

Annex C

Downstream Notification

ANNEX C: SUPPLEMENTAL NOTIFICATION GUIDANCE

1.0 BACKGROUND

This annex to the Regional Contingency Plan (RCP) augments incident notifications and updates. Appropriate and timely notifications are critical functions to fulfil EPAs' emergency response support missions.

This Annex is not intended to supersede legal or regulatory notification requirements, such as those found under the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Clean Air Act (CAA), or Clean Water Act (CWA). Additionally, this annex is not intended to supplant existing plans, policies and procedures with respect to notification requirements.

2.0 SITUATION

Current EPA Region 4 practice utilizes a Telephone Duty On Scene Coordinator (OSC) to receive 24-hour phone call, electronic mail, and facsimile notifications of incidents impacting Region 4. The Telephone Duty OSC has the responsibility to document, evaluate, take action, and transmit notifications to potentially impacted parties, as deemed necessary based on the incident.

Two supplemental notification checklists for the Telephone Duty OSC are included in this Annex. One for primarily waterborne or overland contaminants and the other for airborne contaminants. There is an overlap in the two checklists and cases may exist where both could be utilized for a single incident. These checklists are not comprehensive listings of all phone numbers, email accounts and 24-hour warning points throughout Region 4 nor are they designed to result in multiple notifications to each single warning point. They are intended to augment existing communication protocols, enhance development of a common operating picture with potentially impacted jurisdictions and reinforce notifications with complimentary redundancies.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

SEP 4 2015

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

MEMORANDUM

SUBJECT: Review of Regional and Area Contingency Plans for Downstream Notifications

FROM: Mathy Stanislaus
Assistant Administrator

A handwritten signature in black ink that reads "Mathy Stanislaus".

TO: Regional Administrators

Experience and knowledge gained during the Gold King Mine spill incident in Colorado can help inform future response activities. Accordingly, the Agency is using this information to engage our response partners to assess our notification protocols for informing the potentially impacted stakeholders downstream¹ from the source of a release.

Notification of potentially impacted communities downstream of a release is important to helping provide time to prepare all potentially impacted communities to respond to the release. Many notification systems already exist at the state, tribal, local, and other levels, and we want to build on the existing infrastructure.

Thus, this is still an area where I believe we can do better, and the EPA can help support and enhance these existing pathways. To this end, I ask that Regional Administrators ensure Regional Response Team (RRT) representatives work to review and implement, if necessary, all appropriate changes to strengthen Regional Contingency Plan (RCP) and Area Contingency Plan (ACP) provisions focused on the need to promptly alert and coordinate with responders in downstream jurisdictions (e.g., state, tribal, and local jurisdictions), including jurisdictions beyond the original release. Notification procedures should include steps that the EPA, states, tribes, and other agencies take to ensure redundancy of notification to downstream jurisdictions. RCPs/ACPs should include steps for each RRT to conduct regular exercises to test notification procedures and capabilities, including the need for back-up sources of alerts/notifications. I ask that this review and all resulting strengthened provisions be in place at the

¹ "Downstream" in this context is meant to be inclusive of all environmental media affected by a release. For example, it includes surface water, groundwater, and air, and also environmental impacts of explosive releases.

RCP level by December 31, 2015. Where RCPs cascade into applicable area and sub-area planning, I ask that (if necessary) implementation at the area and sub-area level be targeted for accomplishment by March 31, 2016. Finally I ask that each RRT conduct at least one exercise of its downstream notification procedures by March 31, 2016.

Additionally, to ensure national consistency and build further redundancy into notifications procedures, I am asking the EPA Office of Emergency Management (OEM) to review current notification criteria between the HQ Emergency Operations Center (EOC), Regional EOCs (REOCs), and the USCG National Response Center (NRC). This review will look for further opportunities to enhance downstream notifications by improving communication among these entities. This review should include consideration of recommendations and/or guidance to the EPA EOC and REOCs, and adjustments/changes to the National Response Center (NRC) information collection and notification procedures.

As the Chair of the National Response Team (NRT), OEM Director Reggie Cheatham will coordinate with NRT member agencies and with the RRT Co-Chairs. Please ask your staff to keep Reggie Cheatham apprised as changes and updates are made to existing notification protocols.

Thank you in advance for your efforts to strengthen this process and assisting responders in both protecting human health as well as the environment.

cc: EPA Deputy Regional Administrators
EPA Regional Superfund Division Directors
EPA Regional Removal Managers

Airborne Release - Supplemental Notification Considerations

NOTIFICATIONS

State 24-hour Warning Point Notification(s)			Time	Date	SITREP Updates Provided?
Primary Impact State	State Point of Contact	Contact Information			
<i>Supplemental Notification Considerations</i>					
<i>Share EPA alert and notifications with State counterpart and ask that the State reciprocate</i>					
<i>Does State require any assistance with alerts or notifications</i>					
<i>Share federal government activation levels (if known)</i>					
<i>Suggest that downwind entities send a representative to participate in Unified Command at the ICP</i>					
Additional Impacted State(s)	State Point of Contact	Contact Information			
Additional Regional Response Team Member Notification(s)			Time	Date	SITREP Updates Provided?
Additional RRT Member(s)	Point of Contact	Contact Information			
Additional EPA Notification(s)			Time	Date	SITREP Updates Provided?
Additional EPA Office(s)	Point of Contact	Contact Information			
Additional Federal Notification(s)			Time	Date	SITREP Updates Provided?
Additional Federal Partner(s)	Point of Contact	Contact Information			
Additional Tribal Notification(s)			Time	Date	SITREP Updates Provided?
Additional Tribal Partner(s)	Point of Contact	Contact Information			

Waterborne Release - Supplemental Notification Considerations

NOTIFICATIONS

State 24-hour Warning Point Notification(s)			Time	Date	SITREP Updates Provided?
Primary Impact State	State Point of Contact	Contact Information			
<i>Supplemental Notification Considerations</i>					
<i>Share EPA alert and notifications with State counterpart and ask that the State reciprocate</i>					
<i>Does State require any assistance with alerts or notifications</i>					
<i>Share federal government activation levels (if known)</i>					
<i>Suggest that downstream entities send a representative to participate in Unified Command at the ICP</i>					
Additional Impacted State(s)	State Point of Contact	Contact Information			
Additional Regional Response Team Member Notification(s)			Time	Date	SITREP Updates Provided?
Additional RRT Member(s)	Point of Contact	Contact Information			
Additional EPA Notification(s)			Time	Date	SITREP Updates Provided?
Additional EPA Office(s)	Point of Contact	Contact Information			
Additional Federal Notification(s)			Time	Date	SITREP Updates Provided?
Additional Federal Partner(s)	Point of Contact	Contact Information			
Additional Tribal Notification(s)			Time	Date	SITREP Updates Provided?
Additional Tribal Partner(s)	Point of Contact	Contact Information			