

**ATTACHMENT 13 – REGION 5 ACP-RCP FEDERAL ON-SCENE COORDINATOR RESPONSIBILITIES**

## Section 2. COMMAND

### Subsection 2.2 Federal Response

#### 2.2.1 Federal OSC Responsibilities

The Federal OSC directs Federal response efforts and coordinates all other Federal efforts at the scene of a discharge or release. The OSC may monitor local, Tribal, State, or private actions to remove a discharge, and may provide technical assistance to local, Tribal, State, or responsible party response personnel.

If a response action is being conducted through local, Tribal, State, or responsible party efforts, the OSC will ensure adequate oversight. If local, Tribal, or State agencies or the responsible party cannot or will not initiate action to eliminate the threat, or if the removal is not being conducted properly, the OSC should advise the government agency or responsible party and take appropriate actions to mitigate or remove the threat or discharge.

When the OSC has determined that a discharge 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 or mitigate or prevent the substantial threat of the discharge; and may remove and, if necessary, destroy by whatever means available a vessel 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](#)).

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

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

OSC responsibilities in the event of a discharge or release include the following:

- a. Coordinate with appropriate Federal Agencies. Providing funding to permit timely removal actions;
- b. Notify the appropriate State and Federal Agencies. OSC notification responsibilities are discussed in further detail in subsection 2.10 of this plan (p. 31).
- c. 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 ICP.
- d. Collect information concerning the discharge or release:
  - o its source and cause;
  - o potentially responsible parties;
  - o the nature, amount, location, direction, and time of discharge;
  - o pathways to human and environmental exposure;
  - o potential impact on human health, welfare, and safety, and the environment;
  - o possible impact on natural resources and property;
  - o priorities for protecting human health and welfare and the environment; and
  - o estimated cost for the response.
- e. Certifying the financial responsibility of vessel owners and operators.
- f. Consult with and inform the RRT members of reported discharges and releases through Pollution Reports in Message Format (POLREPs). (See Figure 2-1, p. 34)
- g. 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.
- h. Implement appropriate community relations activities.
- i. Address worker health and safety issues prior to and during a response operation, and comply with all worker health and safety regulations.
- j. Coordinate with the [Agency for Toxic Substances and Disease Registry](#) (ATSDR), as deemed necessary, regarding possible public health threats.
- k. Coordinate with the [US EPA Office of Radiation and Indoor Air](#) (ORIA) and the Department of Energy (DOE) in emergencies involving radiological hazards. ORIA

As requested by the NRT or RRT, the OSC shall submit to the RRT 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.

### 2.2.2 Regional Response Team

The RRT is 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 the Region 5 RRT are the Chief of the Emergency Response Branch, US EPA Region 5 and the Chief of the Marine Safety Division, Ninth Coast Guard District. The RRT membership includes representatives from each State appointed by the Governor, and the designated regional representatives of the following Federal Agencies:

- [Department of Agriculture](#) (USDA)
- [Department of Commerce](#) (DOC)
- [Department of Defense](#) (DOD)
- [Department of Energy](#) (DOE)
- [Federal Emergency Management Agency](#) (FEMA)
- [General Services Administration](#) (GSA)
- [Department of Health and Human Services](#) (HHS)
- [Department of Homeland Security](#) (DHS)
- [Department of the Interior](#) (DOI)
- [Department of Justice](#) (DOJ)
- [Department of Labor](#) (DOL)
- [Nuclear Regulatory Commission](#)
- [Department of State](#) (DOS)
- [Department of Transportation](#) (DOT)
- [Coast Guard](#) (USCG)
- [Environmental Protection Agency](#) (EPA)

Federal RRT member agencies have duties established by Statute or Executive Order that may apply to Federal response actions following or in prevention of a discharge of oil or a release or threat of release of a hazardous substance, pollutant, or contaminant. The RRT also functions as the Area Committee for Inland Region 5.

The principal components of the RRT are a standing RRT and incident-specific RRTs. The standing RRT consists of designated representatives from each participating Federal Agency listed above and each State. Each incident-specific RRT is formed from the standing team when the RRT is activated for a response, and consists of representatives of appropriate local governments, State agencies, and Federal Agencies.

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 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 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, this RCP/ACP, and agency guidance until the predesignated OSC is available. That Federal official should consult directly with the predesignated OSC regarding any necessary initial actions. Fund-financed operations must be authorized by the OSC prior to implementation.

### 2.2.3 Federal Agency Responsibilities

The Federal Agencies listed in this section have duties established by statute, executive order, or Presidential directive which may apply to Federal response actions following, or in prevention of, the discharge of oil or release of a hazardous substance, pollutant, or contaminant. Some of these agencies also have duties relating to the rehabilitation, restoration, or replacement of natural resources injured or lost as a result of such discharge or release. It is recognized that Native American authorities, responders, and communities are entitled to the same cooperation and protection arrangements as the States.

Following is a list of Federal Agencies and their responsibilities and functions.

#### **2.2.3.14 Department of Transportation**

DOT, through the [Pipeline and Hazardous Materials Safety Administration](#) (PHMSA), establishes oil discharge contingency planning requirements for pipelines, transport by rail and containers, or bulk transport of oil.

#### **2.2.3.15 Environmental Protection Agency**

EPA provides the Co-Chair of RRT5 and provides OSCs for all inland areas for which an ACP is required. EPA also generally provides the Support Center for responses in the inland zone.

EPA is responsible for providing expertise regarding environmental effects of pollution and environmental pollution control techniques. US EPA will also:

- assist USCG in hazardous materials incidents
- advise the RRT and the OSC of the degree of hazard a particular release poses to public health and safety
- coordinate scientific support, including environmental assessment, in inland regions