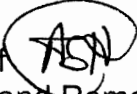




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

Subject: Designation of Area Committee and Appointment of On-Scene Coordinator

From: Shane Hitchcock, Chief   
Emergency Response and Removal Branch

To: Franklin Hill, Acting Director  
Superfund Division

The Clean Water Act (CWA) and the Oil Pollution Act (OPA) require the establishment of Area Committees and the preparation of Area Contingency Plans. Both the CWA and OPA direct the Area Committees to prepare Area Contingency Plans, to work with State and local officials to enhance contingency planning and to conduct other preparedness activities. Pursuant to the CWA and OPA, the President is given the authority to designate areas and area committee members. The President designated the 13 Regional Response Teams (RRTs) as the initial Area Committees (57 Fed. Reg. 15198. (April 24, 1992)). In Executive Order 12777, the President delegated his authority under OPA Section 4202(b)(1) and Section 311(j)(4) of the CWA to designate areas for the "inland zone," to name Area Committee members and to review Area Contingency Plans, to the Administrator of EPA.

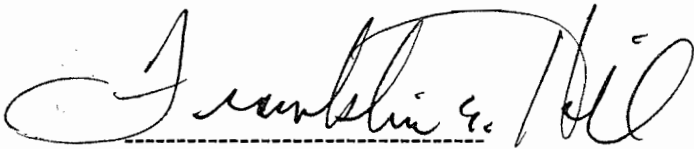
In delegation 2-91, the Administrator of EPA further delegated the authority under OPA and the CWA to designate Areas, to appoint Area Committee members, to require information to be included in Area Contingency Plans, and to review and approve plans, to the Regional Administrators. The Regional Administrator of Region 4 re-delegated this same authority to the Director, Superfund Division.

Both the CWA and OPA require that each Area Committee be under the direction of the Federal On-Scene Coordinator (OSC). This responsibility is given directly to the OSC through the statutes and therefore can not be changed by delegation or regulation. The Federal On-Scene Coordinator is defined by 311 of the CWA as the Federal On-Scene Coordinator designated in the National Contingency Plan (NCP). The NCP defines On-Scene Coordinator as the federal official pre-designated by EPA or the United States Coast Guard (USCG) to coordinate and direct federal responses under Subpart D of the NCP, or the official designated by the lead agency to coordinate and direct removal actions under Subpart E of the NCP.

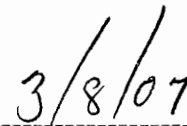
The purpose of this memorandum is two-fold: first, to request your approval of the designation of the Area Committee, and second, to request appointment of a Federal On-Scene Coordinator to direct the Area Committee. For the in-land portion of Region 4, the following Area Committee members are proposed:

U.S. EPA Region 4 Emergency Response and Removal Branch	State of Tennessee
USCG District 5	State of Mississippi
USCG District 7	Commonwealth of Kentucky
USCG District 8	State of North Carolina
Department of Agriculture	State of Florida
Department of Interior	State of South Carolina
Department of Commerce	State of Georgia
Department of Energy	State of Alabama
Department of Defense	Tennessee Valley Authority
Miccosukee Tribe of Indians of Florida	Department of Labor
Seminole Tribe of Florida	Agency for Toxic Substances and Disease Registry
Eastern Band of Cherokee Indians	U.S. State Department
Mississippi Band of Choctaw Indians	Nuclear Regulatory Commission
Poarch Band of Creek Indians	General Service Administration
Catawba Indian Nation	Department of Energy
Department of Justice	Department of Health and Human Services
Department of Transportation	
Federal Emergency Management Agency	

The Federal On-Scene Coordinator directing the Area Committee is proposed to be Art Smith:



Approval



Date

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Disapproval

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Date