRN CMAD)** – CBRN CMAD provides scientific support and technical expertise for the decontamination of buildings, building contents, public infrastructure, agriculture and associated environmental media. CMAD provides specialized expertise, such as biochemistry, microbiology and medicine, health physics, toxicology, HVAC engineering, and industrial hygiene. CMAD is available to assist local, national, and international agencies supporting hazardous substance response and remedial operations, including Nationally Significant Incidents.
  - **National Criminal Enforcement Response Team (NCERT)** - The Office of Criminal Enforcement, Forensics, and Training's National Criminal Enforcement Response Team (NCERT) supports environmental crime investigations involving chemical, biological, or

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radiological releases to the environment. NCERT's specially trained Law Enforcement Officers:

- Collect forensic evidence within contaminated zones;
  - Serve as law enforcement liaisons with other law enforcement agencies; and
  - Provide protective escorts to EPA's OSCs, contractors and other EPA Special Teams during national emergencies.
- **USCG Special Teams**

USCG Special Teams provide highly trained, experience personnel and specialized equipment to facilitate preparedness for and response to oil and hazardous substances pollution incident in order to protect public health and the environment.

<b>Team</b>	<b>Website</b>
National Strike Force	<a href="https://www.dco.uscg.mil/Our-Organization/National-Strike-Force/">https://www.dco.uscg.mil/Our-Organization/National-Strike-Force/</a>
Atlantic Strike Team	<a href="https://www.dco.uscg.mil/Our-Organization/National-Strike-Force/AST/">https://www.dco.uscg.mil/Our-Organization/National-Strike-Force/AST/</a>
Gulf Strike Team	<a href="https://www.dco.uscg.mil/Our-Organization/National-Strike-Force/GST/">https://www.dco.uscg.mil/Our-Organization/National-Strike-Force/GST/</a>
Pacific Strike Team	<a href="https://www.dco.uscg.mil/Our-Organization/National-Strike-Force/PST/">https://www.dco.uscg.mil/Our-Organization/National-Strike-Force/PST/</a>
USCG Incident Management Assistance Team (IMAT)	<a href="https://www.atlanticarea.uscg.mil/Our-Organization/Area-Units/CG-IMAT/">https://www.atlanticarea.uscg.mil/Our-Organization/Area-Units/CG-IMAT/</a>
Public Information Assist Team	<a href="https://www.dco.uscg.mil/Our-Organization/National-Strike-Force/PIAT/">https://www.dco.uscg.mil/Our-Organization/National-Strike-Force/PIAT/</a>

- **NCP Special Teams**

The OSC will direct with ORIA coordinating the mobilization of the RERT and may coordinate mobilization of the [Department of Energy's Radiological Assistance Program \(RAP\)](#), and Federal Radiological Monitoring and Assessment Center (FRMAC).

### **2.2.2 National Response Team**

The NRT is comprised of 16 federal agencies with interests and expertise in emergency preparedness and response to incidents involving oil and hazardous substances. The NRT is primarily a national planning, policy and coordinating body. The NRT provides assistance as requested by an OSC via the RRT during an incident, but usually does not respond directly to incidents. NRT assistance usually entails technical advice, access to additional or specialized resources and coordination with other RRTs. Specific details are found in Section 300.110 of the NCP.



## 2.2.3 Regional Response Team

Regional Response Teams are responsible for regional planning and preparedness activities, as well as for coordination of assistance and advice to the OSC during site-specific incidents. The Co-Chairs of RRT4 are the Chief of the Emergency Response, Removal, and Prevention Branch, US EPA Region 4 and the Incident Management and Preparedness Advisor (IMPA) for the Coast Guard Seventh District.

### 2.2.3.1 Members

The RRT4 membership includes representatives from each State appointed by the Governor, and the designated regional representatives of the following Federal Agencies:

#### **RRT MEMBER AGENCIES**

US Environmental Protection Agency	US Coast Guard
Department of Interior	Department of Energy
Department of Defense	Department of Health & Human Services
Department of State	Department of Labor
Department of Commerce	Department of Justice
Department of Agriculture	General Services Administration
Department of Transportation	Federal Emergency Management Agency
Nuclear Regulatory Commission	State of Georgia
State of Alabama	State of Mississippi
State of Florida	State of South Carolina
Commonwealth of Kentucky	State of Tennessee
State of North Carolina	

Each member agency should designate one member and at least one alternate member to the standing RRT. Agencies whose regional subdivisions do not correspond to the standard Federal Regions may designate additional representatives to the standing RRT to ensure appropriate

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coverage of the standard Federal Region. Federally recognized Native American Tribal governments may arrange for representation on the RRT. Other interested parties may attend and observe RRT meetings. The usual process by which the RRT reaches its decisions is by consensus. However, in instances where a decision is reached by means of a vote, the voting capacity of each Federal member agency and other RRT member organizations is limited to one vote per member agency or organization.

The NCP states that regional planning and coordination of preparedness and response actions shall be accomplished through the RRT. Further, Subpart J (40 CFR §300.900; Use of Dispersants and Other Chemicals) outlines specific roles and responsibilities of the RRT and Area Committee, or certain RRT representatives, with respect to the use of particular response technologies. Section 300.910 states that RRTs and Area Committees shall address, through the planning process, the appropriate use of dispersants, surface washing agents, surface collecting agents, bioremediation agents, or other miscellaneous oil spill control agents listed on the NCP Product Schedule and the appropriate use of burning agents. The NCP allows RRTs and Area Committees to develop preauthorization or expedited approval plans for the use of the substances listed above. The NCP also states that the EPA RRT representative, the affected state(s), the Department of the Interior (DOI), and the Department of Commerce (DOC) must approve all preauthorization plans. For situations not addressed by preauthorization plans, the EPA RRT representative may authorize the use of products listed on the NCP Product Schedule or burning agents. As appropriate, this authorization should be given with the concurrence of the affected state(s) and in consultation with DOI and DOC. It should be noted that an OSC may authorize the use of an NCP Product Schedule substance without the concurrence of the EPA RRT representative when the use of the product is necessary to prevent or substantially reduce a hazard to human life.

The NCP also outlines the concept of two components of the RRT: the standing RRT and an incident-specific RRT. Additional information on the Region 4 RRT may be found in Annex N of this Plan.

### ***2.2.3.2 Federal Agency Responsibilities***

During preparedness planning or in an actual response, these Federal agencies, consistent with their legal authorities and capabilities, may be called upon to provide assistance in their respective areas of expertise, as indicated in this section. Additionally, some of these agencies also have duties relating to the restoration, rehabilitation, replacement, or acquisition of equivalent natural resources injured or lost as a result of such discharge or release.

To be responsive to the requirements of this plan, all RRT member agencies should plan for emergencies and develop procedures for addressing oil discharges and releases of hazardous substances, pollutants, or contaminants from vessels and facilities under their jurisdiction, custody, or control. All Federal Region 4 RRT member agencies should be prepared to provide OSCs/RPMs with assistance from their respective agencies commensurate with their responsibilities, resources, and capabilities.

Responsibilities common to all RRT member agencies include:

- Providing representatives to the RRT and assisting the RRT in the formulation of the RCP and providing assistance to designated OSCs in the development of ACPs and when requested during Federal response operations;

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- Informing the RRT of changes in the availability of their response resources and;
- Reporting discharges and releases from facilities or vessels under their jurisdiction or control.

### **Agency-Specific Responsibilities**

#### **Department of Agriculture (USDA)**

The USDA has the capability to measure, evaluate and monitor situations where natural resources have been impacted by fire, insects and disease, floods, hazardous substances and other emergencies. The USDA is represented on RRT 4 by the United States Forest Service (USFS) office in Atlanta. The USFS is responsible for protection and management of national forests and grasslands. The USFS maintains specially trained incident management teams and also has the capability to provide emergency communications systems, specialized aircraft, and human support facilities for large groups of people. In addition, the USDA is among those agencies designated by the NCP as a Federal Trustee for Natural Resources.

Other USDA agencies include:

The Food and Nutrition Service (FNS), through the Food Distribution Program, provides food as emergency assistance to disaster victims. In appropriate emergency situations, FNS will authorize State agencies to issue food stamps based on emergency procedure.

Food Safety and Inspection Service (FSIS) tests meat and poultry products for the presence of violative drugs, chemical residues, and other adulterants.

Agricultural Stabilization and Conservation Service (ASCS) in cooperation with the Forest Service, Soil Conservation Service, and Army Corps of Engineers, is responsible for emergency plans and preparedness programs for food processing, storage, and distribution through the wholesale level.

Animal and Plant Health Inspection Service (APHIS) provides expertise on plant and animal diseases and health. APHIS also provides assistance with the disposal of damaged plants and animal carcasses.

National Agricultural Statistics Service (NASS) serves as a source of data on crops, livestock, poultry, dairy products, and labor. State Statistical Offices collect and publish local information on these topics.

#### **Department of Commerce**

The DOC, through the National Oceanic and Atmospheric Administration (NOAA), provides support to the RRT and the OSC in areas of scientific support for response and contingency planning in coastal and marine areas, including assessment of the hazards that may be involved, predictions of movement and dispersion of oil and hazardous substances and cleanup and mitigation methods. DOC, through NOAA, has three roles within Region 4:

1. Provides Scientific Support Coordinator (SSC), in accordance with the NCP;

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2. Federal Trustee for Natural Resources, in accordance with the NCP.
3. Member of the RRT. Can provide scientific expertise on living marine resources for which it is responsible; provide current and predicted meteorological, hydrologic, ice, and oceanographic conditions; provide charts and maps; and can provide communication services to the general public, various levels of government, and the media via its weather wire and weather radio system.

### **Department of Defense**

The DOD can take all actions necessary to respond to releases of hazardous substances where either the release is on, or the sole source of the release is from, any facility or vessel under the jurisdiction, custody or control of DOD. In these situations, DOD will provide the OSC. DOD also serves as a **Federal Trustee for Natural Resources on DOD property.**

The **United States Army Corps of Engineers (USACE)** provides design services, performs construction services, provides potable water when a source becomes contaminated, conducts modeling activities, manages locks and dams and provides navigation controls for major rivers. The USACE also has an Interagency Agreement with EPA to conduct community evacuation services when necessary.

### **Department of Energy**

The DOE provides the designated OSC/RPM for responses to releases on or from any facility or vessel under its jurisdiction. DOE also provides radiological emergency planning expertise to the RRT and radiological advice and/or response resources to assist the OSCs in the mitigation of events involving radioactive materials. Under the Federal Radiological Emergency Response Plan (FRERP), DOE also has the initial responsibility for coordinating offsite Federal radiological monitoring and assessment assistance during the response to radiological emergencies. In addition, DOE is among those agencies designated by the NCP as a **Federal Trustee for Natural Resources on DOE property.**

### **Department of Health and Human Services (HHS)**

HHS is responsible for providing expertise and advice on public health and worker safety issues associated with releases or threatened releases of hazardous substances; for providing all health studies and surveys conducted under CERCLA; and for providing and maintaining information concerning the health effects of toxic substances.

The principal HHS response comes from the HHS/Office of the Assistant Secretary for Preparedness and Response (ASPR). This response is coordinated through the ASPR Regional Office. The primary response to a hazardous materials emergency comes from ATSDR and the Centers for Disease Control (CDC). Both ATSDR and CDC maintain a 24 hour emergency response capability. Both agencies provide technical assistance to the lead Federal agency and State and local response agencies on human health threat assessment and analysis and exposure prevention and mitigation. Such assistance is used for situations requiring evacuation of affected areas, human exposure to hazardous materials and technical advice on mitigation and prevention. CDC takes the lead in petroleum discharges regulated under the CWA and the OPA 90 while ATSDR takes the lead for chemical releases under CERCLA.

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### **Department of the Interior**

DOI may be contacted through the Regional Environmental Officer (REO), who is DOI's representative on the RRT. DOI will provide, through its REO, technical expertise to the On-scene Coordinator (OSC) and the RRT with respect to land, fish, wildlife and other resources for which it is responsible. The REO is the designated DOI member to the RRT and can provide information concerning the lands and resources specifically under DOI jurisdiction, as well as offer technical expertise related to geology, hydrology, minerals, fish and wildlife, cultural resources, and recreation resources.

Under Executive Order 12580, DOI is among those agencies designated by the NCP as a federal Trustee for Natural Resources. DOI has direct jurisdiction for the protection of resources on its own lands, as well as trustee responsibilities for certain natural resources, regardless of location. The DOI natural resource trusteeship that extends beyond DOI site boundaries includes migratory birds, anadromous fish, and endangered or threatened species and their critical habitat. Within the DOI, individual bureaus have specific responsibilities and capabilities which are listed below.

Each bureau may be contacted through the DOI Regional Environmental Officer who is in the Office of Environmental Policy and Compliance Regional Environmental Office in Atlanta, Georgia. DOI bureaus and offices have relevant expertise as follows:

1. Office of Environmental Policy and Compliance represents the DOI on the RRT and is responsible for coordinating RRT/DOI activities. The Office of Environmental Policy and Compliance operates within the Office of the Secretary and is responsible for policy development and coordination of the diverse interests of DOI. The Regional Environmental Officer, in addition to being DOI's RRT representative, provides a number of services, including the DOI position on chemical countermeasure and in-situ burn decisions, liaison for technical assistance requests from the OSC, administrative details to secure response cost reimbursement approval from the OSC, and initial coordination for Natural Resource Damage Assessments.
2. U.S. Fish and Wildlife Service (USFWS) manages, protects, and provides expertise on migratory birds, federally-listed threatened and endangered species and their designated critical habitats, certain anadromous fish, inland waters and wetlands, and certain federal lands (National Wildlife Refuges, Waterfowl Production Areas, and National Fish Hatcheries). The USFWS can provide responders with information concerning these resources, as well as technical assistance concerning the effects of oil on these resources. In addition, the USFWS will help coordinate wildlife rescue and rehabilitation efforts in conjunction with the state natural resource trustee(s). USFWS is responsible for assessing damages to natural resources as a result of discharges of oil or releases of hazardous substances into the environment, and issues federal Migratory Bird Permits to qualified individuals and/or organizations that may be available to conduct wildlife rehabilitation operations related to oil spill incidents.
3. U.S. Geological Survey provides advice and information concerning geohydrologic, geologic/seismic, and geochemical data; ground and surface water data; biological

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resources; and maps. The U.S. Geological Survey maintains stream flow gauges throughout Region 4 and can provide historical stream flow information, assist with predicting the time/travel/trajectory of spills, and collect and analyze surface and groundwater samples.

4. Bureau of Land Management has jurisdiction over public lands and expertise in minerals, soils, vegetation, archeology, and wildlife habitat.
5. Bureau of Safety and Environmental Enforcement (BSEE) enforces offshore (Outer Continental Shelf) energy and other resource safety and environmental regulations. Functions include: All field operations including Permitting and Research, Inspections, Offshore Regulatory Programs, Oil Spill Response, and Training and Environmental Compliance functions. BSSE also conducts oil spill response technology research and establishes oil discharge contingency planning requirements for off-shore facilities.
6. Bureau of Ocean Energy Management (BOEM). BOEM is responsible for managing development of the nation's offshore resources in an environmentally and economically responsible way. Functions include: Leasing, Plan Administration, Environmental Studies, National Environmental Policy Act (NEPA) Analysis, Resource Evaluation, Economic Analysis and the Renewable Energy Program.
7. Office of Surface Mining, Reclamation and Enforcement has expertise in coal mining, coal mine wastes, acid mine drainage and land reclamation.
8. National Park Service (NPS) provides general biological, natural, and cultural resource managers to evaluate, measure, monitor, and contain threats to park system lands and to resources including national parks, lake shores, monuments, national historic sites, rivers, and recreation areas. The NPS also provides expertise on historic, archeological, architectural, and recreational resources and sites on the National Register of Historic Places. A Programmatic Agreement between the National Park Service, several historic preservation organizations and several response agencies guides Region 4 policy regarding protection of historic properties.
9. Bureau of Reclamation has expertise regarding engineering, hydrology, and reservoirs, and has jurisdiction over certain federal water projects including dams, reservoirs and irrigation projects.
10. Bureau of Indian Affairs (BIA) is responsible for protecting tribal trust resources and facilitating an active role in planning and response for tribal governments who wish to do so. The Bureau of Indian Affairs coordinates activities affecting tribal lands and provides assistance in identifying tribal government officials.

### **Department of Justice (DOJ)**

The Department of Justice's primary role is to serve as litigation counsel for the Federal government and as legal counsel on enforcement and inter agency matters. As a consequence, DOJ participation in RRT activities will ordinarily focus on litigation concerns of response

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activities and inter agency coordination. In this capacity, the role of the DOJ representative might include: general legal advice; review and comment on regional planning and procedural documents; and incident specific assistance, including assigning staff attorneys when the incident may result in litigation or raise difficult issues of interagency coordination. DOJ, through the FBI, also provides the lead agency for the crisis response to terrorist events.

The DOJ members of the RRT serve as representatives for their agency and not as legal counsel to the RRT or its member agencies. Although the DOJ representative to the RRT is not a substitute for a member agency's in house counsel, the DOJ representative will be able to offer the advice, views, and expertise of the Department with respect to the RRT's long term planning and incident specific functions.

### **Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE)**

The Bureau of Alcohol, Tobacco, Firearms and Explosives is the Emergency Support Function #13 lead coordinating agency for the Department of Justice. The role of ESF #13 is to provide federal public safety and security assistance to federal, state, local, tribal or territorial organizations overwhelmed by an actual or anticipated disaster, event or act of terrorism. Utilizing personnel and resources from approximately eighty federal law enforcement department/agencies, ESF #13 will respond to any event resulting in a Major or Emergency Stafford Act Declaration. Absent a Stafford Act Declaration, federal law enforcement agencies routinely respond to assist other federal, state, local, tribal or territorial organizations utilizing their specific organic authority. Please note that ESF #13 coordinates federal law enforcement within the framework of a FEMA response to any incident. In the specific event of a terrorist attack, the Federal Bureau of Investigation would serve as the lead federal law enforcement agency.

### **Department of Labor (DOL)**

DOL, through the Occupational Safety and Health Administration (OSHA), conducts safety and health inspections of hazardous waste sites to ensure employees are being protected and to determine compliance with its regulations. Through OSHA, DOL will also provide the OSC/RPM with advice, guidance, and assistance regarding hazards to persons involved in response activities and in the precautions necessary to prevent harm to their health and safety.

### **Department of State (DOS)**

The DOS leads in developing bilateral agreements with foreign governments and coordinates the development of joint international contingency plans. It also provides assistance and facilitates information sharing with foreign governments and international organizations for pollution releases with cross border-impacts or involving foreign flagged vessels. DOS coordinates requests for and offers of assistance from foreign governments and facilitates entry of response personnel into and out of the United States.

### **Department of Transportation (DOT)**

DOT provides expertise regarding the safe transportation of energy and other hazardous materials by all modes of transportation. The DOT's Pipeline and Hazardous Materials Administration's (PHMSA's) Office of Hazmat Safety offers expertise in the requirements for packaging, handling and transporting hazardous materials by all transportation modes except pipelines.

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PHMSA's Office of Pipeline Safety is responsible for the safe operation of the nation's gas and hazardous liquid pipelines. Operators of hazardous liquid pipelines are required to have approved facility response plans that must be individually tailored to the geographic location of the facility and contain detailed procedures for responding, to the maximum extent practicable, to a worst case discharge and to a substantial threat of such a discharge.

### **Federal Emergency Management Agency (FEMA)**

FEMA provides guidance, policy and program advice and technical assistance in hazardous materials, chemical and radiological emergency preparedness activities. FEMA monitors and provides technical assistance regarding public sector emergency response planning, training and exercising for incidents involving hazardous materials. When the President declares a disaster or emergency, FEMA coordinates Federal assistance, through the activation of the Federal Response Plan. Coordination with the FCO in a situation where both the RCP and the Regional Response Plan authorities are active takes place through the Emergency Support Function # 10 which is included as an Appendix to this plan. During response to a terrorist event, FEMA coordinates Federal response to the clean-up and aftermath.

### **General Services Administration (GSA)**

The GSA, upon request, provides logistical and telecommunications support to Federal RRT agencies. The support includes, but is not limited to, provision of space, transportation, supplies, telecommunications, and procurement related services. GSA personnel may be located at the scene of the oil or hazardous material release, or at their regular duty stations, depending on the specific requirements of the OSC or the emergency situation.

### **Nuclear Regulatory Commission (USNRC) Responsibilities**

The USNRC will respond, as appropriate, to releases of radioactive materials by its licensees to monitor the licensee's mitigation and recovery activities and assure that the public health and environment are protected. The USNRC will also provide advice to the OSC and the RRT when assistance is required in identifying the source and character of 2 released licensed materials where the NRC has licensing authority for activities utilizing radioactive materials.

Section 274 of the Atomic Energy Act of 1954, as amended, provides a statutory basis under which USNRC relinquishes to the States portions of its regulatory authority to license and regulate byproduct materials (radioisotopes); source materials (uranium and thorium); and certain quantities of special nuclear materials. Those states, known as Agreement States, then take on the regulatory jurisdiction and responsibility for licensed materials within their borders. All of the states located within the boundaries of EPA Region 4 are Agreement States. Within EPA Region 4, USNRC has regulatory oversight over commercial nuclear power plants, nuclear fuel facilities, and Federal facilities using licensed materials.

### **United States Environmental Protection Agency (USEPA)**

The EPA provides the Co-Chair of the Region 4 standing RRT and provides OSCs for the inland zone. EPA is responsible for providing expertise regarding environmental effects of pollution releases and environmental pollution control techniques. EPA's Environmental Response Team (ERT) will also advise the RRT and the OSC of the degree of hazard a particular release poses to



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the public health and safety, coordinate damage assessment and will generally provide the Scientific Support Coordinator for the inland zone.

### **United States Coast Guard (USCG)**

The Coast Guard is the principal Federal agency responsible for maritime safety, security, and environmental stewardship in U.S. ports and waterways. The USCG provides the Co-Chair for the standing RRT and predesignated OSCs for the coastal zone. The USCG also supplies expertise in the domestic/international fields of port safety and security, marine law enforcement, aids to navigation, and operation and safety of vessels and marine facilities. The USCG maintains continuously manned facilities that are capable of command, control, and surveillance for oil or hazardous substances releases occurring in the coastal zone and on the major inland rivers of the region and may provide these services to the OSC. The USCG also provides response support through the Strike Teams and the National Strike Force Coordination Center (NSFCC).

#### ***2.2.2.4 First Federal Official***

The first Federal official affiliated with an RRT agency to arrive at the scene of a discharge or release, provided they have the proper training, should coordinate activities under the NCP and this Plan, until the predesignated OSC is available. That Federal official shall consult directly with the predesignated OSC regarding any necessary initial actions. Fund-financed operations must be authorized by the OSC prior to implementation.

### **2.2.4 Multi-Regional Response**

If a discharge or release moves from the area covered by one RCP or ACP into another area, the authority for response actions should likewise shift. If a discharge or release affects areas covered by two or more RCPs or ACPs, the response mechanisms of each applicable plan may be activated. In this case, response actions of all areas concerned shall be fully coordinated as detailed in the RCPs and ACPs.

There shall be only one OSC at any time during the course of a specific response operation. Should a discharge or release affect two or more areas, EPA, USCG, DOD, DOE, or other lead agency, as appropriate, shall give prime consideration to the area vulnerable to the greatest threat in determining which agency should provide the OSC and/or RPM. The RRT shall designate the OSC if the RRT member agencies who have response authority within the affected area are unable to agree on the designation. The NRT shall designate the OSC if members of one RRT or two adjacent RRTs are unable to agree on the designation.

Where the USCG has initially provided the OSC for response to a release from hazardous waste management facilities located in the coastal zone, responsibility for response action shall shift to EPA or another Federal agency, as appropriate. The OSC shall be provided by the EPA Region within which the release occurs, or according to pre-established protocols.

- Interregional organizations:

### **Ohio River Valley Water Sanitation Commission**

The Ohio River Valley Water Sanitation Commission (ORSANCO) is an interstate water pollution control agency established in 1948, with membership consisting of representatives from the eight States in the Ohio River Valley (Illinois, Indiana, Kentucky, New York, Ohio, Pennsylvania, Virginia, and West Virginia), and a representative from EPA Regions 4 and 5. The Commission is responsible for operating several programs:

- water quality monitoring of the Ohio River and its major tributaries
- regulation of wastewater discharge to the Ohio River
- investigation of particular water pollution problems

In addition, ORSANCO assists State environmental agencies, EPA, and USCG in emergency spill response and notification. ORSANCO maintains a spill notification database on the Ohio River and its tributaries. Specifically, in the event of a spill on the Ohio River or a major tributary, ORSANCO's role is to serve as an interstate communications center, assisting in emergency notification procedures and to coordinate emergency stream monitoring.

## **2.3 State/Commonwealth and Tribal Responsibilities**

### **2.3.1 State/Commonwealth Response**

The Governor of each State in Region 4 is requested to designate a lead agency that will direct State-led response operations. This agency is responsible for leading State response actions and coordinating/communicating with any other State agencies as appropriate (NCP 300.180). Each Governor will also designate a representative for the State on the RRT4. Each State representative may participate fully in all activities of the RRT4. Ordinarily, State and local public safety organizations are the first government representatives at the scene of a discharge or release. As first responders they are expected to initiate public safety measures, consistent with containment and cleanup requirements as stated in the NCP, that protect the public health and welfare. They are also responsible for directing evacuations pursuant to existing State or local procedures. The State RRT4 representatives are expected to coordinate with the State Emergency Response Commission (SERC) or State Emergency Response Board (SERB) in their States in order to communicate and coordinate preparedness and pre-response planning activities between the State and the RRT4. State and local government agencies are encouraged to coordinate with:

- State contingency planning efforts for response to oil and hazardous material events
- this Area Contingency Plan
- requirements of SARA Title III

Contact names and phone numbers for State organizations are maintained in the EPA Region 4 Regional Response Center and Annex M of this plan.

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[Section 311\(j\)\(4\)](#) of the FEDERAL WATER POLLUTION CONTROL ACT, AS AMENDED BY THE CLEAN WATER ACT OF 1977 calls for inclusion of local, Tribal, and State representatives on the Area Committee. In EPA Region 4, this has been partially accomplished through the designation of the RRT4 as the Area Committee.

Each State in Region 4 has a State disaster plan and laws that specify that State's authority and organization for a technical response to environmental emergencies. All States can provide technical expertise to assess environmental and public health threats and damage, as well as to advise local responders. In specific circumstances, States may provide additional response capabilities in the form of contractors and funding.

The following are summaries of emergency preparedness measures for lead agencies in each of the States in Region 4.

### *2.3.1.1 Alabama*

#### **Alabama Emergency Management Agency Responsibilities**

In the State of Alabama, The Alabama Emergency Management Agency will be responsible for coordinating/communications in a large scale response. The Alabama Department of Environmental Management will be responsible for providing the State RRT4 Representative and State On-Scene Coordinator for ESF #10 responses.

#### **Specific Resources/Expertise that can be provided by the state agency**

- Emergency response personnel
- Petroleum and Hazardous Materials Response Oversight

For large spills, or where the spiller fails to respond adequately, ADEM staff responds onsite to assist in the response effort, assuming the role of State OSC if necessary.

During a response, staff of the Field Operations of ADEM assume the role of technical advisors and provide on-scene assistance to the responsible party, and to individuals or agencies involved in the response.

#### **Emergency Support Function Agencies**

The State Emergency Operations Center (SEOC), a component of the Alabama Emergency Management Agency (AEMA), develops and issues operations orders to activate individual Emergency Support Functions (ESFs) based on the scope and magnitude of the threat or incident. ESF primary agencies are notified of the operations orders and time to report to the SEOC by the Alabama Emergency Management Agency Operations Center. ESF primary agencies notify and activate support agencies as required for the threat or incident, to include support to specialized teams. Each ESF is required to develop standard operating guidelines (SOGs), notification protocols, and to maintain current rosters and contact information.

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<b>ESF #</b>	<b>Primary State Agency</b>	<b>Emergency Support Function</b>
1	Alabama Emergency Management Agency, Department of Transportation	Transportation
2	Alabama Emergency Management Agency	Communications & Alerting
3	Alabama Department of Transportation	Public Works & Engineering
4	Forestry Commission	Fire Fighting
5	Alabama Emergency Management Agency	Emergency Management
6	Alabama Department of Human Resources	Mass Care, Emergency Assistance, Housing & Human Services
7	Alabama Emergency Response Agency	Logistics Management and Resource Support Management
8	Department of Public Health	Health and Medical Services
9	Alabama Emergency Response Agency	Search and Rescue
10	Department of Environmental Management	Oil and Hazardous Materials Response
11	Department of Agriculture and Industries, Department of Conservation and Natural Resources	Agriculture & Natural Resources
12	Alabama Department of Economic and Community Affairs/ Energy Division	Energy
13	Department of Public Safety	Public Safety & Security
14	Alabama Governor's Office	Long-Term Community Recovery
15	Alabama Emergency Management Agency	External Affairs

### *2.3.1.2 Georgia*

#### **Georgia Department of Natural Resources Environmental Protection Division**

The Georgia Department of Natural Resources Environmental Protection Division provides the designated member of the RRT4 for Georgia and is the lead agency for the State in addressing spills, providing a 24-hour response capability.

#### **Specific Resources/Expertise that can be provided by the state agency**

- Emergency response personnel
- Chemical identification capacities
- Limited water, soil, air sampling and lab analysis capabilities

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For large spills, or where the spiller fails to respond adequately, the Georgia Department of Natural Resources Environmental Protection Division staff responds onsite to coordinate the response effort to minimize impacts to the natural resources of the State, assuming the role of State OSC if necessary.

During a response, staff of the Emergency Response Program of the Georgia Department of Natural Resources Environmental Protection Division assumes the role of technical advisors and provides on-scene assistance to the responsible party, various agencies, entities, and to individuals involved in the response.

### **Emergency Support Function Agencies**

The Coordinating Agency is responsible for coordinating the actions of agencies, groups, organizations, and or NGOs or FBOs within their ESF and between other ESFs. The Coordinating Agency is responsible for coordinating the ESF and required to provide a person or persons with a good general knowledge of the subject area and knowledge of the stakeholders in their ESF to the State Operations Center (SOC).

The primary and support agencies/organizations form the ESF Working Group. This group plans, organizes, and responds to events working cooperatively to maximize their effectiveness. The Coordinator is the unifying point of contact between the working group members.

<b>ESF #</b>	<b>Primary State Agency</b>	<b>Emergency Support Function</b>
<b>1</b>	Georgia Department of Transportation	Transportation
<b>2</b>	Georgia Emergency Management Agency/ Homeland Security	Communications
<b>3</b>	Georgia Department of Natural Resources	Public Works and Engineering
<b>4</b>	Georgia Forestry Commission	Firefighting
<b>5</b>	Georgia Emergency Management Agency/ Homeland Security	Emergency Management
<b>6</b>	Georgia Department of Human Services	Mass Care and Human Services
<b>7</b>	Georgia Emergency Management Agency/ Homeland Security	Logistics Management and Resource Support
<b>8</b>	Georgia Department of Public Health	Public Health and Medical Services
<b>9</b>	Georgia Emergency Management Agency/ Homeland Security	Search and Rescue
<b>10</b>	Georgia Department of Natural Resources	Hazardous Materials Response

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<b>11</b>	Georgia Department of Agriculture	Agriculture and Natural Resources
<b>12</b>	Georgia Environmental Finance Authority	Energy
<b>13</b>	Georgia Department of Public Safety	Public Safety and Security
<b>14</b>	Georgia Emergency Management Agency	Long Term Recovery and Mitigation
<b>15</b>	Georgia Emergency Management Agency	External Affairs

### *2.3.1.3 Florida*

#### **Florida Division of Emergency Management Responsibilities**

Florida Division of Emergency Management (FDEM) is the primary responder to an emergency spill, and delegates initial, on-scene response action to the State Environmental Response Team (SERT). The SERT serves as the primary operational mechanism through which state assistance to local governments is managed. The SERT conducts incident action planning, with meetings to determine tactical operations and the availability of resources. The SERT also establishes objectives, assigns missions to be completed by ESFs, and establishes unified operations, planning, logistics, and finance and administration sections. ESFs implement their specific emergency operations plans to activate resources and organize their response actions.

The FDEM coordinates local, state, and federal emergency management activities and takes all other steps, including the mobilization of emergency management assets and organizations in advance of an emergency to ensure the availability of adequately trained and equipped emergency management personnel before, during, and after emergencies and disasters under the authority of the State Coordinating Officer, appointed by the Governor.

The Incident Resource Management System (IRMS) is a fully NIMS compliant software system. This system lists all state joint force resources under one of several nationally accepted resource types: personnel, crews, equipment, heavy equipment, commodities, vehicles, aircraft and facilities to include State Logistics Staging Areas (I – III), Base Camps (I – V), County Points of Distribution (PODs), and County Staging Areas (CSAs). All state and agency term contracts are in place for every possible resource type and are all included in the IRMS typed either under NIMS, the National Emergency Resource Registry (NERR), or Florida typed asset, system or package.

#### **Emergency Support Function Agencies**

The SERT is grouped into 18 ESFs that carry out coordination and completion of response and recovery activities in the SEOC during an emergency or disaster. ESFs are activated by the SERT under the authority of the SCO.

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<b>ESF #</b>	<b>Primary State Agency</b>	<b>Emergency Support Function</b>
<b>1</b>	Department of Transportation	Transportation
<b>2</b>	Department of Management Services, Division of Telecommunications	Communications
<b>3</b>	Department of Transportation	Public Works & Engineering
<b>4</b>	Department of Financial Services, Division of State Fire Marshal	Firefighting
<b>5</b>	Division of Emergency Management	Information & Planning
<b>6</b>	Department of Business and Professional Regulations and Department of Children and Families	Mass Care
<b>7</b>	Department of Management Services, Division of Purchasing	Resource Management
<b>8</b>	Department of Health	Health and Medical
<b>9</b>	Department of Financial Services, Division of State Fire Marshal	Search & Rescue
<b>10</b>	Department of Environmental Protection	Environmental Protection
<b>11</b>	Department of Agriculture & Consumer Services	Food & Water
<b>12</b>	Public Service Commission and Division of Emergency Management	Energy
<b>13</b>	Department of Military Affairs, Florida National Guard	Military Support
<b>14</b>	Executive Office of the Governor, Office of Communications	External Affairs – Public Information
<b>15</b>	Governor’s Commission on Volunteerism and Community Service (Volunteer Florida)	Volunteers & Donations
<b>16</b>	Department of Law Enforcement	Law Enforcement & Security
<b>17</b>	Department of Agriculture & Consumer Services	Animal and Agricultural Issues
<b>18</b>	Department of Economic Opportunity	Business, Industry, and Economic Stabilization

*2.3.1.4 Kentucky*

**Kentucky Department of Environmental Protection Responsibilities**

Kentucky Department of Environmental Protection (KDEP), Environmental Response Branch provides the designated member of the RRT4 for Kentucky and is the lead agency for the State in addressing spills, providing a 24-hour response capability. For large spills, or where the spiller fails to respond adequately, KDEP/Environmental Response Branch staff responds onsite to assist in the response effort, assuming the role of State OSC if necessary. During a response, staff of the Environmental Response Branch of Department of Environmental Protection assume the role of technical advisors and provide on-scene assistance to the responsible party, and to individuals or agencies involved in the response.

The Kentucky Division of Emergency Management also plays a key role in the coordination of response operations and resources, and is responsible for the following:

- Coordinate, as necessary, planning and response operations with adjoining States' EM branch
- Develop, maintain, and operate the Commonwealth's 24-hour National Warning System and Warning Point for all federal programs required to report incidents to the National Operations Center in Washington, DC
- Serve as the primary Commonwealth agency responsible for the dissemination of information during disasters and emergencies that informs the populace of the developing situation, provides instructions for protection, controls rumors and speculations, and releases information needed for the safety and welfare of the citizens of the Commonwealth
- Provide coordination of regional or statewide resources and services as needed
- Coordinate and operate an emergency operations reporting system, designed to provide for the maximum sharing of essential information by all emergency services at all levels, laterally and between jurisdictions, through the CEOC as needed during natural, man-made, and technological situations and during all operational periods

The Environmental Response Branch of the KDEP is able to provide the following technical assistance and resources for a response:

- There are 34 Department of Environmental Protection Environmental Response Team On-Scene Coordinators
- GC Mass Spectrometer, Area Rae's, Single Point Monitors, Particulate Monitors, Lumex Mercury Vapor Analyzers, multi gas meters, multi parameter YSI water meter.
- All-terrain vehicle, Satellite communication, Satellite internet capabilities, 21 foot boat with motor, 2-way radios, mobile command post.



## **Region 4 Regional Contingency Plan / Area Contingency Plan**

### **Emergency Support Function Agencies**

Commonwealth agencies [per KRS 39A] are required to, at a minimum:

- Develop, administer, and maintain a statewide comprehensive emergency management program
- Develop an integrated emergency management system for the disaster and emergency response of the Commonwealth
- Coordinate with federal emergency management and other related public safety, emergency response, mitigation, and disaster recovery programs

<b>ESF #</b>	<b>Primary State Agency</b>	<b>Emergency Support Function</b>
1	Kentucky Transportation Cabinet	Transportation
2	Kentucky National Guard J6; Commonwealth System and Communications Group	Communications & Alerting
3	The Kentucky Finance and Administration Cabinet	Public Works & Engineering
4	Kentucky Fire Commission	Fire Fighting
5	Kentucky Emergency Management	Emergency Management
6	American Red Cross	Mass Care, Emergency Assistance, Housing & Human Services
7	Kentucky Emergency Management; Commonwealth Resource Management Group	Resource Support
8	Department of Public Health	Health and Medical Services
9	Kentucky Emergency Management; Search and Rescue Task Force	Search and Rescue
10	Energy and Environment Cabinet	Hazardous Materials
11	Kentucky Department of Agriculture; Kentucky Department for Natural Resources	Agriculture & Natural Resources
12	Energy and Environment Cabinet	Energy
13	KY State Police	Public Safety & Security
14	Department for Local Government	Community Recovery and Mitigation
15	Kentucky Emergency Management; Commonwealth Joint Information Center	Public Information

*2.3.1.5 Mississippi*

**Mississippi Department of Environmental Quality Responsibilities**

For emergency release notification, contact Mississippi Emergency Management Agency's 24-hour State Warning Point at 800-222-6362.

The Mississippi Department of Environmental Quality is the lead agency for the state in addressing spills and provides the designated member of the RRT4 for Mississippi. They are responsible for coordinating with the Mississippi Emergency Management Agency, who provides 24-hour response capability and will generally be the first responder. The Mississippi Department of Environmental Quality must provide technical assistance to the responsible party and the responding personnel and ensure compliance with Mississippi spill regulations and other pertinent State and Federal rules and regulations.

**Specific Resources/Expertise that can be provided by the state agency**

- Emergency response personnel
- Chemical identification capacities

For large spills, the Mississippi Department of Environmental Quality (MDEQ) is responsible for providing support within the exclusion area and assumes the role of State OSC when appropriate. However, if a structure (e.g., ICS) that exists within a local or county jurisdiction provides an OSC and that OSC is being utilized, ERS staff will provide assistance to that OSC.

During a response, the staff from the Office of Pollution Control will provide technical assistance to all involved parties, identify and generate a specific response plan for environmentally sensitive areas, coordinate contractor support, and ensure all plans for cleanup are executed effectively. The office of Pollution Control may then conduct a follow-up investigation to ensure that material has been disposed of properly and the cleanup is acceptable. The SEOC will be the central point of coordination for other state agencies tasked to handle an incident, which are listed below.

The Mississippi Emergency Management Agency (MEMA) coordinates all emergency support functions outside of the exclusion area, including security of the area, monitoring, shelter measures, coordination of evacuation efforts, public information, warning statements, and logistic requirements for the on-scene coordinator (OSC).

**Emergency Support Function Agencies**

State agencies can also provide useful support for more specific aspects of a response, and the State Emergency Operations Center is designated as the central point of coordination among the various state agencies and MDEQ.

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<b>ESF #</b>	<b>Primary State Agency</b>	<b>Emergency Support Function</b>
1	Mississippi Department of Transportation	Transportation Response
2	Mississippi Department Information Technology Services, Mississippi Department of Public Safety	Communications
3	Mississippi Military Department-Office of the Adjutant General, Mississippi Military Department-Construction and Facilities Management Office	Public Works & Engineering
4	Mississippi Fire Marshall's Office	Firefighting
5	Mississippi Emergency Management Agency	Emergency Management
6	Mississippi Department of Education, Mississippi Department of Human Services, Mississippi Department of Medicaid, Mississippi Emergency Management Agency	Mass Care, Housing and Human Services
7	Mississippi Department Finance and Administration, Mississippi Emergency Management Agency	Logistics and Resources Support
8	Mississippi Department of Health, Mississippi Office of Homeland Security, University of Mississippi Medical Center and/or State Hospitals	Public Health and Medical Services
9	Mississippi Military Department, Mississippi State Fire Academy	Search & Rescue
10	Mississippi Department of Health	Oil and Hazardous Material Response
12	Mississippi Public Service Commission/Public Utilities Staff	Energy
13	Mississippi Department of Health, Mississippi Military Department	Public Safety and Security
14	Office of the Governor	Long-Term Community Recovery
15	Office of the Governor	External Affairs
16	Mississippi Military Department /National Guard	Military Support to Civil Authorities

## **Region 4 Regional Contingency Plan / Area Contingency Plan**

### *2.3.1.6 North Carolina*

#### **North Carolina Division of Emergency Management Responsibilities**

The North Carolina Division of Emergency Management provide the designated members of the RRT4 for North Carolina and is the lead agency for the State in addressing spills, providing a 24-hour response capability. The State Emergency Operations Center (EOC) is the primary location from which State operations will be conducted under the direction and control of the SERT leader, normally the Director of the Division of Emergency Management.

State agencies have emergency resources and expertise beyond the capabilities of local government. These can be used to relieve emergency or disaster related problems. State and Federal Core Capabilities are grouped into five mission areas, which include prevention, protection, mitigation, response, and recovery. Core Capabilities provide the structure for preparedness and enhance the SERT's ability to manage incidents of any type successfully. Each capability requires five functions, including planning, organization, equipment, training, and exercises.

When the State EOC is activated, the Division of Emergency Management becomes the office of primary responsibility for the SERT. The Director of Emergency Management will normally serve as SERT Leader. Federal assistance will be provided to the State through a Unified Coordination Group assigned to a Joint Field Office (JFO). The Secretary of Homeland Security may appoint an FCO. According to the National Response Framework, the Federal government will provide assistance using ESFs. These ESFs will establish direct liaison with NC SERT agencies in the State EOC. Federal agency resources and expertise can be mobilized to augment Local and State efforts in relieving emergency or disaster related problems that are beyond the capabilities of both State and Local governments.

#### **Emergency Support Function Agencies**

Each ESF is headed by a primary agency, which has been selected based on its authorities, resources, and capabilities in the particular functional area. Other agencies have been designated as support agencies for one or more ESFs based on their resources and capabilities to support the functional area. The ESFs serve as the primary mechanism through which Federal response assistance will be provided to assist the State in meeting response requirements in an affected area. Federal assistance will be provided under the overall direction of the FCO. Federal assistance is to supplement State and Local government response efforts. ESFs will coordinate with the FCO and the affected State to identify specific response requirements, and will provide Federal response assistance based on State identified priorities.

<b>ESF #</b>	<b>Primary State Agency</b>	<b>Emergency Support Function</b>
<b>1</b>	Department of Public Safety, North Carolina Division of Emergency Management	Transportation, Air Operations/ State and Regional Disaster Airlift

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<b>2</b>	North Carolina Information Technology Services	Communications
<b>3</b>	Department of Public Safety, North Carolina Division of Emergency Management, Geospatial and Technology Management Section	Damage Assessment/ Public Works and Engineering
<b>4</b>	Department of Insurance, Office of State Fire Marshal, or Department of Agriculture and Consumer Services, North Carolina Forest Service	Firefighting
<b>5a</b>	Department of Labor, Occupational Safety and Health Division	Worker Safety and Health Support
<b>5b</b>	Department of Public Safety, North Carolina Division of Emergency Management	Situation and Documentation
<b>5c</b>	Department of Public Safety, North Carolina Division of Emergency Management	Weather Support
<b>5d</b>	Department of Public Safety, North Carolina Division of Emergency Management	Reconnaissance
<b>5f</b>	North Carolina Emergency Management Geospatial & Technology Management Section	SERT Geospatial & Technology Management Section
<b>6</b>	Department of Health and Human Services, Division of Social Services	Mass Care and Human Services
<b>7a</b>	Department of Public Safety, North Carolina Division of Emergency Management	Resource Support
<b>7b</b>	Office of the Governor- North Carolina Commission on Volunteerism and Community Service	Volunteer and Donations Management
<b>7c</b>	Department of Public Safety, North Carolina National Guard	Military Support
<b>8a</b>	Department of Health and Human Services, Division of Health Service Regulation, Office of Emergency Medical Services	Disaster Medical Services
<b>8b</b>	Department of Health and Human Services, Division of Public Health	Public Health
<b>9</b>	Department of Public Safety, North Carolina Division of Emergency Management	Search and Rescue

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<b>10</b>	Department of Environment and Natural Resources, Divisions of Air Quality and Water Quality	Hazardous Materials
<b>11</b>	Department of Agriculture and Human Services	Animal Protection
<b>12</b>	Department of Public Safety, North Carolina Division of Emergency Management	Energy
<b>13</b>	Department of Public Safety, State Highway Patrol	Law Enforcement
<b>14</b>	North Carolina Division of Emergency Management	Community Recovery and Mitigation
<b>15</b>	Department of Public Safety, North Carolina Division of Emergency Management (Public Information)	Public Information

### *2.3.1.7 South Carolina*

#### **South Carolina Emergency Management Division Responsibilities**

The South Carolina Emergency Management Division (SCEMD) provide the designated members of the RRT4 for South Carolina and is the lead agency for the State in addressing spills, providing a 24-hour response capability.

The Director of the SCEMD will coordinate all State agencies and departments mobilized pursuant to this plan. In the event of an emergency situation beyond local or County government's control capabilities, and to assure efficient response and use of resources, the SCEMD Director, under a State of Emergency declared by the Governor and at the direction of the Governor, may assume direct operational control over all or any necessary part of the emergency operations functions within the State. If the incident affects a wide geographic area, or if agencies with distinctly different capabilities need to perform several functions, a transition may occur from an Incident Command to a Unified Command.

#### **Emergency Support Function Agencies**

A State agency within each ESF has primary responsibility for the coordination and implementation of the ESF. By Executive Order, the designated primary agency will coordinate the development and preparation of SOPs, and support agencies and volunteer organizations are incorporated into plans and annexes. Additional State agencies may be required to support each State ESF.

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<b>ESF #</b>	<b>Primary State Agency</b>	<b>Emergency Support Function</b>
<b>1</b>	South Carolina Department of Transportation	Transportation
<b>2</b>	South Carolina Department of Administration, Division of Technology Operations	Communications
<b>3</b>	State Fiscal Accountability Authority, Division of Procurement Services	Public Works and Engineering
<b>4</b>	Wildland Fires- South Carolina Forestry Commission Structural Fires- South Carolina Department of Labor, Licensing, and Regulation; Division of Fire and Life Safety	Firefighting
<b>6</b>	South Carolina Department of Social Services	Mass Care
<b>7</b>	South Carolina Emergency Management Division	Finance and Administration
<b>8</b>	South Carolina Emergency Management Division	Health and Medical Services
<b>9</b>	South Carolina Department of Labor, Licensing, and Regulation; Division of Fire and Life Safety	Search and Rescue
<b>10</b>	South Carolina Department of Health and Environmental Control	Hazardous Materials
<b>11</b>	South Carolina Department of Social Services	Food Services
<b>12</b>	South Carolina Office of Regulatory Staff	Energy
<b>13</b>	South Carolina Law Enforcement Division	Law Enforcement
<b>14</b>	South Carolina Emergency Management Division	Initial Recovery and Mitigation
<b>15</b>	South Carolina Emergency Management Division	Public Information
<b>16</b>	South Carolina Department of Public Safety	Emergency Traffic Management
<b>17</b>	Clemson University Livestock- Poultry Health	Animal/ Agriculture Emergency Response

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### *2.3.1.8 Tennessee*

#### **Tennessee Department of Environment and Conservation and Tennessee Emergency Management Agency Responsibilities**

Tennessee Department of Environment and Conservation (TDEC) along with the Tennessee Emergency Management Agency (TEMA) provide the designated members of the RRT4 for Tennessee and are the lead agencies for the State in addressing spills, providing a 24-hour response capability.

#### **Specific Resources/Expertise that can be provided by the state agency**

Tennessee Department of Environmental & Conservation

- Emergency support personnel

TN Emergency Management Agency

- Emergency response personnel
- Chemical identification capacities
- State & Local Resource Coordination
- S.E.R.C. POC

For large spills, or where the spiller fails to respond adequately, TDEC staff responds onsite to assist in the response effort, assuming the role of State OSC, if necessary.

During a response, staff of TDEC and TEMA assume the role of technical advisors and on site liaison's to provide on-scene assistance to the responsible party, and to individuals or agencies involved in the response. (TCA 58-2-101-125)

#### **Emergency Support Function Agencies**

TEMA will establish the SEOC, SECO Mission Coordinator Center (MCC), and Regional Coordination Center (RCC) operation as required and coordinate all phases of state and local emergency management. Essential emergency management planning and threat identification will be coordinated and performed by TEMA. Further TEMA responsibilities shall be to assist local jurisdictions in the coordination of shelter/evacuation/displacement operations, the development of overall emergency management preparedness training objectives to meet national standards, and the provision of assistance and/or guidance to affected local governments in a disaster response. TEMA shall provide timely warning to appropriate government officials of information pertaining to threats against the state of Tennessee and maintain a liaison with federal agencies.

<b>ESF #</b>	<b>Primary State Agency</b>	<b>Emergency Support Function</b>
<b>1</b>	Department of Transportation	Transportation
<b>2</b>	Tennessee Emergency Management Agency	Communications



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<b>3</b>	Department of Commerce and Insurance- Code Enforcement	Infrastructure
<b>4</b>	Department of Commerce and Insurance- State Fire Marshal	Firefighting
<b>5</b>	Tennessee Emergency Management Agency	Planning and Information
<b>6</b>	Tennessee Department of Human Resources	Mass Care
<b>7</b>	Department of General Services	Resource and Logistics Support
<b>8</b>	Department of Health	Public Health and Medical
<b>9</b>	Tennessee Emergency Management Agency	Search and Rescue
<b>10</b>	Tennessee Emergency Management Agency	Environmental Response
<b>11</b>	Department of Agriculture	Food
<b>12</b>	Department of Environment and Conservation- Office of Energy Programs	Energy
<b>13</b>	Department of Safety and Homeland Security	Law Enforcement
<b>14</b>	Volunteer Tennessee	Donations and Volunteers
<b>15</b>	Tennessee Emergency Management Agency	Recovery
<b>16</b>	Department of Agriculture	Animal Care and Housing

### **2.3.2 Tribal Response**

The initial focus of tribal responders during an incident may be similar to that of local responders: directed toward abating immediate public safety threats. The degree of tribal response will depend upon the training and capabilities of tribal responders relative to the needs of the specific emergency. In some cases, this may be using hazard awareness training knowledge to identify the nature and scope of the hazard. This information is then passed on to other responders who are activated to address the situation with specific expertise and/or capabilities. Tribal agencies may take mitigating actions of a defensive nature to contain the incident and protect the public.

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There are currently 6 federally-recognized tribal governments in Region 4. As set forth in the 1984 EPA Indian Policy, "EPA recognizes tribal governments as sovereign entities with primary authority and responsibility for the reservation." The Indian Policy also states that EPA "will view tribal governments as the appropriate non-federal parties for making decisions and carrying out program responsibilities affecting Indian reservations, their environments, and the health and welfare of the reservation populace." EPA works with each tribe on a one-to-one or "government-to-government" basis. Visit EPA.gov to see a list of tribes and links to further information: [Region 4 Federally Recognized Tribes](#)

A major role of tribal government agencies during emergency incidents on a reservation is providing security for on-scene forces and equipment. For large incidents, help may be requested through Federal or State emergency management agencies. This includes establishing local liaison with reservation hospital, emergency services, and police personnel, as well as restricting entrance to hazardous areas to only essential personnel.

Response capabilities of Tribes in Region 4 vary. Some tribes may be able to provide technical expertise to assess environmental and public health threats and damage, as well as to advise local responders. Summaries of emergency preparedness capabilities for individual Tribes in Region 4 are included in sections following as information becomes available. Omission of a tribe here should not be taken as an indication of lack of response capability or readiness. Contact names for individual tribes are included in Annex M of this plan.

Tribes are natural resource trustees for resources on tribal reservations and resources protected by treaties (including ceded territories). Tribes designate contacts for notification purposes. Federal OSCs should note these may be different individuals than those shown as the contact for spill notification for other than natural resource impacts.

Tribal Historic Preservation Officers (THPOs) are available to advise responders when response actions may impact tribal historical or cultural resources. If impacts on such resources are identified, the response should be adjusted to protect those resources where feasible and if time is available.

Responses by Federal OSCs to environmental emergencies within a reservation are conducted in consultation with the Tribe. Notification of tribal natural resource trustees about a spill or notification of THPOs about a proposed response action does not meet obligations to consult with the Tribe. Consultation is defined by EPA or USCG policy, and responders and decision-makers from each agency will adhere to their agency's policy.

The Chair of each Tribe in Region 4 should designate a lead staff person to direct Tribal response operations. [This tribal lead is responsible for coordinating and communicating with other Tribal agencies, as appropriate (NCP 300.180).] Tribes may form a Tribal Emergency Response Commission (TERC) or the Tribal Chair may serve as a one-person TERC under SARA Title III. Individual Tribes also may choose to coordinate with a SERC (or SERB) and/or with Local Emergency Planning Councils (LEPCs). Each Tribal Chair may also designate a representative for the Tribe on the RRT4. Each Tribal representative may participate fully in all activities of the RRT4.

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### 2.3.2.1 Individual Tribe

#### Resource Summary

Name	State	ER plan?	Hazmat/ First Responders on Staff (number)	ICS trained (number)	Full time first responder (number)	MOU/MOA with Local ER?	If yes, provide name
Poarch Band of Creek Indians	AL	YES	23	23	23	NO	--
Miccosukee	FL	NO	0	0	0	YES	Miami-Dade Co.
Seminole	FL	YES	266	0	266	NO	--
MS Band of Choctaw Indians	MS	YES	24/38	38	38	YES	State Mutual Aid Compact
Eastern Band of Cherokee Indians	NC	YES	72	60	74	YES	North Carolina Emergency Management
Catawba Indian Nation	SC	YES	0	15	15-20	NO	--

#### 2.3.2.1 Poarch Band of Creek Indians

<http://pci-nsn.gov>

\*\*\*Emergency plan under development\*\*\*

The Poarch Band of Creek Indians operates as a sovereign nation within the Poarch, Alabama reservation under its own government and bylaws. The tribe employs 23 full time first responders who are trained in the 40-hour HazMat training certification course and Incident Command System trained.

#### 2.3.2.2 Miccosukee Tribe

[www.miccosukee.com](http://www.miccosukee.com)

The Miccosukee Tribe maintains a MOU with Miami-Dade County in the event of an emergency and does not employ any first responders.

The Miccosukee Tribe has four reservation areas in south Florida Tamiami Trail, Alligator Alley and two at Krome Avenue and U.S. 41.

- The Tamiami Trail Reservation Area, which consists of four parcels of land, is located forty miles west of Miami and is presently the site of most Tribal operations. The Tamiami Trail Reservation is also the center of the Miccosukee Indian population. The first parcel

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is 33.3 acres (5 miles long, 500 feet deep) and is under a 50-year use permit from the National Park Service, which expires on January 24, 2014. The other three parcels of land, which are roughly 600' x 65' are on the north side of Tamiami Trail (U.S. 41). These small plots of land were originally dedicated to the Miccosukee Tribe by the State of Florida and have since acquired federal reservation status. The Tribe also has a perpetual lease from the State of Florida for 189,000 acres, which is part of the South Florida Water Management District's Water Conservation Area 3A south.

- Alligator Alley is the largest of the Tribe's reservations, comprising 74,812.37 acres. It is located west of Ft. Lauderdale, lying north and south of State Highway 84 (Alligator Alley). This land consists of 20,000 acres with potential for development and 55,000 acres of wetlands. This reservation houses a substation of the Miccosukee Police Department.
- There are two reservations located at the intersection of Krome Avenue and Tamiami Trail. The first reservation area is comprised of 25 acres located on the northwest corner of the intersection and is the site of the 56,000 square foot, state-of-the-art Miccosukee Indian Gaming Facility and Miccosukee Resort & Gaming. The second reservation area is .92 acres located on the southwest corner of the intersection and is the site of the Miccosukee Tobacco Shop.

### ***2.3.2.3 Seminole Tribe***

<http://em.semtribe.com/>

The Seminole Tribe of Florida is a federally recognized Indian Tribe organized pursuant to Section 16 of the Indian Reorganization Act of 1934, as amended, 25 U.S.C. §476. There are five (5) Seminole Indian Reservations in the State of Florida: Big Cypress, Brighton, Hollywood, Immokalee, and Tampa, as well as tribal trust land in Fort Pierce. Tribal Headquarters are located on the Hollywood Reservation in an urban environment in the Greater Fort Lauderdale/Hollywood, Florida area. Satellite offices are located on each of the other reservations or trust land. The Tribe also maintains off-reservation offices in Naples, Fort Pierce, Hollywood and Miami.

The Seminole Tribe employs approximately 266 first responders who are trained in the 40-hour HazMat training certification course.

### ***2.3.2.4 Mississippi Band of Choctaw Indians***

[www.choctaw.org](http://www.choctaw.org)

The Mississippi Band of Choctaw Indians has eight reservation areas in central Mississippi, comprising of approximately 35,000 acres of land and approximately 10,000 residents. The Pearl River Community, located in Neshoba County, is the largest of the reservation areas, and the government headquarters for the tribe. The tribe maintains a State Mutual Aid Compact with the state of Mississippi, and employs 38 first responders, 24 of which are trained in the 40-hour HazMat training certification course.

### *2.3.2.5 Catawba Indian Nation*

[www.catawbaindian.net](http://www.catawbaindian.net)

The Catawba Indian Nation is the only federally recognized Indian Tribe in South Carolina and has sovereignty over tribal reservation lands located in York County. The State of South Carolina will consult and coordinate with the Catawba Indian Nation on a government-to-government basis and provide opportunities for the Tribe to have meaningful input into actions and decisions that may affect the Tribe or tribal resources. By agreement, the Catawba Indian Nation will coordinate requests for emergency support, assistance or training, and assistance with emergency planning through their resident county (York County). York County will ensure it coordinates its emergency operations plans with the Catawba Indian Nation, and that the county emergency planning takes into consideration any unique requirements of the Catawba Indian Nation.

The Catawba Indian Nation reserves the right to coordinate and communicate with and/or request assistance directly from the State or Federal emergency management organizations and governments when it is to the advantage of the Catawba Indian Nation.

The Catawba Indian Nation employs 15 full time first responders who are Incident Command System trained.

### *2.3.2.6 Eastern Band of Cherokee Indians*

<http://ebci.com/>

The Eastern Band of Cherokee Indians (EBCI), is the only federally recognized Native American tribe in North Carolina. The EBCI reservation, incorporated under the laws of North Carolina in 1889 is located in the southern Appalachian Mountains of western North Carolina. The reservation's most developed areas are in Swain and Jackson Counties and are comprised of two large tracts known as the Qualla Boundary and the 3200 Acre Tract. Additional lands are in Haywood, Graham and Cherokee counties. Over all, the reservation spreads over 56,000 acres, with six distinct communities: Big Cove, Birdtown, Yellowhill, Soco, Paint Town and Wolfstown.

### **2.4 SAFETY**

During the course of a response, immediate actions are necessary to minimize the impact of a discharge or a release to prevent further migration of oil or a hazardous substance. The health and safety of emergency responders is both crucial and necessary. A site specific plan must be developed at the onset of a response action to ensure the health and safety of response personnel. The OSC is responsible for the overall site health and safety concerns. The OSC or his/her delegate, should monitor all health and safety related issues. Safety guidelines concerning worker health and safety are outlined in 29 CFR 1910.120 and shall be consulted in the development of a health and safety plan.

It is the overall responsibility of the OSC to determine the appropriate level of health and safety measures implemented during the course of a response action. When the State/Local or the Responsible Party have taken the lead in a response, the OSC must review the implemented safety procedures and determine if they are adequate for the given situation. If the level of safety does not meet the proper guidelines, an unaddressed health or safety concern exists, and/or the OSC determines that a threat to worker health and safety exists, the OSC may take measures to immediately correct the situation. If the deficiency is not addressed, the OSC has the authority to assume direction and control of the response action. While OSCs do not normally direct local public safety operations, the OSC must work with local public officials to ensure local and State emergency responders are working within proper safety guidelines.

The OSC has the final decision on health and safety protocols for removal activities. The OSC may designate a site health and safety officer to monitor the response activities and address worker health and safety issues.

### **2.5 PUBLIC INFORMATION**

When an incident occurs, it is imperative to give the public prompt, accurate information on the nature of the incident and the actions underway to mitigate the damage. The OSC should ensure that all appropriate public and private interests are kept informed and that their concerns are considered throughout the response. The OSC should coordinate with available public affairs/community relations resources to carry out this responsibility by establishing, as appropriate, a Joint Information Center (JIC) bringing together resources from federal and state agencies, and the responsible party. In the event that a JIC is established, the OSC determines its location, and every effort should be made to locate it near the scene of the incident. All federal news releases or statements by participating agencies should be cleared through the OSC

## **SECTION 3. OPERATIONS**

### **3.1 Concept of Operations for Oil Discharges and Hazardous Substance Releases**

It is the policy of the Region 4 RRT that response actions on non-Federal lands should be monitored or implemented by the most immediate level of government with authority and capability to conduct such activities. The first level of response will generally be the responsible party (RP), followed by local government agencies, followed by State agencies when local capabilities are exceeded. Based on an evaluation by the Federal OSC on the need for Federal response, EPA or USCG is authorized to take response measures deemed necessary to protect the public health or welfare or the environment from discharges of oil or releases of hazardous substances, pollutants, or contaminants. Where practicable, a response management system which includes a UC mechanism that brings together the functions of the Federal government, the State and local government and the responsible party should be used to achieve an effective and efficient response. (See Section 2.1, Command Structure, of this Plan for a more details on the application of ICS and the UC).

The response to an incident involving an oil discharge or hazardous substance release that requires Federal action and assistance will be made by a predesignated Federal OSC. Responses under this Plan will adhere to the following response priorities:

- (1) Safety of human life must be given the top priority during every response action. This includes any search and rescue efforts necessary in the general proximity of the discharge/release and ensuring the safety of response personnel.
- (2) The next priority is stabilizing the situation to preclude the event from worsening. All efforts must be focused on saving a vessel that has been involved in a grounding, collision, fire, or explosion, so that it does not compound the problem. Comparable measures should be taken to stabilize a situation involving a facility, pipeline, or other source of pollution. Stabilizing the situation includes securing the source of the spill and/or removing the remaining oil or hazardous substance from the container (vessel, tank, or pipeline) to prevent a further discharge/release, to reduce the need for follow-up response action, and to minimize adverse impact to the environment.
- (3) The response must use all necessary containment and removal tactics in a coordinated manner to that minimizes adverse impact to the environment.
- (4) All parts of this response strategy should be addressed concurrently, but safety and stabilization are the highest priorities. However, containment and removal operations should be initiated as soon as possible in order to minimize adverse impact to the environment.

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(5) The priorities set forth in this section are broad in nature and should not be interpreted to preclude the consideration of other priorities that may arise on site-specific basis.

Response actions during incidents involving oil or hazardous materials are often directed toward two separate but related threats or impacts. These are:

(1) **Public Safety:** A response to manage the emergency conditions caused by the release of the material which directly threatens the lives of people at risk (i.e., threats to public safety and property). Local public safety agencies and officials are the first responders regardless of the magnitude of the incident. As per 29 CFR 1910.120, they must establish an Incident Command System and initiate appropriate response/containment actions.

(2) **Public Health and Environmental:** A parallel response to "manage" the discharge/release in order to protect human health and the environment (i.e., contain, cleanup, remove, dispose etc.).

The person(s) responsible for the discharge/release is responsible for make the required notifications to the National Response Center and, if applicable, to State and local governments. The RP is also required to take actions to mitigate the effects of any spill and to cleanup and restore the incident site. These actions are initially taken pursuant to the direction of the IC assuming that it is safe to do so.

Federal involvement in response to a discharge/release begins when initial notification occurs. This may be through a notification to the National Response Center (NRC), or via other direct means of notification. For EPA, the Telephone Duty OSC (TEL) gathers information regarding the incident and makes contact with those who can provide additional details concerning the discharge/release. To ensure maximum coordination and utilization of response resources, the initial contact following notification should be with the designated State representative. In addition, the TEL maintains access to technical information on oil/hazardous substances characteristics and can provide risk communication and advice to response officials on-scene in the early stages of an incident. In Region 4, EPA has established general guidelines or criteria upon which a decision to dispatch a responding OSC is made. Once these thresholds are exceeded, TEL makes contact with the EPA OSC on call and the Federal field response is initiated. The EPA Region 4 Response Criteria are listed in Annex D to this Plan.

When the situation requires a Federal response to manage environmental and public health protection, the RP, State environmental agencies and the OSC assume a more proactive role. Local response personnel continue to manage public safety issues and provide support and assistance to the OSC within their capabilities. As the incident progresses, State and Federal responders may provide additional assistance through the Unified Command by providing technical assistance such as air, water, and soil sampling, analysis of chemicals, providing specialized resources and equipment from agency or contractor sources, and providing detailed advice or other assistance.

Region 4 maintains a sufficient quantity of response vehicles, monitoring devices and safety equipment to allow for safe and effective response to most incidents. The agency does not maintain an ability to conduct removal operations utilizing its own personnel and equipment. When applicable, the OSC possesses the authority to utilize a commercial clean-up contractor to perform



removal operations. The OSC's function on-scene is to assess the potential threats posed by the incident, monitor RP, State and local conduct of the response and direct Federally-financed removal operations to minimize the impact to the public and environment, where necessary.

### **3.2 Concept of Operations for Emergency Support Function #10 Responses**

The NRF facilitates the delivery of Federal response and recovery assistance to States to assist in dealing with the consequences of a disaster. ESF #10 – Oil and Hazardous Materials Response provides Federal support in response to an actual or potential discharge and/or uncontrolled release of oil or hazardous materials when activated. The scope of ESF #10 includes the appropriate actions to prepare for, respond to, and recover from a threat to public health, welfare, or the environment caused by actual or potential oil and hazardous materials incidents. See Annex E to this Plan for additional information on the NRF Emergency Support Functions and Incident Annexes.

Response to oil and hazardous materials incidents is generally carried out in accordance with the NCP. Under ESF #10, "hazardous materials" include hazardous substances, pollutants, and contaminants as defined in the NCP. In addition, ESF #10 may be used under appropriate authorities to respond to actual or threatened releases of materials not typically responded to under the NCP but that pose a threat to public health or welfare or to the environment. Appropriate ESF #10 response activities to such incidents include, but are not limited to, oil and chemical response, drum and tank cleanup, household hazardous waste collection, monitoring of debris disposal, air quality sampling and monitoring.

EPA has been assigned responsibility as the ESF #10 Coordinator, and the two primary agencies are EPA and USCG. (The supporting agencies are as listed in the ESF #10 Annex to the NRF). EPA Region 4 provides the overall leadership for the planning and implementation of this ESF and acts as the Regional ESF #10 Chair. When response operations involve responses in the coastal zone, the USCG District with jurisdiction in the affected area will designate a USCG ESF #10 Vice Chair. When a response involves both the inland and coastal zones as defined in the RCP, the predesignated ESF #10 Chair (EPA) will direct the inland area response. Response operations in the coastal zone will be directed by the ESF #10 USCG Vice-Chair. If ESF #10 is activated for response operations occurring solely in the Region 4 coastal zone, all NCP guided response operations will be under the direction of the USCG Vice Chair.

When a DOD or DOE facility is affected by a disaster and releases of hazardous substances occur, the DOD or DOE facility, in the role of lead agency, will provide OSCs as directed by the NCP. When oil discharges occur on a Federal facility, the facility will provide the first Federal official who will act for the appropriate OSC until his/her arrival.

### 3.3 Concept of Operations for WMD responses

The NRF includes incident-specific annexes dealing with specific threats posed by WMDs or chemical, biological, radiological, nuclear, or high-explosive (CBRNE) material. At the federal level, both EPA and USCG respond to situations involving the release of a hazardous substance, or pollutant and contaminant under the NCP. Nearly all of the potential WMD/CBRNE scenarios involving a biological, chemical, or radiological component would qualify as an NCP response. However, for a terrorist event, the FBI would be the coordinating or lead agency, and either EPA or USCG would be a cooperating or support agency depending on where the incident occurs in the coastal or inland zone. If the terrorist event involved the release of a biological agent such as anthrax, HHS would be the coordinating agency to manage the consequences of such an incident. If the terrorist event involved the release of radionuclides such as a dirty bomb detonation, the DOE would be the coordinating agency to manage the consequences of such an incident. In all of these instances, either the EPA or USCG would be involved to assist in determining the extent of contamination and recommend technologies and resources capable of mitigating the hazard.

Specific roles for EPA and USCG are outlined in each of the following NRF Annexes:

“Terrorism Incident Law Enforcement and Investigation Annex”

“Biological Incident Annex”

“Nuclear/Radiological Incident Annex”

See Annex E to this Plan for additional information on these procedures.

## **SECTION 4. PLANNING**

Regional planning supports operational coordination between federal, tribal, state, and local resources to respond to a variety of natural disaster, hazmat, and oil spill contingencies. Plans must be coordinated across a broad spectrum of capabilities and integrated in the unified command structure.

### **4.1 Planning Section**

This section, like all parts of the Regional Contingency Plan/Area Contingency Plan contains information that applies throughout Region 4 (AL, FL, GA, KY, MS, NC, SC, & TN) unless specifically noted otherwise.

This document endeavors to create a framework for coordinated planning between all levels of government and private response organizations. Plans must coordinate and organize tactical plans across the region to prepare for natural disasters, and chemical and oil releases. Regionally, planner must identify best practices and prepare for region specific events such as a New Madrid Fault earthquake, seasonal hurricanes and tornados, inland flooding, and terrorism along with typical environmental emergencies.

At the Tactical level of a response, the Planning Section is responsible for the collection and evaluation of incident situation information, preparing situation status reports, displaying situation information, maintaining status of resources, developing an Incident Action Plan, and preparing required incident related documentation.

For information about the organization of the Planning Section, the positions within it and its role in developing the Incident Action Plan, see the US Environmental Protection Agency [Incident Management Handbook Incident Command System \(ICS\)](#), January 2016 Edition, and the [USCG Incident Management Handbook](#), under JOB AIDS, May 2014.

#### **4.1.1 Environmental Unit**

Other than protecting human life and safety, reducing impacts on natural, cultural, and economic resources is the key motive in responding to an oil or hazardous substance spill or release. The Environment Unit (EU) is the central point within the Planning Section for determining how to best protect those resources.

For information about the organization of the EU, the positions within it and its role in developing the Incident Action Plan, see the US Environmental Protection Agency [Incident Management Handbook Incident Command System \(ICS\)](#), January 2016 Edition, and the [USCG Incident Management Handbook](#), under JOB AIDS, May 2014.

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### ***4.1.1.1 Environmental Unit Leader (EUL) Staffing Policy***

There is a shared responsibility to manage a response among the Unified Command representatives. Moreover, it is broadly recognized that the critical phase of any response, regardless of size, occurs during the initial hours after the spill or release. Given the importance of the EU's duties, and because the responsibility and knowledge base for public resources lies with trustee agencies, it is in everyone's best interest to ensure that early critical response decisions are made by the most knowledgeable individuals quickly, efficiently, and effectively. Therefore, it is the policy that the EU be led by a representative of a government natural resource trustee or environmental agency, if available. If no such agency representative is initially available or willing to lead the EU, an RP representative may fill that role. Furthermore, as the response action matures, a transition to an RP-designated EUL may occur with the concurrence of the Unified Command. It is also encouraged that spill response plan holders and RPs designate a Deputy EUL, who will participate in all the meetings attended and briefings made by the EUL. These meetings and briefings include, but are not limited to, the following pre-identified ICS scheduled events:

- Initial ICS 201 briefing,
- Command and general staff meetings,
- Tactics meetings,
- Planning meetings,
- Operations meetings,
- Unified Command briefings, and
- Press conferences.

### ***4.1.1.2 Environmental Unit Staffing***

All trustee resource agency staff with environmental information/expertise should initially report to the EU. This includes technical specialists (e.g., SSCTDE) identified elsewhere within the ICS organization. However, it is recognized that the SSC is an independent advisor to the OSC. Technical specialists might include:

- Sampling Specialist,
- Response Technology Specialist,
- Trajectory Analysis Specialist,
- Weather Forecast Specialist,
- Resources at Risk Specialist,
- Shoreline Cleanup Assessment Specialist,
- Historical/Cultural Resources Specialist, and
- Disposal Specialist.

### **4.1.2 Situation Unit**

The Situation Unit Leader (SITL) collects, processes and organizes incident information relating to the growth, mitigation or intelligence activities taking place on the incident. For information about the organization of the Situation Unit, the positions within it and its role in developing the Incident Action Plan, see the US Environmental Protection Agency Incident Management Handbook Incident Command System, January 2016 Edition, and the USCG Incident Management Handbook, under JOB AIDS, May 2014.

### **4.1.3 Resources Unit**

The Resource Unit Leader (RESL) maintains the status of all assigned resources (primary and support) at an incident. Additional information can be found in the Resource Unit Leader (RESL) Job Aid, the Logistics Section Chief (LSC) Job Aid, and the Finance/Administration Section Chief (FSC) Job Aid posted on the NIMS Integration Team website at epasc.org, the US Environmental Protection Agency Incident Management Handbook Incident Command System, January 2016 Edition, and the USCG Incident Management Handbook, under JOB AIDS, May 2014.

#### ***4.1.3.1 Volunteers***

Each ACP contains guidance for how volunteers are managed locally. Properly trained volunteers may be used for such duties during an incident as beach surveillance, logistical support, and bird and wildlife rehabilitation. Such use of volunteers must, however, be approved by the appropriate State, Federal, and Native American fish and wildlife officials, as well as by the RP. Unless specifically requested by the OSC, these volunteers generally should not be used for physical removal or mitigation activities. If, in the judgment of the OSC, dangerous conditions exist, these volunteers shall be restricted from on-scene operations. For more information regarding volunteers during emergency response operations, see Annex F, “Volunteer Education Information Fact Sheet”.

#### ***4.1.3.2 NRT Guidance Regarding Use of Volunteers for Oil Spills***

The NRT maintains a Technical Assistance Document (TAD) about the Use of Volunteers Guidelines for Oil Spills.

#### ***4.1.3.3 National MOU for Volunteers***

The NRT maintains a Use of Volunteers for Oil Spills MOU among the Corporation for National and Community Service (CNCS), EPA and USCG.

### **4.1.4 Documentation Unit**

The Documentation Unit maintains accurate, up-to-date incident documentation that is critical to post-incident analysis. For information about the organization of the Documentation Unit, the positions within it and its role in developing the Incident Action Plan, see the US Environmental Protection Agency Incident Management Handbook Incident Command System, January 2016 Edition, and the USCG Incident Management Handbook, under JOB AIDS, May 2014.

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All Oil Spill Liability Trust Fund (OSLTF) users need to collect and maintain documentation that supports all actions taken under the NCP. See 40 C.F.R. § 300.315. Also, OSCs are required to document and create an administrative record of their response actions. 40 C.F.R. § 300.40 C.F.R. § 300.315 establishes the documentation requirement for OSTLF oil spill responses and 40 CFR § 300.160 establishes the documentation requirement for CERCLA responses. In addition, 33 C.F.R. Part 136 sets out the National Pollution Funds Center documentation procedures. Taken together, these regulations require that response documentation take into consideration the needs of all future users of the documentation generated by the response organization.

### ***4.1.4.1 Information-Management Plans***

An Information-Management Plan (IMP) defines critical information that must be preserved and kept readily-accessible during the response. This may include: Geographic Information System (GIS) data, photography, SCAT, remote sensing data, response sampling, and other information and data generated as a result of the response, or relevant to the mitigation of the incident. A less-detailed document may be called a data-sharing or information-sharing agreement. The IMP ensures continuity of information as personnel rotate in and out and facilitates sharing among response personnel during the incident. The plan also sets the foundation for archiving and access to information.

### ***4.1.4.2 Reports from the Unified Command***

The actions, decisions and expenditures made by the Unified Command must be fully documented to facilitate future financial audits and legal actions. The Documentation Unit Leader and his/her staff are the UC's primary resource for this task.

### ***4.1.4.3 Situation/Pollution Reports***

SITREPs and POLREPs are a report format used by the EPA and USCG. The procedure and format are explained in the [Coast Guard Marine Safety Manual](#).

### ***4.1.4.4 After-Action Reports from OSCs***

After-action reports, also known as OSC Reports, will be submitted when requested by the RRT or at the discretion of the OSC for a particular incident as stated in 40 CFR 300.165(a). OSC Reports should be routinely prepared for all major response actions to document lessons learned from the perspective of the OSC and others that the OSC has surveyed to enhance the report with a broader perspective. This should be considered an important mechanism for documenting and sharing information on lessons learned within the OSC's organization as well as with others in the response community.

The RRT should consider requesting an OSC Report when the pollution response involved:

- an unusual challenge;
- a unique or complex issue (e.g., intergovernmental coordination, use of a new technology, etc.)
- a decision that creates precedent; or
- a lesson learned that should be made known regionally or nationally.

The RRT reviews the OSC report and forwards a copy to the NRT along with comments or recommendations.

### **4.1.5 Demobilization Unit**

Demobilization is an orderly and cost effective process for the release and return of all response resources and personnel to their respective home destinations. Personnel and equipment are demobilized from the incident in accordance with a written Demobilization Plan approved by the Unified Commanders.

The demobilization of the resources and personnel from an incident is a team effort involving all personnel working on the incident. It is the responsibility of the Planning Section Chief to ensure that a systematic plan is established and implemented by the Demobilization Unit Leader early in the event timeline.

## **4.2 Resource Protection**

Planning identifies the critical resources within the region and organizes equipment and personnel, operations, and command and control for the mitigation of environmental impacts coordinated between Federal, State, Local, and private response organizations.

### **4.2.1 Environmentally and Economic Sensitive Areas**

Environmentally and Economically Sensitive Areas are identified in the Region 4 Inland Sensitivity Atlas, a set of GIS products intended to provide contingency planners and spill responders in Region 4 with the most accurate and relevant information possible for spill preparedness and response. The atlas series includes:

- data about sensitive environmental, economic, and cultural resources;
- potential spill sources;
- response resources;
- cultural areas;
- high-risk areas;
- natural disaster impact areas;
- inland water commerce areas;
- major transportation hubs; and
- high-volume, inland water commerce areas

within EPA Region 4. GIS products from this joint effort will be available through the EPA Geoplatform and will utilize/display map service from several national agencies.

Information mapped includes:

- species data including Federal and State threatened and endangered species;
- Federal, State, Regional, and privately-owned and managed natural resource areas;

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- Tribal Lands;
- Federal, State, Regional, and private designations of natural resource areas (no ownership);
- industrial water intakes in lakes, streams and rivers;
- locks and dams;
- marinas and boat accesses;
- USCG and EPA facility response plan sites and oil pipelines; and
- Federal, State and Tribal Trustees.

Types of environmentally and economically sensitive areas are detailed in Annex G, Sensitive Environmental and Economic Areas, including agencies and programs that can be contacted for further information. Owners/operators should also incorporate information on locally managed environmentally and economically sensitive areas into their FRPs.

### **4.2.2 Cultural Sites**

Identification of culturally sensitive sites in the vicinity of a spill can be accomplished by contacting the appropriate State Historic Preservation Officer (SHPO). This individual is generally associated with the State Historical Preservation Office or Society, which may or may not be within a department of State government. Contacts for individual States are provided in Annex H, Natural Resources Trustees Annex.

The NPS has responsibility for sites located on Federal lands within the Region. NPS maintains a registry of historically and culturally significant resources, the National Register of Historic Places, which can be accessed via the [National Register Information System](#).

Specific procedures and Federal responsibilities regarding these sites are set forth in the [Programmatic Agreement on Protection of Historic Properties During Emergency Response Under the National Oil and Hazardous Substances Pollution Contingency Plan](#). Further information about the History and Culture program can be found on the [National Park Service](#) website.

### **4.2.3 Fish, Wildlife and Plants**

[USFWS Field Response Coordinators](#) are the primary Federal contact for information about migratory birds, endangered and threatened species, and fish and wildlife at risk as a result of spills in the inland and coastal zones.

Each State has fisheries and wildlife biologists, who may be assigned to a Department of Natural Resources or other State agency. These personnel are assigned to geographic areas within a State (district or region) and are listed in Section 2, Annex H, Natural Resources Trustee Annex. They can also be identified through State emergency response agencies or Pollution Response Coordinators.

*The Inland Sensitivity Atlas includes ) inventories developed by each State's Natural Heritage or Natural Features Inventory.*



The [USFWS](#) can be a source of technical assistance in understanding Native American fish and wildlife management and cultural values. Another source of valuable information is the [ASPCA Animal Poison Control Center](#).

Sea Grant Universities and Extension Agents may be a source of local knowledge outside the public sector. These agents have contact with local scientists, fishermen, environmental groups, and other sources that may supplement information provided by regulatory agencies. They can be contacted through the [NOAA SSC](#).

See also, Natural Resources Trustee Annex H, in this plan for more information.

### **4.2.4 Protected Habitat**

Updated information on protected habitat in Region 4 can be found in Natural Resources Trustee Annex H.

A variety of protected areas such as forests, parks, preserves, reserves, and management areas are managed by public or private organizations such as The Nature Conservancy/Heritage Foundation. Additional sources of this information include Federal or State land management agencies, which include the Departments of the Interior, Agriculture, and Commerce at the Federal level and their counterparts at the State and local levels.

### **4.2.5 High risk areas**

Under the CWA, local Source Protection Committees will develop plans for protecting local surface water intakes such as streams, lakes, and rivers. High-volume, inland water commerce areas are maintained and regulated by the USACE.

### **4.2.6 Natural disaster impact areas**

Region 4 states are at risk to be impacted by several types of natural disasters including hurricanes, earthquakes, tornados and flooding. The Robert T. Stafford Act) provides for an orderly federal response to support state and local governments in response to natural disasters. The National Response Framework(NRF) is a guide to how the Nation responds to all types of disasters and emergencies. It is built on scalable, flexible, and adaptable concepts identified in the National Incident Management System to align key roles and responsibilities across the Nation. Emergency Support Function (ESF) Annexes describe the Federal coordinating structures that group resources and capabilities into functional areas that are most frequently needed in a national response.

ESF 10 is the Oil and Hazardous Materials Response Annex which provides Federal support in response to an actual or potential discharge and/or release of oil or hazardous materials when activated. It is organized as follows:

- ESF Coordinator: Environmental Protection Agency

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- Primary Agencies: Environmental Protection Agency Department of Homeland Security/ U.S. Coast Guard
- Support Agencies: Department of Agriculture Department of Commerce Department of Defense Department of Energy Department of Health and Human Services Department of Homeland Security Department of the Interior Department of Justice Department of Labor Department of State Department of Transportation General Services Administration Nuclear Regulatory Commission

For more information on natural disaster risks in Region 4 please visit:

- Earthquake faults zones <https://www.fema.gov/earthquake-hazard-maps>
- Tornado prone areas [https://www.fema.gov/media-library-data/20130726-1801-25045-0298/ra1\\_2011\\_tornado\\_risks\\_tagged\\_011912.pdf](https://www.fema.gov/media-library-data/20130726-1801-25045-0298/ra1_2011_tornado_risks_tagged_011912.pdf)
- Inland flooding <https://www.fema.gov/risk-map-region-iv>
- Hurricanes <https://www.nhc.noaa.gov/climo/>

### **4.3 Compliance Guidance**

See Permit Summary Table in Annex I of this plan.

#### **4.3.1 Statutory Guidance - Federal**

##### ***4.3.1.1 Comprehensive Environmental Response, Compensation and Liability Act, 1980***

CERCLA (42 U.S.C. §§9601 et seq) provides the authority to respond to uncontrolled releases of hazardous substances from inactive hazardous waste sites that endanger public health and the environment. CERCLA established prohibitions and requirements concerning closed and abandoned hazardous waste sites, provided for liability of persons responsible for releases of hazardous waste at such sites, and established a trust fund to provide for cleanup when no responsible party could be identified. In addition, CERCLA provided for the revision and republishing of the NCP (40 CFR 300) that provides the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The NCP also provides for the National Priorities List, a list of national priorities among releases or threatened releases throughout the United States for the purpose of taking remedial action.

CERCLA provides a Federal Superfund to clean up uncontrolled or abandoned hazardous-waste sites as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment. Through the Act, the Coast Guard and EPA have the power to seek out those parties responsible for any release and assure their cooperation in the cleanup.

Section 104 of CERCLA as amended by SARA gives the Federal government the authority to respond to any hazardous substance released or to a substantial threat of a release into the environment or any pollutant or contaminant which may present an imminent and substantial danger to the public health or welfare and to remove or arrange to remove the hazardous substance,

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pollutant or contaminant or take any other response measure consistent with the NCP which is necessary.

### ***4.3.1.2 Federal Water Pollution Control Act as Amended by Clean Water Act and Oil Pollution Act 1990***

OPA 90 amended the FWPCA and made the following provisions:

- Established pollution fund with a \$100 million amount.
- Defined “reportable and harmful quantities”.
- Authorized the federal assumption of clean-up operations.
- Established the National Response Center.

Section 311 of the CWA, 33 U.S.C. §1321, gives the Federal government the authority to respond to a discharge or substantial threat of discharge of oil or a hazardous substance into or upon the navigable waters of the United States, adjoining shorelines, or the waters of the contiguous zone. Section 311(c)(1) of CWA gives the President the authority to remove or arrange for removal of a discharge and mitigate or prevent a substantial threat of a discharge at any time; direct or monitor all private, Local, State, and Federal actions to remove a discharge; and if necessary, destroy a vessel discharging, or threatening to discharge, by whatever means are available.

This authority has been delegated by the President to the Administrator of EPA or the Secretary of the Department of Homeland Security in which the USCG is operating, as appropriate. Subsequently, this authority has been delegated to USCG OSCs (COTPs) and EPA OSCs. Under Section 311(c)(2) of the CWA, if the discharge or a substantial threat of discharge poses a substantial threat to the public health or welfare of the United States, the OSC shall direct all private, Local, State, and Federal actions to remove the discharge or to mitigate or prevent the threat of such a discharge.

Within EPA, Section 311(e) of the CWA allows the Division Director of the Superfund Division, to whom this authority is delegated, where he/she has determined that there may be an imminent and substantial threat to the public health and welfare of the United States because of an actual or threatened discharge of oil or hazardous substances from a vessel or facility which violates Section 311(b) of CWA, to require the United States Attorney General to secure any relief from any person as may be necessary to abate such endangerment; or, after notice to the affected State, take any action authorized under Section 311 of CWA that may be necessary to protect the public health and welfare.

### ***4.3.1.3 Oil Spill Liability Trust Fund***

OPA 90 streamlined and strengthened the Coast Guard’s and EPA’s ability to prevent and respond to catastrophic oil spills in numerous ways. OPA 90 established the OSLTF, a trust fund financed by a tax on oil is available to clean up spills when the responsible party is incapable or unwilling to do so.

OPA 90 requires oil storage facilities and vessels to submit to the Federal government plans detailing how they will respond to large discharges. EPA has published regulations for aboveground storage facilities; the Coast Guard has done so for oil tankers. OPA 90 also requires

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the development of Area Contingency Plans to prepare and plan for oil spill response on a regional scale.

### ***4.3.1.4 Responsible Party Liability***

Under OPA 90, the RP has primary responsibility for cleaning up of a discharge. OPA 90 states that an owner or operator of a tank vessel or facility participating in removal efforts shall act in accordance with the National Contingency Plan (40 CFR 300) and the applicable response plan required. Under OPA 90 these response plans shall:

1. Be consistent with the requirements of the National Contingency Plan and local Area Contingency Plans;
2. Identify the qualified individual (QI) having full authority to implement removal actions, and require immediate communications between that individual and the appropriate Federal official and the persons providing personnel and equipment;
3. Identify, and ensure by contract or other means approved by the President, the availability of private personnel and equipment necessary to remove to the maximum extent practicable a worst case discharge (including a discharge resulting from fire or explosion), and to mitigate or prevent a substantial threat of such a discharge;
4. Describe the training, equipment testing, periodic unannounced drills, and response actions of persons on the vessel or at the facility, to be carried out under the plan to ensure the safety of the vessel or facility and to mitigate or prevent the discharge, or the substantial threat of a discharge;
5. Be updated periodically; and
6. Be resubmitted for approval of each significant change.

Each owner or operator of a tank vessel or facility required by OPA 90 to submit a response plan shall do so in accordance with applicable regulations. Facility and tank vessel response plan regulations, including plan requirements, are located in 33 CFR 154 and 155, respectively.

As defined in OPA 90, each responsible party for a vessel or a facility from which oil is discharged, or which poses a substantial threat of a discharge, into or upon the navigable waters or adjoining shorelines or the Exclusive Economic Zone is liable for the removal costs and damages specified in Subsection (b) of Section 1002 of OPA 90. Any removal activity undertaken by a responsible party must be consistent with the provisions of the NCP, the Regional Contingency Plan (RCP), the Area Contingency Plan, and the applicable response plan required by OPA 90. If directed by the OSC at any time during removal activities, the responsible party must act accordingly.

### ***4.3.1.5 Discharges Involving Multiple RPs***

Under the OPA 90 and CERCLA, if an incident involves two or more potentially responsible parties, each responsible party for a vessel or facility from which oil or hazardous substances is discharged is liable for the removal costs and damages. Each responsible party's liability extends to the entire incident not just its own material. The OSC will encourage the RPs to take a proportionate share of the responsibility and work together to mitigate the incident. This also applies to the commingling of spilled material from different sources.

See also Permit Summary Table in Annex I of this plan.

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Different terms are frequently used for the various types of resources which may have historic, cultural and tribal significance. These terms are not necessarily interchangeable and may not refer to the same type of resource. A resource can be of some level of significance and value with a potential to be damaged by a spill and/or response activities and may not be on, or eligible for listing on, the National Register. One example would be a biological resource which has cultural significance. Therefore, it is important that all appropriate notifications and consultations are completed.

### ***4.3.1.6 Endangered Species Act***

Responses to oil spills or hazardous substance release may impact species listed as "endangered" or "threatened" under the ESA, 50 CFR 402.02 and, in accordance with Section 7 of the ESA, federal agencies must consult with NOAA, National Marine Fisheries Service (NMFS) and/or the USFWS regarding any activities that may affect a listed species.

The NOAA SSC and DOI REO can help facilitate the consultation process and coordinate appropriate listed species expertise, as appropriate.

The OSC is responsible for initiating consultation to determine impacts to threatened or endangered trustee species by spill response actions. This consultation is undertaken regarding the federal action taken by the OSC in response to the spill, not regarding impacts of the spill itself.

The nature of a response does not allow for a normal consultation process, which can take 135 days to complete, so emergency consultation processes are followed (see 50 CFR 402.02). Under the emergency consultation process it is the OSC's responsibility to engage in consultation with USFWS and NMFS. This is facilitated by the NOAA SSC and DOI REO, who consult and engage the assistance of the USFWS and NMFS regarding methods to help mitigate and minimize impacts on listed species and critical habitat(s). The NMFS and USFWS have developed emergency consultation procedures to allow action agencies to incorporate endangered species concerns into their emergency response activities.

The documentation associated with emergency consultation under the ESA is completed after the response is finished. NMFS and USFWS are able to provide technical assistance to the OSC in complying with Section 7 of the ESA.

In 2001, the USCG, EPA, the DOI's Office of Environmental Policy and Compliance and USFWS, and the NOAA NMFS and NOAA Fisheries and National Ocean Service signed an Interagency MOA regarding Oil Spill Planning and Response Activities under the FWPCA's National Oil and Hazardous Substances Pollution Contingency Plan and the ESA.

This MOA provides guidance on how the USCG, EPA, USFWS, and NMFS work collaboratively before, during, and after an emergency and provides templates for required documentation and processes.

The MOA among the USCG, EPA, DOI, USFWS, and National Ocean Services are available online under "Coordination Oil Spill Response Actions Under the Clean Water Act & Endangered Species Act" at:

[https://www.nrt.org/Main/Resources.aspx?ResourceType=Endangered%20Species%20Act%20\(ESA\)%20Section%207&ResourceSection=2](https://www.nrt.org/Main/Resources.aspx?ResourceType=Endangered%20Species%20Act%20(ESA)%20Section%207&ResourceSection=2)

### *Notifying [Trustee Agencies](#):*

See the Natural Resource Trustees for the notification numbers.

#### *4.3.1.7 Resource Conservation and Recovery Act*

The Resource Conservation & Recovery Act (RCRA) of 1976, is at 42 U.S.C. §6901 et seq. RCRA gives EPA authority to control hazardous waste from "cradle-to-grave." This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also sets forth a framework for the management of non-hazardous solid wastes. The 1986 amendments to RCRA enabled EPA to address environmental problems that could result from underground tanks storing petroleum and other hazardous substances.

The Federal Hazardous and Solid Waste Amendments (HSWA) are the 1984 amendments to RCRA that focus on waste minimization and phasing out land disposal of hazardous waste as well as corrective action for releases. Some of the other mandates of this law include increased enforcement authority for EPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program.

#### *4.2.1.8 Emergency Planning & Community Right-to-Know Act (EPCRA)*

The Emergency Planning and Community Right-to-Know Act of 1986 (Title 42, United States Code, Chapter 116) was passed by Congress in response to concerns regarding the environmental and safety hazards posed by the storage and handling of toxic chemicals. These concerns were triggered by the 1984 disaster in Bhopal, India, which killed or severely injured more than 2,000 people.

Congress imposed requirements for federal, state and local governments, tribes, and industry. These requirements covered emergency planning and "Community Right-to-Know" reporting on hazardous and toxic chemicals. The Community Right-to-Know provisions help increase the public's knowledge and access to information on chemicals at individual facilities, their uses, and releases into the environment. States and communities, working with facilities, can use the information to improve chemical safety and protect public health and the environment.

EPA's [EPCRA Fact Sheet](#) provides an overview of EPCRA and its reporting requirements.

The NRT issued the Hazardous Materials Emergency Planning Guide (NRT-1) in 1987, as required by Emergency Planning and Community Right-to-Know Act.

Planning guidance for state and local governments in the development of local emergency response plans can be found in the Hazardous Materials Emergency Planning Guide (NRT-1) updated in 2001.

Criteria for RRTs to review their emergency plans can be found in the Criteria for Review of Hazardous Materials Emergency Plans (NRT1a). These criteria are also useful for SERCs and LEPCs during plan revision.

#### *4.3.1.9 Marine Debris Act*

The Marine Debris Research, Prevention, and Reduction Act, which legally established the NOAA Marine Debris Program, was signed into law by President Bush on December 22, 2006, and

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reauthorized by Congress as the Marine Debris Act in December 2012. The Act initially set a \$10M authorization for NOAA for implementation of the program, including identification and impact assessments, removal and prevention activities, research, and development of alternatives to fishing gear posing threats to the marine environment, and outreach activities. The Act also re-establishes the Interagency Marine Debris Coordinating Committee, which NOAA chairs.

### ***4.3.1.10 Marine Debris as a Pollution Threat***

In cases where marine debris poses an oil or hazardous substance threat, the OSC shall notify the National Pollution Fund Center (NPFC) to ensure availability of the OSLTF. The OSC shall also notify the regional NOAA Marine Debris Coordinator. The OSC shall lead removal actions to address the oil and hazardous substance threat in accordance with the FWPCA, CERCLA, and NCP. It is important to note that actions taken are in response to actual or substantial threat from the oil or hazardous substance, and not to marine debris itself.

For scenarios involving marine debris containing an actual or substantial threat of oil and/or hazardous substance (e.g. barrel or container potentially containing oil and/or hazardous substance), the OSC shall lead removal actions necessary to remove the potential source in accordance with the NCP. When the potential source is mitigated, the OSC's authority under the NCP does not apply to the remaining marine debris.

For scenarios involving marine debris contaminated with oil and/or a hazardous substance, the OSC is authorized to take any action necessary to mitigate the contamination (e.g., oily debris) and the discharge and/or release associated with the marine debris field.

### ***4.3.1.11 National Environmental Policy Act***

As defined by 42 USC 4321 et seq., the purposes of the National Environmental Policy Act are:

- To declare a national policy which will encourage productive and enjoyable harmony between man and his environment;
- To promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man;
- To enrich the understanding of the ecological systems and natural resources important to the Nation; and
- To establish a Council on Environmental Quality.

### ***4.3.1.12 National Responsible Party Policy***

Under the FWPCA as amended by OPA 90, the RP has primary responsibility for cleanup of a discharge. Per FWPCA Section 311 and OPA 90 Section 4201, an owner or operator of a tank vessel or facility participating in removal efforts shall act in accordance with the NCP and the applicable response plan. FWPCA Section 311(j)(5)(C) as implemented by OPA 90 Section 4202 states that these response plans shall:

- Be consistent with the requirements of the NCP and ACPs;
- Identify the qualified individual having full authority to implement removal actions and require immediate communications between that individual and the appropriate Unified

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Command official and the persons providing personnel and equipment pursuant to this clause;

- Identify, and ensure by contract or other means approved by the President, the availability of private personnel and equipment necessary to remove to the maximum extent practicable a worst-case discharge (including a discharge resulting from fire or explosion), and to mitigate or prevent a substantial threat of such a discharge;
- Describe the training, equipment testing, periodic unannounced drills, and response actions of persons on the vessel or at the facility, to be carried out under the plan to ensure the safety of the vessel or facility and to mitigate or prevent the discharge, or the substantial threat of a discharge;
- Be updated periodically; and
- Be resubmitted for approval of each significant change.

Each owner or operator of a tank vessel or facility required by OPA 90 to submit a response plan shall do so in accordance with applicable regulations. Facility and tank vessel response plan regulations, including plan requirements for the coastal zone, are located in 33 CFR Parts 154 and 155, respectively. Facility response plan regulations for the inland zone are located in 40 CFR Part 112.

Each RP for a vessel or a facility from which oil is discharged, or that poses a substantial threat of a discharge, into or upon the navigable waters, adjoining shorelines or the Exclusive Economic Zone of the United States, is liable for the removal costs and damages specified in Subsection (b) of Section 1002 of OPA 90. Any removal activity undertaken by an RP must be consistent with the provisions of the NCP, the Regional Contingency Plan, the NWACP, and the applicable response plan required by OPA 90. If directed by the Unified Command at any time during removal activities, the RP must act accordingly.

### ***4.3.1.13 Stafford Act***

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, (42 U.S.C. §5121 et. seq.), signed into law November 23, 1988; amended the Disaster Relief Act of 1974. This Act constitutes the statutory authority for most Federal disaster response activities especially as they pertain to FEMA and FEMA programs. Broken into seven titles, the Stafford Act establishes a federal process for declaring disasters, determining the appropriate level of response, and dividing up the costs among federal, state, and local governments. In addition to providing federal assistance programs to deal with economic losses resulting from disasters, the Act articulates the need for state and local governments to create comprehensive disaster preparedness plans and mechanisms to prepare for intergovernmental coordination during times of crisis.

Many Region 4 Regional Response Team member agencies have specific responsibilities during and following a WMD incident or other terrorist act. To address the requirements set forth in the Stafford Act (previously implemented via the Federal Response Plan) and Homeland Security Presidential Directives 5, 8 and 9, (HSPD-5, HSPD-8, HSPD-9), the NRF has been promulgated. The NRF, in conjunction with additional guidance provided by USCG and EPA, addresses the integration and coordination of interagency operations under both the NRF and the National Contingency Plan.



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The NRF describes the following coordinating mechanisms to assist the Secretary of Homeland Security in implementing his domestic incident management role for incidents of national significance including, but not limited to, terrorist attacks and the use of weapons of mass destruction:

- Homeland Security Operations Center (HSOC)
- Interagency Incident Management Group (IIMG)
- Assistant to the President for Homeland Security
- Principal Federal Official (PFO)
- Joint Field Office (JFO)

### **4.3.2 Statutory Guidance - State and Local**

#### *4.3.2.1 State Compliance Guidance*

See also Section 2.3.1 or Annex M for state/commonwealth emergency response contact information.

Please refer to the following Region 4 state agencies regarding laws for all oil spills or reportable quantities of hazardous substances, and notification requirements.

<b>State</b>	<b>Website:</b>
Alabama	<a href="http://www.adem.state.al.us/compInfo/default.cnt">http://www.adem.state.al.us/compInfo/default.cnt</a>
Georgia	<a href="https://epd.georgia.gov/existing-rules-and-corresponding-laws">https://epd.georgia.gov/existing-rules-and-corresponding-laws</a>
Florida	<a href="https://floridadep.gov/oer">https://floridadep.gov/oer</a>
Kentucky	<a href="http://dca.ky.gov/Pages/default.aspx">http://dca.ky.gov/Pages/default.aspx</a>
Mississippi	<a href="https://www.mdeq.ms.gov/about-mdeq/regulations/">https://www.mdeq.ms.gov/about-mdeq/regulations/</a>
North Carolina	<a href="http://deq.nc.gov/permits-regulations/rules-regulations">http://deq.nc.gov/permits-regulations/rules-regulations</a>
South Carolina	<a href="http://www.scdhec.gov/environment/">http://www.scdhec.gov/environment/</a>
Tennessee	<a href="https://www.tn.gov/environment.html">https://www.tn.gov/environment.html</a>

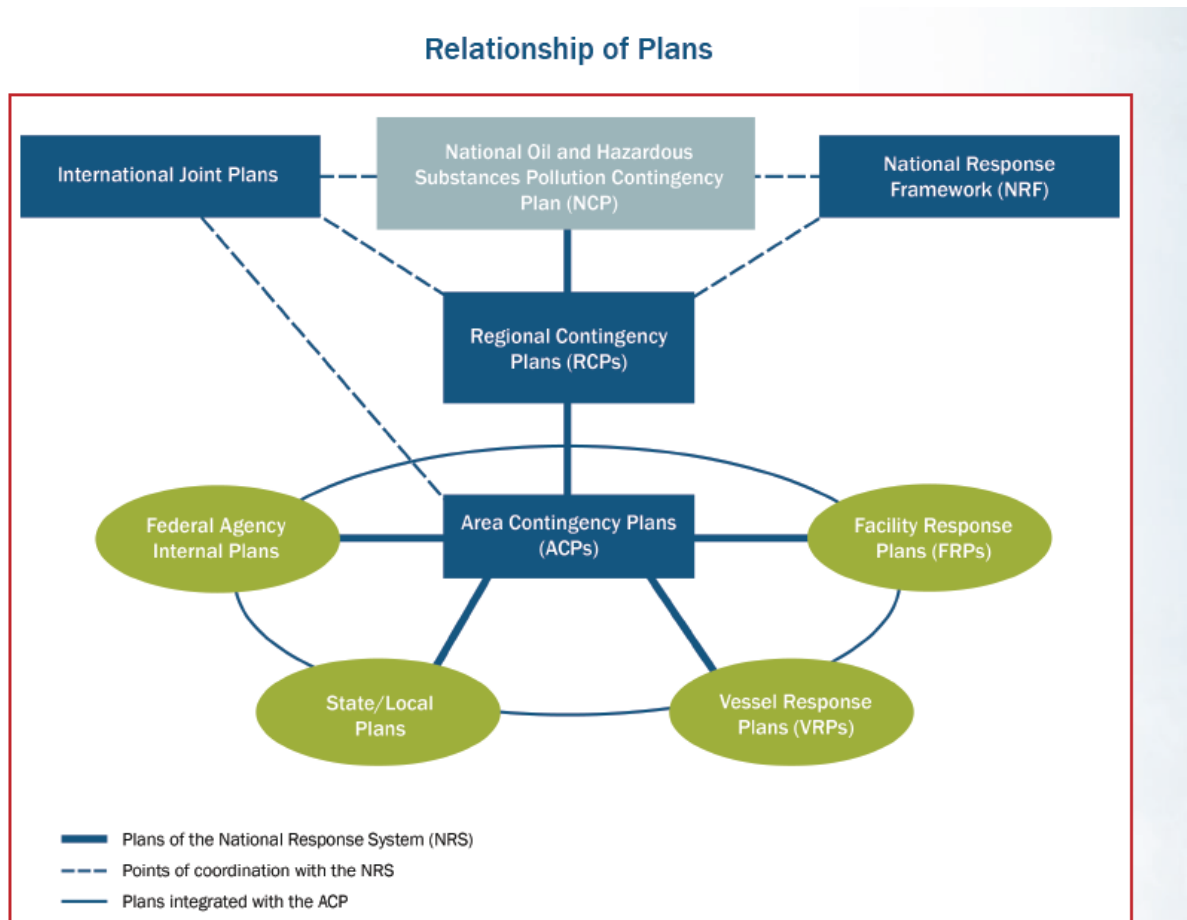
## **4.4 Relationship of Plans**

There are numerous emergency-related plans within the Federal, State, Tribal and local levels of government. In addition, plans developed by business and industry should also be considered. Within the planning levels of governments, there are three levels of Federal plans; national contingency and response plans, Federal RCPs and Federal ACPs. At the State and local level are State plans, regional plans, local plans and departmental and support-agency plans. Each of these plans reflects levels of action and responsibility. Some of these plans are multi-hazard comprehensive plans while others are single-hazard response and coordination plans. Given the fact that responses to incidents involving oil and hazardous substances will most certainly be multi-organizational and multi-jurisdictional, a basic understanding of each planning level and how the various plans fit together is needed to facilitate integration and coordination of the several plans that may be activated in a response.

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This section describes the three levels of contingency plans under the National Response System and cross-references emergency preparedness plans at the State and local level.

Planning and preparedness for disasters occurs at all levels of government and business and industry. The coordination of actions taken under these plans is critical, particularly in a chemical emergency. This section identifies and briefly defines the plans that may be operative during an oil or hazardous substances event so that those implementing this plan may be aware of other probable plan activations and how best to integrate and coordinate the overall response activities.



There are three levels of contingency plans under the national response system: National Contingency Plan, Regional Contingency Plans, and Area Contingency Plans. The relationships between these plans and other planning mechanisms are described above.

### 4.4.1 National Response Framework

The United States uses the NRF to coordinate the federal government's response to disaster or emergency situations. The NRF is applicable to natural disasters involving earthquakes, hurricanes, typhoons, tornadoes, volcanic eruptions, floods, and fires; technological emergencies

involving radiological or hazardous materials; and other incidents requiring Federal assistance under the Stafford Act. The NRF describes the basic mechanisms and structures by which the federal government mobilizes resources and conducts activities to augment state and local response efforts. To facilitate the provision of federal assistance, the NRF uses a functional approach to group the types of assistance that a State is most likely to need among fifteen ESFs.

### **4.4.2 National Contingency Plan**

The NCP supports the NRF and describes an organizational structure and procedures for preparing for and responding to discharges of oil and releases of hazardous substances, pollutants, and contaminants.

### **4.4.3 Regional Contingency Plan**

40 CFR 300.210(b) of the NCP states, “The RRTs, working with the states, shall develop federal RCPs for each standard federal region.”

This is the Regional Oil and Hazardous Substances Pollution Contingency Plan for Federal Region 4 which includes Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina and Tennessee.

The RCP outlines the assistance available to the OSC from RRT member agencies and the response approach that should be implemented by the OSC during response actions. The plan also includes resource information from governmental, commercial, and other sources that may be utilized during a response. The RCP has been organized to follow the structure of the ICS, as outlined in the Integrated Contingency Plan guidance developed by the National Response Team (NRT).

This RCP provides Local, Tribal, State, and Federal emergency response personnel with information and resources to respond to an oil or hazardous materials incident. It’s not intended to displace local emergency response plans, but rather to coordinate with local plans and build on the mechanisms set forth in local ACPs.

The RCP combines the response authorities relevant for both oil and hazardous materials. Although these releases and the related contingency planning are regulated separately under OPA 90 and CERCLA, there is significant overlap in the type and scope of relevant information. In order to meet the ACP requirements of OPA 90, area plans (includes sub-area plans and geographic response plans) are developed separately and are referenced in this RCP.

### **4.4.4 Area Contingency Plans**

Area Contingency Plans are required under the NCP 40 CFR 300.210(c). The ACPs, when implemented in conjunction with other provisions of the NCP and RCP, must be adequate to remove a worst case discharge and to mitigate or prevent a substantial threat of such a discharge. ACPs provide for a well-coordinated response that is integrated and compatible, to the greatest

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extent possible, with all appropriate response plans of state, local and non-Federal entities, and with SARA Title III local emergency response plans.

ACPs for designated areas within a region are developed by appointed Area Committees, each under the direction of an OSC. Area Committees are planning and preparedness entities and encompass Federal, State, local and private sector representation from within the designated Area. Area Committees, while charged with the preparation of the ACP do not have operational decision authority to approve the use of dispersants or in-situ burning as a response option.

The ACP, however, contains the mechanisms for requesting and granting such approval, as well as any pre-approvals as may be given by the RRT.

Within Region 4, ACPs have been developed by Area Committees representing each of the eight Captain of the Port Areas. Under the direction of the USCG pre-designated OSC, these plans provide specific procedures and details for response to discharges of oil occurring within each designated area.

The RCP for Federal Region 4 is also the ACP for the inland area of the region. This designation of the inland area was made by the EPA Administrator in April 1993. As a region wide planning and support coordination plan, this RCP is applicable for both the coastal and inland zones as the umbrella plan for the region and applies to discharges of oil and to releases of hazardous substances and contains the mechanisms to provide resource coordination in support of those specific Area Plans as needed.

When appropriate, EPA Region 4 intends to designate Areas and appoint Area Committees within Region 4, to develop ACPs. Those ACPs when finalized will be implemented for those Areas, and will be consistent with this Regional ACP, the NCP, the CWA and CERCLA.

### **4.4.5 State Response Plans**

Each state in Region 4 has a state response plan and laws that specify each state's authority and organization for a technical response to environmental emergencies. All states can provide technical expertise to assess environmental and public health threats and damage, as well as to advise local responders. Under specific circumstances, states may provide additional response capabilities in the form of contractors and funding.

In the event of an incident, the state RRT member/representative organization will be notified via the NRC. NRC notifications are sent to the appropriate state response agency per protocols developed by the state. The state response agency will ensure completion of the following actions, as appropriate:

- Notify downstream water users (municipal, tribal, industrial, and agricultural) of all discharges and releases that may threaten them.
- Notify and coordinate with other state and local agencies, as appropriate, including state trustees for natural resources.
- Be responsible, in conjunction with the EPA representative, for:

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- Assisting EPA in determining and providing advice on the degree of hazard of the discharge or release to public health and safety;
- Assisting EPA in assessment of the environmental damage caused by the discharge or release; and
- Assuming responsibility for operation and maintenance (O&M) of a site, if necessary, or when no RP has been identified.

See also, section 3.2 in this plan for links to the state plans.

### **4.4.6 Local Emergency Planning Committees**

The local governing entities and the LEPC emergency operation plans detail response procedures, agency roles, resources, and training for public response agencies. The primary focus of these plans is protection of public safety and property. A local response plan also provides information on how the county or city will manage major emergencies that threaten county functions, services, and operations. A LEPC response plan is intended to be a countywide document that will provide cohesive, coordinated, and cooperative interoperability among and between the municipal governments and the county.

Sections 301 and 302 of the EPCRA (EPCRA is Title III of the SARA Title III) provide for the establishment of LEPCs within districts to facilitate the preparation and implementation of emergency plans. For more information on state-specific LEPCs and local response plans contact the State/County LEPCs at:

<b>State</b>	<b>Website:</b>
Alabama	<a href="http://www.ema.alabama.gov">www.ema.alabama.gov</a>
Florida	<a href="https://www.floridadisaster.org/">https://www.floridadisaster.org/</a>
Georgia	<a href="https://gema.georgia.gov/">https://gema.georgia.gov/</a>
Kentucky	<a href="http://www.kyem.ky.gov">www.kyem.ky.gov</a>
Mississippi	<a href="http://www.msema.org/">http://www.msema.org/</a>
North Carolina	<a href="http://www.ncema.net">www.ncema.net</a>
South Carolina	<a href="https://www.scemd.org/">https://www.scemd.org/</a>
Tennessee	<a href="https://www.tn.gov/tema.html">https://www.tn.gov/tema.html</a>

### **4.4.7 Private Sector Response Plans**

Facility operators are required to prepare or adhere to a variety of federal and state plans in an effort to prevent or mitigate releases or discharges to the environment. In an effort to streamline the planning process, the National Response Team's (NRT's) Integrated Contingency Plan (ICP) Guidance was published in the Federal Register (F.R. Vol. 61, No. 109, 28642-28664) on June 5, 1996. The purpose of the ICP guidance was to provide a mechanism for consolidating the multiple plans that facilities are required to prepare into one functional emergency response plan. A number of statutes and regulations, administered by several federal agencies, include requirements for

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emergency response planning. A particular facility may be subject to one or more of the following federal regulations:

- EPA's Oil Pollution Prevention Regulation [Spill Prevention Control and Countermeasure (SPCC) and Facility Response Plan Requirements]- 40 CFR part 112.
- EPCRA, which is Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA Title III).
- Mineral Management Service's (MMS) Facility Response Plan Regulation-30 CFR part 254.
- U.S. Research and Special Programs Administration's (RSPA) Pipeline Response Plan Regulation-49 CFR part 194.
- USCG's Facility Response Plan Regulation-33 CFR part 154 Sub-part F.
- EPA's Clean Air Act (CAA) Risk Management Programs Regulation-40 CFR part 68.
- OSHA Emergency Action Plan Regulation-29 CFR part 1910.38(a).
- OSHA's Process Safety Standard-29 CFR 1910.119.
- OSHA's Hazardous Waste Operations and Emergency Response Standard (HAZWOPER) Regulation-29 CFR 1910.120, and
- EPA's RCRA Contingency Planning Requirements-40 CFR part 264, Sub-part D, 40 CFR part 265 Sub-part D, and 40 CFR 279.52.

Note: The RCP/ACP guidance has been developed to assist facilities in demonstrating compliance with the existing federal emergency response planning requirements referenced above. Although it does not relieve facilities from their current emergency planning obligations, it has been designed specifically to help meet these obligations. Adherence to the RCP/ACP guidance is not required in order to comply with federal regulatory requirements. Facilities are free to continue maintaining multiple plans, in lieu of an RCP/ACP, to demonstrate federal regulatory compliance. A brief discussion of facility emergency response plans, specifically those pertaining to the NCP, OPA 90, and CWA, follows below.

Section 300.211 of the NCP describes and cross references the regulations that implement section 311(j)(5) of the CWA. Owners of tank vessels, offshore facilities, and certain onshore facilities are required to prepare and submit Facility Response Plans for responding to a Worst- Case Discharge (WCD), and to a substantial threat of such a discharge, of oil or a hazardous substance release. Facility and tank vessel response plan regulations, including plan requirements, are located in 40 CFR § 112 and 33 CFR § 154, respectively. Prior to approval, facility and vessel response plans shall be reviewed for consistency with any relevant ACP or Regional Integrated Contingency Plan (RICP).

As defined in OPA 90, each RP for a vessel or a facility from which oil is discharged, or which poses a substantial threat of a discharge, into or upon the navigable waters or adjoining shorelines or the Exclusive Economic Zone is liable for the removal costs and damages specified in Section 311(f) of CWA, 33 U.S.C. § 311(f). Any removal activity undertaken by the RP must be consistent with the provisions of the NCP, RICP or the Region 4 RCP/ACP and the applicable response plan required by OPA 90. The RP must adhere to any directives given by an OSC at any point during the removal activities.

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Section 311(j)(5)(d) of CWA requires that these response plans shall:

- "(i) be consistent with the requirements of the NCP, ACP or Integrated Contingency Plans;
- (ii) identify the qualified individual having full authority to implement removal actions, and require immediate communication between that individual and the appropriate Federal official and the persons providing personnel and equipment pursuant to clause (iii);
- (iii) identify, and ensure by contract or other means approved by the President the availability of private personnel and equipment necessary to remove to the maximum extent practicable a worst case discharge (including a discharge resulting from fire or explosion), and to mitigate or prevent a substantial threat of such a discharge;
- (iv) describe the training, equipment testing, periodic unannounced drills, and response actions of persons on the vessel or at the facility, to be carried out under the plan to ensure the safety of the vessel or the facility and to mitigate or prevent the discharge, or substantial threat of a discharge;
- (v) be updated periodically; and
- (vi) be resubmitted for approval of each significant change."

In addition to the aforementioned federally mandated response planning, state and local governing entities including LEPC in RRT 4 are required to develop and maintain emergency operations plans.

### **4.5 General Hierarchy of Response Priorities**

Specific strategies for response to spills in sensitive areas are detailed in Annex G, Sensitive Environmental and Economic Areas. The general hierarchies of response priorities are:

- Ensure the safety of citizens and response personnel,
- Control the source of the spill,
- Maximize protection of environmentally sensitive areas,
- Contain and recover spilled product,
- Recover and rehabilitate injured wildlife,
- Manage a coordinated response effort,
- Remove oil from impacted areas,
- Minimize damage to economically sensitive areas, and
- Keep the public and stakeholders informed.

## 4.6 Planning for Oil Spills

### 4.6.1 Dispersant and Other Chemicals Use Policy

Guidelines for authorizing the use of dispersants and other chemicals listed on the NCP Product Schedule are found in NCP Subpart J, Section 300.310 Phase III and Section 300.310 (b), the Region 4 Bioremediation Spill Response Plan (See Annex J), the Region 4 In-situ Burn Plan (See Annex J), and in the Region 4 RRT Dispersant Use Plan (See Annex J). The RRT and OSC may use chemicals and other materials to restrain the spread of oil and protect public health and welfare and the environment. Section 300.910 states that the RRT must evaluate the appropriate use of dispersants, surface collecting agents, biological methods and miscellaneous agents listed on the NCP Product Schedule. The Region 4 RRT Dispersant Use Plan and the Region 4 Bioremediation Spill Response Plan provides direction and procedures for dispersant use in the coastal zone. Pre-authorization has been given to the OSC for dispersant use decisions in Federal coastal waters.

For the inland zone, the Region 4 RRT has agreed that oil dispersants are generally not acceptable for use on water or in situations in which the use of a dispersant on a land spill is a threat to enter navigable waters of the United States.

Limited use is allowable on land spills that do not threaten surface waters. The OSC is only granted authority to use dispersants, surface washing agents, surface collecting agents, bioremediation agents or miscellaneous spill control agents without RRT concurrence, when human lives are threatened by the oil spill.

In non-life threatening situations, the OSC must obtain concurrence from EPA's representative to the RRT and, as appropriate, the RRT representatives from the State with jurisdiction over the navigable waters threatened by the release or discharge. Consultation with the natural resource trustees, DOC, and DOI, is also necessary.

See also, Annex J in this plan for the Region 4 Oil Spill Countermeasures.

### 4.6.2 In-Situ Burning

See Annex J, Use of In-Situ Burning in RRT Region 4.

### 4.6.3 Solidifiers

See Annex J, Use of Solidifiers in Region 4.

### 4.6.4 Surface Washing Agents for Oil Spill Response

See Annex J Oil Spill Countermeasures in this plan for the RRT 4/R&TC Position and Guidance on Use of Surface Washing Agents for Oil Spill Response.



### **4.6.5 Region 4 Shoreline Cleaner Test and Evaluation Protocol**

See Annex J in this plan for the Region 4 Shoreline Cleaner Test and Evaluation Protocol.

### **4.6.6 International Oil Response**

See Annex K, International Oil Spill Response in this plan.

## **4.7 Planning for Chemical, Biological, Radiological and Nuclear threats**

See Annex E, National Response Framework ESF #10 in this plan.

## SECTION 5. LOGISTICS

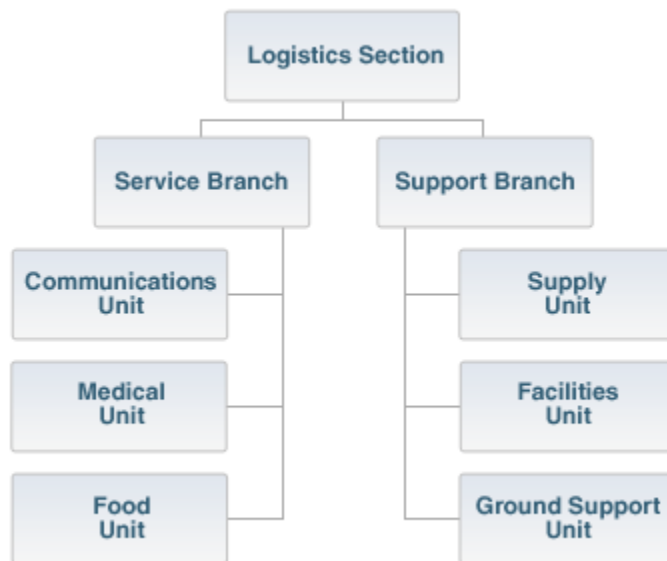
Regional logistics strategy is to identify critical infrastructure and resources for employment in a variety of response scenarios over a broad range of operating environments in support of operations.

The primary goal of regional logistics is the coordination of U.S. Government resources to assist regional and private response activities. The Regional Contingency Plan is organized to enhance partnership within the Federal, State, and local resources managers.

Logistics involves sourcing supplies, equipment, facilities and personnel in accordance with existing plans and resource requests from responders. The key resources for any sized response include – personnel, equipment, and supplies.

### 5.1 Logistics Section Organization

The following sections outline personnel, equipment, and supplies to support an incident and follows the NIMS model for response organization.



For information about the organization of the Logistics Section, the positions within it and its role in developing the Incident Action Plan, see the US Environmental Protection Agency [Incident Management Handbook Incident Command System](#), January 2016 Edition, and the [USCG Incident Management Handbook](#), under JOB AIDS, May 2014.

### **5.1.1 Logistics Section Chief Responsibilities**

The Logistics Section Chief and the Branch Directors and Unit Leaders under him/her must have a position-specific qualification from their agency which certifies they are fully trained to fill that role.

Responding agencies and resources will be responsible for their own administration and logistical support until a Logistics Section is established. The Logistics Section Chief will be appointed by the IC or UC. When commercial resources are required, the vessel/platform/facility representative should be consulted and given the Right-of-First-Refusal in the ordering process. A decision to not proceed with the Right-of-First Refusal by the Incident Commander or Unified Command should be documented in a decision memo. This gives IC/UC the ability to decline to use a resource from that is determined unsafe.

Commercial vessels and facilities are required by federal law to maintain emergency response contracts for pollution and hazardous material response. Tank vessels carrying petroleum are also required to maintain contracts for marine firefighting and salvage services. Using these in-place contracts may be the most expedient method of ordering major equipment and services.

Coast Guard Sector Area Contingency Plans contain procedures and protocols for activating Mutual Aid agreements and designation communications frequencies. These Sector level plans also include a listing of salvage and marine firefighting resources and their contact information.

### **5.1.2 Service Branch Director**

The service Branch Director is responsible for the management of all service activities at an incident including communications, medical and food.

#### *5.1.2.1 Communications Unit Leader*

The Communications Unit is primarily responsible for developing plans that are effective towards the use of communications equipment and facilities; installing and testing communications equipment; supervising Incident Communications Center; distributing communications equipment to incident personnel and communications equipment and repair.

- **NRC Teleconference Services**

The National Response Center is capable of establishing a teleconference of up to 650 participants. The system is intended for use in support of emergency response operations but can be made available on a limited basis for routine matters.

Federal OSCs and RRT chairmen may request a teleconference by contacting the NRC Duty Officer at 1-800-424-8802. They may request emergency conferences at any time but should provide 1-day advance notice whenever possible. A member of the RRT asking for phone lines in relation to RRT business may call the NRC or email the duty officer at [NRC@uscg.mil](mailto:NRC@uscg.mil) with a request for teleconferencing services. If requesting via email, the requestor will get a response either by email or phone with the conference call line information.

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- **State Interoperability Plans**

Information regarding Region 4 State's communication plans is listed below:

State	Website
Alabama	<a href="https://afrwc.alabama.gov/wp-content/uploads/2018/11/2018-AL-SCIP_Draft-v4_11-1-2018.pdf">https://afrwc.alabama.gov/wp-content/uploads/2018/11/2018-AL-SCIP_Draft-v4_11-1-2018.pdf</a>
Florida	<a href="https://www.dms.myflorida.com/business_operations/state_technology/public_safety_communications/radio_communications_services/florida_in_teroperability_network_fin/fin_implementation">https://www.dms.myflorida.com/business_operations/state_technology/public_safety_communications/radio_communications_services/florida_in_teroperability_network_fin/fin_implementation</a>
Georgia	<a href="https://cccdn.blob.core.windows.net/cdn/Files/CEMA/Plans/APP%202-1%20INTEROPERABLE%20COMMUNICATIONS.pdf">https://cccdn.blob.core.windows.net/cdn/Files/CEMA/Plans/APP%202-1%20INTEROPERABLE%20COMMUNICATIONS.pdf</a>
Kentucky	<a href="https://kwiec.ky.gov/SiteCollectionDocuments/Approved%20Kentucky%20SCIP%20Jan%202017.pdf">https://kwiec.ky.gov/SiteCollectionDocuments/Approved%20Kentucky%20SCIP%20Jan%202017.pdf</a>
Mississippi	<a href="https://www.wcc.ms.gov/WCCDocuments/Mississippi%20SCIP.pdf">https://www.wcc.ms.gov/WCCDocuments/Mississippi%20SCIP.pdf</a>
North Carolina	<a href="https://files.nc.gov/ncdps/2018%20North%20Carolina%20SCIP%20%28Final%20%20-%204.20.18%29.pdf">https://files.nc.gov/ncdps/2018%20North%20Carolina%20SCIP%20%28Final%20%20-%204.20.18%29.pdf</a>
South Carolina	<a href="http://interoperability.sc.gov/">http://interoperability.sc.gov/</a>
Tennessee	<a href="https://ke4rx.org/cheatsheet/TN%20COMM%20FOG%20VERSION%202%200%20060912%20FINAL.PDF?_sm_vck=7Js2tJ4JWVnFNkkN4kJw5Z3jR20rt5sZstMvkH113QwtJjtjJsqQ">https://ke4rx.org/cheatsheet/TN%20COMM%20FOG%20VERSION%202%200%20060912%20FINAL.PDF?_sm_vck=7Js2tJ4JWVnFNkkN4kJw5Z3jR20rt5sZstMvkH113QwtJjtjJsqQ</a>

- **Satellite Phones**

U.S. EPA Region 4 maintains 12 satellite phones available throughout the region. All 12 are manufactured by Motorola/Iridium, model number 9505A. The assigned location and quantity are listed below:

Location	Quantity
Regional Readiness Center, Norcross, GA	3
Phone Duty, Regional Emergency Operations Center, Atlanta, GA	1
Region 4 Response (R1/R2) Trucks	2
Region 4 Mobile Command Post	1
Outpost - Mobile, AL	1
Outpost - Tallahassee, FL	1
Outpost - Louisville, KY	1
Outpost - Raleigh, NC	1
Outpost - Jackson, TN	1

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- **Portable Satellite Units**

Portable Satellite Units (PSUs) were developed under the direction of the National Approach to Response-Field Communication Group. In an effort to support OSCs deployed for the September 2005 Hurricane Katrina response, these units were assembled and sent to the field.

U.S. EPA Region 4 maintains 3 PSU's available at the Regional Readiness Center located in Norcross, Georgia and each PSU includes voice over internet protocol (VoIP) phone service.

To access a PSU in Region 4, contact the Region 4 Telephone Duty at (404) 242-3393.

- **Important Region 4 Phone Numbers:**

<b>Contact</b>	<b>Phone Number</b>
Telephony Duty Blackberry	(404) 242 - 3393
Telephone Duty Pager	(404) 650 - 4955
Telephone Duty Sat Phone	011 - 88 - 164 - 140 - 6555

- **Mobile Command Post**

US EPA Region 4 has a Mobile Command Post (MCP) stored at the Regional Readiness Center in Norcross, Georgia.

The MCP is made up of two main areas, separated by a slide pocket door. The forward work area serves as a workstations and houses the computer and communications rack. The rear work area can serve as a conference room. The MCP can be hard-wired to shore power or to the EPA owned portable generator as well as operate from an on-board generator. The MCP has a satellite dish for internet data service, satellite television and VoIP phones. It has a satellite phone and radio equipment for communications. The MCP can monitor regional television broadcasts via satellite and local stations through the internet. The MCP has a computer network system with wired and wireless Internet, fax capability, and a local print server with a printer and a large color plotter.

- **MCP Numbers:**

<b>Device</b>	<b>Phone Number</b>
VOIP Line 1	(404) 567-5657
VOIP Line 2	(404) 567-5657
Cell Numbers	(404) 295-8923
	(404) 295-9264
	(404) 295-9553
	(404) 295-9966
FAX	(404) 309-0228
	(404) 309-4121
Sat Phone	011-88-164-140-6561

### *5.1.2.2 Medical Unit Leader*

The Medical Unit is primarily responsible for the development of the Medical Plan, obtaining medical aid and transportation for injured and ill incident personnel, and preparation of reports and records. Consult the Internet or phone book for list of providers.

### *5.1.2.3 Food Unit Leader*

The Food Unit is responsible for supplying the food needs for the entire incident, including all remote locations (e.g. Camps, Staging Areas), as well as providing food for personnel unable to leave tactical field assignments. Consult the Internet or phone book for list of providers.

## **5.1.3 Support Branch Director**

The following section includes resources to find assets for personnel, equipment, and supplies to support an incident.

### *5.1.3.1 Ground Support*

Primarily responsible to support out of service resources, the coordination and transportation of personnel, supplies, food and equipment.

### *5.1.3.2 Support Provided by General Services Administration*

GSA can provide a full range of timely logistical telecommunications and other support to the Federal response effort in accordance with Federal Acquisition Regulations (FAR), the GSA Acquisition Regulations (GSAR), and relevant public laws so that the command post may be operational no later than 48 hours after acceptance of the space by the OSC. Support may include:

- Workspace
- Office Furniture and Equipment
- Office Supplies
- Transportation
- Telecommunications
- Printing, Graphics and Reproduction Services
- Advisory Personnel: GSA can provide technical advisors in the areas of acquisition, storage, transportation and other areas as required. Engineering assistance will also be made available for help in damage surveys, appraisals of buildings for demolition or repair, etc.
- Procurement of Staff Quarters.
- Other Services:
  - Mobile home acquisition;
  - Assistance in the restoration of interrupted public utility service to Federal agencies;

- Loan of excess Federal personal property and its return to the holding agency after use;
- Donation of Federal surplus personal property for use and ultimate disposition by State government in accordance with current procedures;
- Preliminary damage assessment;
- Cleanup contractor services;
- Specialized technical support;
- Support.

### **5.1.4 Supply Unit Leader**

The Supply Unit Leader is responsible for ordering personnel, equipment and supplies; receiving and storing all supplies for an incident; maintaining an inventory of supplies; and servicing non-expendable supplies and equipment.

#### 5.1.4.1 USCG Response Resource Inventory System

See USCG database of [Oil Spill Response Organizations](#) for information regarding the CG Response Resource Inventory System.

### **5.1.5 Facilities Unit Leader**

The Facilities Unit Leader is responsible for activation and layout of incident facilities; provides sleeping and sanitation facilities for response personnel; and manages base and camp operations.

- Site security – generally, local law enforcement or responsible party will provide site security at the scene of an incident. However, an OSC has authority to provide for site security as necessary.

## **5.2 Area Resources: Infrastructure**

### **5.2.1 Incident Facilities**

A command post may be established based on the requirements of the incident. The Incident Commander or Unified Command determines when these facilities are established and where they are located.

The command post is the location from which all incident operations are directed. Only one command post is required per incident. Government and private entities should be co-located at the command post to make planning and communications easier. The communications center is usually established at the command post. Incident bases(s) are used for large oil spills affecting a

large geographical area and provide staging areas for equipment and personnel (e.g., small craft launching area, shoreline cleanup access point).

### ***5.2.1.1 Resource Directory***

For resource descriptions, see Section 2.2, Response Organization: Roles and Responsibilities.

### ***5.2.1.2 Oil Response Equipment***

Most response equipment is provided by the oil spill response organization (OSRO) contracted by the RP. For oil response equipment see Annex J, Oil Spill Countermeasures.

### ***5.2.1.3 Hazardous Substance Response Equipment***

For oil hazardous substance response equipment see Annex J, Oil Spill Countermeasures.

### ***5.2.1.4 Salvage Companies/Divers***

For more information, see: <http://www.americansalvage.org/members.php>

### ***5.2.1.5 Area Contact List Links***

Area contacts can be found in Annex M.

## **5.3 Waste Management**

A major challenge associated with an oil spill response is the disposal of collected product and contaminated cleanup materials, soil, and debris. Each category of waste has its own type of response and management problem.

In the coastal zone, the USCG OSC usually relies on the OSRO hired by the Responsible Party to write the waste management plan.

### **5.3.1 State HAZMAT Agencies**

See Section 2.3.1, State/Commonwealth Response, for more information.

### **5.3.2 Federal Disposal of Oil and Hazardous Materials**

In order to ensure proper treatment and disposal of hazardous substances recovered from CERCLA emergency response or removal sites, Section 300.65 of the NCP requires that offsite transport of hazardous substances use only facilities operating under appropriate Federal or State permits or authorization. Hazardous substances removed from such sites may be transferred only to facilities that are operating in compliance with RCRA, TSCA, and all applicable State requirements. These requirements also preclude the use of disposal units that have releases of hazardous wastes or hazardous constituents, and of disposal facilities that have releases which have not been addressed by corrective action.

EPA issued policies and procedures related to these requirements on November 13, 1987, entitled "Revised Procedures for Implementing Off-site Response Actions" (Office of Solid Waste and Emergency Response [OSWER] Directive 9834.11). Specific OSC roles and responsibilities for



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implementing the requirements can be found in Section IV of the Superfund Removal Procedures Manual, dated February 1988 (OSWER Directive 9360.03B).

The OSC should coordinate closely with the Regional RCRA Off-site Coordinator (RROC), and/or TSCA personnel and the State, as appropriate.

### ***5.3.2.1 Federal Disposal of Oil***

The NCP, Appendix E to Part 300, Oil Spill Response, Section 5.4, states that oil recovered in cleanup operations shall be disposed of in accordance with the RCP, ACP, and any applicable laws, regulations, or requirements. RRT and ACP guidelines may identify the disposal plans to be followed during an oil spill response and may address: the sampling, testing, and classifying of recovered oil and oiled debris; the segregation and stockpiling of recovered oil and oiled debris; prior State disposal approvals and permits; and the routes, methods (e.g. recycle/reuse, on-site burning, incineration, land filling, etc.), and sites for the disposal of collected oil, oiled debris, and animal carcasses.

The *Solid Waste Disposal Act* as amended by the *Used Oil Recycling Act (1980)* and the *Hazardous and Solid Waste Amendments (1984)* provide the statutory authority for RCRA, as amended regulations applying to recovered oils and oily wastes. In 1992, EPA promulgated new used oil regulations at 40 CFR Part 279; these regulations incorporate the old used oil fuel requirements formerly codified at 40 CFR 266, Subpart E (1986 – 1992 CFRs). The new used oil management standards at 40 CFR Part 279 apply only to "used oil", defined as any oil that has been refined from crude oil, used, and, as a result of such use, contaminated by physical and chemical impurities. If used oil is destined for disposal, the 40 CFR Part 279 regulations reference the RCRA hazardous waste management standards. Mixtures of waste oil (i.e., spilled, unused product oils) and used oil are regulated as used oil. Waste oil and oily wastes are subject to the hazardous waste management regulations at 40 CFR Parts 124, 260-266, 268, and 270. Non-hazardous used oil may be disposed of in an industrial or a municipal solid waste landfill (each State may have additional, more stringent requirements), in accordance with 40 CFR 257 and 258.

It is Federal policy to recycle waste and used oils rather than dispose of them. Under the pre- 1992 used oil regulations, used oil destined for recycling (in any way other than burning for energy recovery) is exempt from regulation as a hazardous waste. The 1992 used oil management standards do address all recycling activities. Recycling of waste oils and oily wastes is addressed by applicable hazardous waste management regulations.

Determining which used oil regulations apply to a particular spill is complicated by EPA's use of different statutory authority for the pre-1992 used oil fuel regulations than for the September 10, 1992, used oil management standards. The pre-1992 used oil regulations are federally-enforceable requirements in all U.S. Region IX States. The 1992 used oil management standards will become federally-enforceable requirements as the individual States promulgate the regulations and become authorized for them. The relationship between 40 CFR 266 Subpart E and 40 CFR Part 279 was clarified in a May 3, 1993 Federal Register final rule (58 FR 26420-26426).

RCRA Hotline

(800) 424-9346

Call for answers to spill cleanup questions.

### **5.3.3 Federal Disposal of Hazardous Materials**

To ensure proper treatment and disposal of hazardous substances recovered from CERCLA emergency response or removal sites, Section 300.65 of the NCP requires that off-site transport of hazardous substances use only facilities operating under appropriate Federal or State permits or authorization. Hazardous substances removed from such sites may be transferred only to facilities that are operating in compliance with RCRA, TSCA, and all applicable State requirements. These requirements also preclude the use of disposal units that have releases of hazardous wastes or hazardous constituents, and of disposal facilities that have releases which have not been addressed by corrective action.

EPA issued policies and procedures related to these requirements on November 13, 1987, entitled "Revised Procedures for Implementing Off-site Response Actions" (Office of Solid Waste and Emergency Response [OSWER] Directive 9834.11). Specific OSC roles and responsibilities for implementing the requirements can be found in Section IV of the Superfund Removal Procedures Manual, dated February 1988 (OSWER Directive 9360.03B).

The OSC should coordinate closely with the RROC, and/or TSCA personnel and the State, as appropriate.

#### ***5.3.3.1 EPA Model Waste Management Plan for SONS***

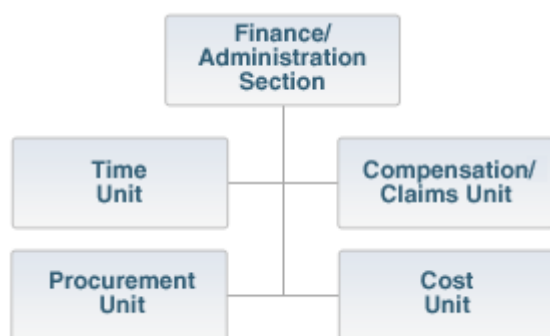
EPA has a model waste management plan for spills of national significance (SONS) dated July 24, 2013. See [EPA Framework for a Model Waste Management Plan for Oil Spills of National Significance \(SONS\)](#) or <https://www.epa.gov/homeland-security-waste>.

The framework provides EPA emergency managers, planners, and responders the key elements of waste management planning for an oil discharge that is declared a Spill of National Significance (SONS). Experience with major oil discharges has shown that many of the waste management planning elements are similar and can be planned for ahead of time, and then tailored to the site-specific spill conditions at the time of the SONS. Although an oil SONS will likely involve a responsible party, past incidents have shown that these key elements should be planned for by all stakeholders and be documented within a pre-incident waste management plan and made part of appropriate RCPs and/or ACPs.

## SECTION 6. FINANCE

### 6.1 Roles and Responsibilities

The Finance/Administration Section is responsible for all incident costs and financial considerations. Organizationally, the Finance/Administrations Section includes the Time Unit, Procurement Unit, Compensation/Claims Unit, and Cost Unit. All functions not assigned by the Section Chief remain the responsibility of the Section Chief.



For information about the organization of the Finance/Administrations Section in a Unified Command, the positions within it and its role in developing the Incident Action Plan, see the US Environmental Protection Agency [Incident Management Handbook Incident Command System](#), January 2016 Edition, and the [USCG Incident Management Handbook](#), under JOB AIDS, May 2014.

### 6.2 Funds for Incident Response

Congress established two trust funds to finance the cost of federal responses to discharges of oil or the release of hazardous substances.

<b>Fund</b>	<b>Purpose</b>
OSLTF	Costs of responding to discharges of oil.
Hazardous Substance Superfund Trust Fund (CERCLA)	Costs of responding to a release of a hazardous substance.

If an RP is not financially equipped or cannot be identified, the relevant fund may pay for federal response actions up to the amounts made available from it and within certain limitations. The federal government may recover response costs from RPs under liability provisions provided by OPA 90 and CERCLA.

## **6.2.1 Oil Pollution Act/Oil Spill Liability Trust Fund**

The Oil Pollution Act established the OSLTF to pay for oil spill cleanups and damages in cases where they responsible party cannot or will not pay for the cleanup. The OSLTF is administered by the USCG's NPFC.

- [Summary of Oil Pollution Act](#)
- [Statute](#)
- [Oil Spill Liability Trust Fund](#)
- [National Pollution Funds Center](#)
- [National Pollution Funds Center User Reference Guide](#) - reference tool during an oil or hazardous materials spill incident for Coast Guard and EPA OSCs
- [Ceiling and Number Assignment Processing System \(CANAPS\)](#) - EPA OSCs use to obtain a Federal Project Number when responding to an oil spill
- [Technical Operating Procedures for Resource Documentation](#) under Oil Pollution Act of 1990

In the event of an oil spill, the OSC, states, claimants, and trustees can obtain access to federal funds. OSCs can obtain immediate access to a funding account and ceiling for incident response by accessing CANAPS.

The following funding limitations exist in accessing the OSLTF:

- The maximum, per case, is \$1 billion, or the balance in the OSLTF, whichever is less.
- Removal funding (including response to a substantial threat) and initiate request funding are limited to the funds available in the OSLTF Emergency Fund.
- There is a maximum of \$500 million per case to satisfy Natural Resource Damage claims and assessments.
- Initiation of Natural Resource Damage Assessment (NRDA) costs may be paid out of the Emergency Fund, subject to its availability and the process through which funding was requested.
- The discharge (or substantial threat of discharge) must impact navigable waters of the United States (including the 200-mile Exclusive Economic Zone).

### ***6.2.1.1 State Access to the OSLTF***

States may access the OSLTF through three mechanisms: (1) Pollution Removal Funding Authorizations (PRFA); (2) uncompensated removal cost claims as described in 33 CFR 136; or (3) through the procedures established in 33 CFR 133. Of the three mechanisms, PRFAs or [claims](#) are the most efficient ways for States to access the OSLTF. See section 6.2.1.3, Pollution Removal Funding Authorizations, for more information about PRFAs. Additional guidance can be found in the [National Pollution Funds Center's User Reference Guide](#). For additional information regarding these procedures or related subjects, State representatives, OSCs, and other interested parties may contact the NPFC at (202) 795-6968.

### *6.2.1.2 Trustee Access to the OSLTF*

See [Natural Resource Trustees](#) for information about Federal Trustee access to the OSLTF.

### *6.2.1.3 Pollution Removal Funding Authorizations*

For PRFAs, the State acts as a contractor to the OSC on site and can oversee site activities. The State can oversee Federal contractors under a PRFA. <https://www.uscg.mil/Mariners/National-Pollution-Funds-Center/Documentation-Cost/PRFAs/>

### *6.2.1.4 Claims against the OSLTF*

Information about allowable claims against the OSLTF can be found in [33 CFR 136](#) with additional guidance in the [National Pollution Funds Center's User Reference Guide](#). For additional information regarding these procedures or related subjects, State representatives, OSCs, and other interested parties are urged to contact the NPFC Claims Division at (800) 280-7118.

## **6.2.2 Superfund (CERCLA)**

CERCLA, commonly known as Superfund, was enacted by Congress on December 11, 1980 and updated under SARA in 1986.

The person or persons responsible for discharges or releases are liable for costs of cleanup. Action will be initiated by the agency administering the funding mechanism to recover such expenditures from the party responsible for the discharge, if known. The OSC may also issue an Administrative Order, either by consent or unilaterally, to require financially viable responsible parties to conduct the removal action.

Until new guidance is published, all incidents requiring funding must be screened by category:

- (a) CWA Section 311(k) for oil only, and
- (b) CERCLA for any release or threat of release of a hazardous material as defined by CERCLA.

An EPA and USCG Headquarters agreement states that response to any potentially hazardous oil and hazardous materials mixture shall be CERCLA-funded. This section addresses EPA and State access to OPA 90 and CERCLA funding. USCG procedures can be found in USCG ACPs.

CERCLA, commonly known as Superfund, was enacted by Congress on December 11, 1980 and updated under SARA in 1986. An overview can be found at

<https://www.epa.gov/laws-regulations/summary-comprehensive-environmental-response-compensation-and-liability-act>

Funding guidance can be found through the National Pollution Fund Center at <https://www.uscg.mil/Mariners/National-Pollution-Funds-Center/urg/>

### [Local Government Reimbursement under CERCLA](#)

- [CERCLA Overview: www.epa.gov/superfund/policy/cercla.htm](http://www.epa.gov/superfund/policy/cercla.htm)

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- [USCG procedures for accessing CERCLA: www.uscg.mil/npfc/docs/PDFs/urg/Ch2/NPFCcercla.pdf](http://www.uscg.mil/npfc/docs/PDFs/urg/Ch2/NPFCcercla.pdf)

### ***6.2.2.1 Local CERCLA Access***

The purpose of local CERCLA access is to provide funds (limited to \$25,000) in the form of reimbursements for expenses, to local, county, and tribal governments that respond to hazardous substance release in their jurisdiction.

- Reimbursement to Local Governments for Emergency Response to Hazardous Substances Releases Regulation Overview: [www2.epa.gov/emergency-response/reimbursement-local-governments-emergency-response-hazardous-substance-releases](http://www2.epa.gov/emergency-response/reimbursement-local-governments-emergency-response-hazardous-substance-releases)
- Local Governments Reimbursement Program: [www2.epa.gov/emergency-response/local-governments-reimbursement-program](http://www2.epa.gov/emergency-response/local-governments-reimbursement-program)

### ***6.2.2.2 Interagency Agreements (IAA)***

The OSC is responsible for identifying whether technical assistance from another agency is necessary, and for making arrangements for that assistance. In addition, OSCs are responsible for initiating and processing any site-specific IAAs necessary for reimbursing Federal agency participation.

EPA OSCs may develop, negotiate terms, and award IAAs for site-specific, EPA-led actions.

### ***6.2.2.3 Local and Tribal Government Access to the CERCLA Fund***

Local and federally recognized tribal governments may request reimbursement of costs to carry out temporary measures to protect human health and the environment without a contract or cooperative agreement. All costs for which local governments are seeking reimbursement must be consistent with the NCP and federal cost principles outlined by the Office of Management and Budget. Reimbursements are limited to \$25,000 per hazardous substance response. In addition, reimbursement must not supplant local government funds normally provided for emergency response. States are not eligible for reimbursement, and no state may request reimbursement on its own behalf or on behalf of political subdivisions within the state. More information on the Local Government Reimbursement program may be found at:

- [Reimbursement to Local Governments for Emergency Response to Hazardous Substances Releases Regulation Overview](http://www2.epa.gov/emergency-response/reimbursement-local-governments-emergency-response-hazardous-substance-releases-regulation-overview)
- [Local Governments Reimbursement Program](http://www2.epa.gov/emergency-response/local-governments-reimbursement-program)

### **Criteria for Reimbursement:**

The following criteria must be met before a request for reimbursement is to be considered:

- Local government must have had a Title III plan by October 1, 1988.
- Response occurred after the effective date of this rule (October 17, 1986).
- Local government informed EPA or the NRC as soon as possible, but not more than 24 hours after initiating response.
- Response actions were consistent with CERCLA, the NCP, and EPCRA.

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- The request contains assurances that the response reimbursement does not supplant Local funds normally provided for such activities.
- The applicant must have first attempted to recover the costs from all known potentially responsible parties (PRPs) and any other possible sources of reimbursement (State funds, insurance companies, etc.). Sixty (60) days must be allowed for the above responsible party to respond by making payment, expressing intent to pay, or demonstrating willingness to negotiate payment.
- CERCLA limits the amount of reimbursement to \$25,000 per single response. If several agencies or departments are involved in a response, they must determine among themselves which agency will submit the request for reimbursement. Any request must be received by EPA within six months of the related response action.

### ***6.2.2.4 Cost Recovery***

EPA will make all decisions regarding recovery of expenditures from the Trust Fund. All agencies expending Trust Funds must submit an itemized account of all funds expended in accordance with provisions of contracts, IAAs, or Cooperative Agreements with EPA. These agreements must be in place prior to the expenditure of funds.

#### ***6.2.2.4.1 Forms***

- **Pollution Removal Funding Authorization:** A PRFA is issued to a government agency to assist the OSC when responding to an oil spill. Forms for issuing a PRFA to a federal or state agency can be found at the website. The OSC will prepare cost documentation to the NPFC. Each agency involved in the spill must have a separate PRFA. <https://www.uscg.mil/Mariners/National-Pollution-Funds-Center/Documentation-Cost/PRFAs/>
- **Claims:** Claims against the Oil Pollution Act of 1990 can be submitted to the National Pollution Fund Center for damages due to an oil spill or uncompensated removal costs. A claim can be submitted by local and State agencies for costs incurred related to an oil spill. Spill response contractors can also submit a claim against the OSLTF for costs incurred if the responsible party has been invoiced and is not willing to pay contractor. Costs for spill cleanup can be submitted to the NPFC after the incident if direct state access or a PRFA was not used. An OSC is not involved in the claims process. When submitting a claim against the OSLTF, the claimant must ensure:
  - Response actions taken are consistent with the NCP
  - The material spilled is an oil
  - The name of the navigable water threatened or impacted by the oil
  - A cost breakdown of the amount being claimed <https://www.uscg.mil/Mariners/National-Pollution-Funds-Center/claims/>

## 6.3 Federal Fund Documentation and Cost Recovery Procedures

Through Executive Orders, the President has delegated certain functions and responsibilities vested to him by the FWPCA and CERCLA to the EPA and the USCG. Under CERCLA, the Hazardous Substance Response Trust Fund has been set up to fund federal responses to hazardous substances, pollutants, or contaminants, as defined by CERCLA that may present an imminent or substantial threat to public health or the environment. Responses to discharges of petroleum products are specifically excluded from CERCLA. Section 311 of the Clean Water Act, as amended by OPA 90, established the OSLTF for response to discharges of petroleum products. Response includes conducting NRDA's and paying claims for removal costs or damages. EPA and the USCG both have access to both funds through MOUs established between both agencies. Only costs incurred during containment, countermeasures, cleanup, and disposal (Phase III) during a federal response to an oil pollution incident are recoverable from the Pollution Fund (311 (k)) and must be certified as Phase III costs by the OSC. The NCP contains information and procedures with regard to both the FWPCA and CERCLA and contains sections dealing with documentation and cost recovery for both acts. USCG Commandant Instruction 16465.1 defines documentation for enforcement and cost recovery. The instruction is incorporated into this plan by reference.

### 6.3.1 Letters

- Notice of Federal Interest for an Oil Pollution Incident (Form CG-5549);
- Notice of Federal Assumption; and
- Letter of Designation of Source.

The OSC is responsible for notifying the NPFC of the source of a discharge, actual or potential. The NPFC must also be notified if the source is not identified. Notification may be made by letter, Rapidraft, or message (POLREP or Situation Report). The NPFC should be contacted for guidance on procedures, or with any questions relating to this.

### 6.3.2 Reports

- OSC Reports will be submitted as determined necessary by the RRT for a particular incident.
- POLREPS shall be submitted for the coastal zone in accordance with the requirements outlined in Volume VI, Chapter 7.B.5.b of the Marine Safety Manual. The POLREP format can be found in Volume VII of the Marine Safety Manual. In the inland zone, POLREPS shall follow the format outlined in the USCG Marine Safety Manual.

## 6.4 Damage Assessment Procedures

The National Oceanic and Atmospheric Administration published a final rule to guide trustees in assessing damages to natural resources from discharge of oil. The rule provides a blueprint that enables natural resource trustees to focus on significant environmental injuries, to plan and



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implement efficient and effective restoration of the injured natural resources and services, and to encourage public and RP involvement in the restoration process.

Under the rule, the NRDA process is divided into three phases:

- Pre-assessment: The trustees evaluate injury and determine whether they have the authority to pursue restoration and if it is appropriate to do so.
- Restoration Planning: The trustees evaluate and quantify potential injuries and use that information to determine the appropriate type and scale of restoration actions.
- Restoration Implementation: The trustees and/or RPs implement restoration, including monitoring and corrective actions.

This process is designed to rapidly restore injured natural resources and services to the condition that would have existed had the spill not occurred and to compensate the public for the losses experienced from the date of the spill until the affected natural resources and services have recovered.

### **6.5 FEMA Disasters, Stafford Act**

When a National Disaster Declaration is issued by the President of the United States, additional funding may be available through FEMA.

FEMA, through the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 100-707), may fund emergency operations such as maritime transportation system recovery, firefighting, search & rescue, and oil and hazardous material response. The Stafford Act provides the legal authority for the federal government to provide assistance to states during declared major disasters and emergencies. For additional details, please visit the following websites:

[National Response Framework](#)

[National Response Framework-Financial Management Support Annex](#)

[FEMA's Public Assistant Applicant Handbook-Handbook](#) - Developed by FEMA to assist communities in recovering from disasters to get better understanding of the Public Assistance Program.

#### **6.5.1 Mission Assignments**

When an incident is of such magnitude that a State government's resources are overwhelmed, the State may request Federal response assistance to supplement ongoing disaster relief activities. The Stafford Act establishes the programs and processes for the Federal Government to provide disaster and emergency assistance to States, local governments, tribal nations, individuals, and qualified private nonprofit organizations. [Mission assignments](#) (MA) are issued by FEMA to direct other federal agencies for tasks in response to a Stafford Act event under the National Response Framework. MA are provided in anticipation of or in response to a Presidential declaration. See [FEMA's Mission Assignment Overview \(IS-293\)](#), for more information.

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A Presidential Disaster Declaration does not change the OSC's responsibilities and authorities under the National Contingency Plan for oil and hazardous materials spills. The Responsible Party is still responsible for paying the cost of cleanup.

A Mission Assignment from FEMA enables a wholesale cleanup of spilled oil or chemicals, such as after a hurricane, whereas use of RP funds or the OSLTF requires a separate investigation and financial accounting for each spill.

An MA is a work order issued to a Federal agency by FEMA directing the completion of a specific task, and citing funding, management controls, and guidance. It orders immediate, short-term emergency response assistance when an applicable State or local government is overwhelmed by an incident and lacks the capability to perform, or contract for, the necessary work. An MA combines in one document both operational tasking and the obligation of funds to accomplish that tasking by the assigned agency. MAs are directives issued by FEMA; they are not contracts or IAAs. In most cases, MAs are issued only for assistance under the Stafford Act, not for assistance provided that would normally fall under an agency's independent authorities or responsibilities. FEMA will not reimburse for work done under an agency's regulatory authority.

MAs can be issued from three FEMA-managed entities: JFOs, Regional Response Coordination Centers (RRCCs), and the National Response Coordination Center (NRCC). The FEMA Region 4 RRCC in Atlanta is the regional interagency coordination center and has primary responsibility for operations until a JFO(s) is established and operational. The RRCC is directly involved in the coordination and issuing of MAs until the JFO becomes operational.

### **6.5.2 Emergency Support Function 10, Oil & Hazardous Materials**

See also, Annex E, Emergency Support Function #10 Annex.

Following a Presidential declaration of disaster or emergency, the Coast Guard may operate under the Stafford Act and its implementing framework, the NRF. The NRF groups the types of Federal assistance most likely to be needed under fifteen ESFs. EPA and the Coast Guard are both assigned as primary agencies for ESF #10, Oil and Hazardous Materials Response. While FEMA may assign an ESF #10 MA directly to the Coast Guard if both agencies are involved, the normal practice is for FEMA to assign the ESF #10 MA to EPA, which then sub-task the MA with the Coast Guard or with contractors who can assist with disaster response involving hazardous materials in the marine environment.

EPA will only collect household hazardous waste when it receives a Mission Assignment funded by FEMA to do so.

## List of Acronyms

ACP	Area Contingency Plan
AEMA	Alabama Emergency Management Agency
APHIS	Animal and Plant Health Inspection Service
ASCS	Agricultural Stabilization and Conservation Service
ASPR	Assistant Secretary for Preparedness and Response
ATSDR	Agency for Toxic Substances and Disease Registry
BIA	Bureau of Indian Affairs
BOEM	Bureau of Ocean Energy Management
BSEE	Bureau of Safety and Environmental Enforcement
CAA	Clean Air Act
CANAPS	Ceiling and Number Assignment Processing System
CBRNE	Chemical, biological, radiological, nuclear, or high-explosive
CDC	Centers for Disease Control
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CNCS	Corporation for National and Community Service
COTP	Captain of the Port
CSA	County Staging Areas
CWA	Clean Water Act
DOC	Department of Commerce
DOD	Department of Defense
DOE	Department of Energy
DOI	Department of the Interior
DOJ	Department of Justice
DOL	Department of Labor
DOS	Department of State
DOT	Department of Transportation
EPA	United States Environmental Protection Agency

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EPCRA	Emergency Planning and Community Right-to-Know Act
ERT	Environmental Response Team
ESF	Emergency Support Function
ESF #10	Emergency Support Function #10 – Hazardous Materials
EU	Environmental Unit
EUL	Environmental Unit Leader
FAR	Federal Acquisition Regulations
FCO	Federal Coordinating Officer
FDEM	Florida Division of Emergency Management
FEMA	Federal Emergency Management Agency
FNS	Food and Nutrition Service
FRERP	Federal Radiological Emergency Response Plan
FRMAC	Federal Radiological Monitoring and Assessment Center
FSIS	Food Safety and Inspection Service
GIS	Geographic Information System
GSA	General Services Administration
GSAR	GSA Acquisition Regulations
HAZWOPER	Hazardous Waste Operations and Emergency Response Standard
HHS	Department of Health and Human Services
HSOC	Homeland Security Operations Center
HSPD-5	Homeland Security Presidential Directive-5
HSWA	Hazardous and Solid Waste Amendments
IAA	Interagency Agreements
IAG	Interagency Agreements
IAP	Incident Action Plan
IC	Incident Commander
ICS	Incident Command System
IIMG	Interagency Incident Management Group

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IMP	Information-Management Plan
IMPA	Incident Management and Preparedness Advisor
IRMS	Incident Resource Management System
JFO	Joint Field Office
JIC	Joint Information Center
LEPCs	Local Emergency Planning Councils
MA	Mission Assignments
MCC	Mission Coordinator Center
MCP	Mobile Command Post
MDEQ	Mississippi Department of Environmental Quality
MEMA	Mississippi Emergency Management Agency
MMS	Mineral Management Services
MOA	Memoranda of Agreement
MOU	Memoranda of Understanding
NASS	National Agricultural Statistics Service
NCP	National Contingency Plan
NEPA	National Environmental Policy Act
NERR	National Emergency Resource Registry
NIMS	National Incident Management System
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
NPFC	National Pollution Fund Center
NPS	National Park Service
NRC	National Response Center
NRCC	National Response Coordination Center
NRDA	Natural Resource Damage Assessment
NRF	National Response Framework
NSFCC	National Strike Force Coordination Center

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OPA	Oil Pollution Act
ORIA	US EPA Office of Radiation and Indoor Air
ORSANCO	Ohio River Valley Water Sanitation Commission
OSC	Federal On-Scene Coordinator
OSHA	Occupational Safety and Health Administration
OSLTF	Oil Spill Liability Trust Fund
OSRO	Oil spill response organization
PFO	Principal Federal Official
PHMSA	Pipeline and Hazardous Materials Administration
PODs	Points of Distribution
POLREP	Pollution Reports
PRFA	Pollution Removal Funding Authorizations
PRP	Potentially responsible parties
PSU	Portable Satellite Unit
QI	Qualified Individual
RAP	Radiological Assistance Program
RATs	Radiological Assistance Teams
RCC	Regional Coordination Center
RCRA	Resource Conservation & Recovery Act
REO	Regional Environmental Officer
RERT	Radiological Emergency Response Teams
RICP	Regional Integrated Contingency Plan
RP	Responsible Party
RRCC	Regional Response Coordination Centers
RROC	Regional RCRA Off-site Coordinator
RRT	Regional Response Teams
RRT4	Region 4 Regional Response Team
RSPA	Research and Special Programs Administration

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SARA	Superfund Amendments and Reauthorization Act of 1986
SCEMD	South Carolina Emergency Management Division
SEOC	State Emergency Operations Center
SERB	State Emergency Response Board
SERC	State Emergency Response Commission
SERT	State Environmental Response Team
SHPO	State Historic Preservation Officer
SITL	Situation Unit Leader
SOC	State Operations Center
SOG	Standard operating guidelines
SOP	Standard Operating Procedures
SPCC	Spill Prevention Control and Countermeasure
SSC	Scientific Support Coordinator
TAD	Technical Assistance Document
TDEC	Tennessee Department of Environment and Conservation
TEL	Telephone Duty OSC
TEMA	Tennessee Emergency Management Agency
TERC	Tribal Emergency Response Commission
THPO	Tribal Historic Preservation Officers
UC	Unified Command
USACE	United States Army Corps of Engineers
USCG	United States Coast Guard
USDA	Department of Agriculture
USFWS	U.S. Fish and Wildlife Service
USNRC	U.S. Nuclear Regulatory Commission
VoIP	Voice over internet protocol
WMD	Weapons of Mass Destruction