

ATTACHMENT 3 – FEDERAL REGION 9 REGIONAL CONTINGENCY PLAN, SECTION 2000

2000 COMMAND

2001 INTRODUCTION

Response actions should be monitored or implemented by the most immediate level of government with the 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. When the FOSC determines that there is federal interest or an incident response is beyond the capability of the State response, U.S. EPA or USCG may 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. The need for Federal response is determined by the FOSC.

2002 ALL HAZARD COMMAND STRUCTURE: UNIFIED COMMAND

The NCP requires FOSCs to direct response efforts and coordinate all other actions at the scene of a spill or release. The NCP further states that the basic format for the response management system is a structure that brings together federal and state agencies, and the responsible party, to achieve an effective and efficient response. This structure is commonly referred to as the Unified Command (UC). The FOSCs coordinate their authority to direct response to a discharge or release with agency officials that may have authority over other aspects of the emergency in a Unified Command. Other aspects of an emergency may include fire suppression, search & rescue, medical triage, crowd control, evacuations, etc. No single agency has sole jurisdictional authority to direct all aspects of a major emergency. That is the primary purpose for establishing a Unified Command. Under Unified Command, no agency with statutory authority for the emergency abdicates that authority. Unified Commanders must reach consensus on decisions relating to the response.

It should be noted that in this structure the FOSC retains ultimate authority in an operation for decisions relating to a response. Since the inception of the NCP, only in few extraordinary situations did a FOSC have to exert his/her own authority independent of the UC when other members were not present or were unable to reach consensus within a reasonable time frame. In addition to the authority to direct a response to a discharge or release, the FOSC has specific responsibilities for addressing worker health and safety concerns at a response scene, in accordance with the NCP (40 CFR Section 300.150).

To standardize response management within marine safety, the Coast Guard has adopted the National Incident Management System (NIMS) Incident Command System (ICS). While Vessel Response Plans (VRPs) and Facility Response Plans (FRPs) are required to have a management system compatible with the Area Contingency Plan, there is no requirement for VRPs and FRPs to follow NIMS ICS. However, it is to their advantage to adopt the NIMS ICS since this is the national standard for incident management.

If an ICS is not established by vessel and facility owners, the Federal government will establish an ICS to manage the incident and the responsible parties are encouraged to participate. The responsible parties will ultimately be liable for the cost incurred by the government to establish, implement and maintain a NIMS ICS to manage the emergency.

The ICS organization is built around five major management functions that are applied to the response of any incident, large or small. The functions are Incident Command, Operations, Planning, Logistics, and Finance. A major advantage of the ICS organization is the ability to expand and contract organizationally as required by the incident. For some incidents only a few of the organization's functional elements may

be required. For larger or more complicated responses, additional positions exist within the ICS framework to meet virtually any need.

When there is more than one jurisdiction or when there is more than one agency with authority for the emergency, , the Incident Commander (IC) should establish a Unified Command (UC) consisting of the Federal IC (i.e., FOSC), the State's IC the Local IC and the Responsible Party IC.. The IC/UC is responsible for assigning individuals from within the response community (Federal, State, local or private), as necessary, to fill key ICS management positions The IC/UC is responsible for managing all functional positions until they assign that position to another individual These assignments will be predicated on the nature of the discharge or release and the need for extensive staffing. These positions and their responsibilities are as follow

2003 COMMAND AND GENERAL STAFF - ICS

2003.01 Command Staff

2003.01.1 Information Officer (IO)

Information Officer (IO) is responsible for the coordination and release of all information to the response workers, the media and the public. In addition, the IO is responsible for press releases and the scheduling of press conferences related to the incident. The IO may also establish a Joint Information Center (JIC) to facilitate the coordinated release of available information.

2003.01.1(a) Joint Information Center (JIC)

Joint Information Center (JIC) – JIC is a facility established within or near the Incident Command Post where the Information Officer and staff can coordinate and provide information on the incident to the public, media and other agencies. The JIC is normally staffed with representation from the FOSC, state and local incident command authorities, RP and other agencies in Unified Command as appropriate.

2003.01.2 Liaison Officer

Establish liaison, as needed, with representatives of assisting and cooperating agencies. This will often be with the same agencies represented at the IC level, but will typically be a link to a more senior organizational level than that represented on-scene.

2003.01.3 Safety Officer

Safety Officer is responsible for the safety of all activities associated with the response

and compliance with applicable safety laws and regulations. Also, the Safety Officer is responsible for assessing hazardous and unsafe situations and developing measures for assuring personnel safety. This responsibility is limited to the boundaries of the response and does not extend to public safety measures not under the incident control and authority of the IC/UC.

2003.01.3(a) Site Safety Plan

During a major incident involving hazardous substances, several hazardous materials response (HazMat) teams could participate in the response. These teams should consist of personnel trained to at least the technician level, and should be in complete compliance with OSHA's 1910.120 regulations. One of these requirements is the development of a site safety plan (SSP).

HazMat teams that could be present during a response include teams from municipal fire departments, contractors for RP's, states or federal agencies; a USCG Strike Team; teams from military bases; and industrial mutual aid teams. Because each of these entities normally develops its own site safety plan, there is potential for conflict or confusion when the various response teams arrive at an incident. To ensure the safety of all responders and effectively implement the response, procedures to coordinate all efforts to develop safety plans for the site are needed.

If a site has a single IC, that commander will appoint a Safety Officer (SO), who will coordinate with the safety officers of all responding HazMat teams. The SO will ensure compatibility of all of the various site safety plans with the overall site safety plan. If a Unified Command is in place, the unified commanders will appoint an overall SO, who will be responsible for completing an overall SSP.

Any safety officer, who disagrees with any portion of the SSP, after working with the SO, should communicate concerns to the senior official on site for his or her organization. That official should discuss those concerns with the IC or Unified Command. The IC, or unified commanders, will bring the matter to the attention of the SO and seek a resolution. The IC, who is ultimately responsible for the safety of everyone on site, has final approval of the SSP.

The U.S. Department of Labor Occupational Safety & Health Administration (OSHA) has provided the responder with a standardized SSP format that can be found at: http://www.osha.gov/SLTC/etools/ics/safe_off.html

2003.02 General Staff (See 4002.01)

(Additional requirements may be found in the Incident Management Handbook):

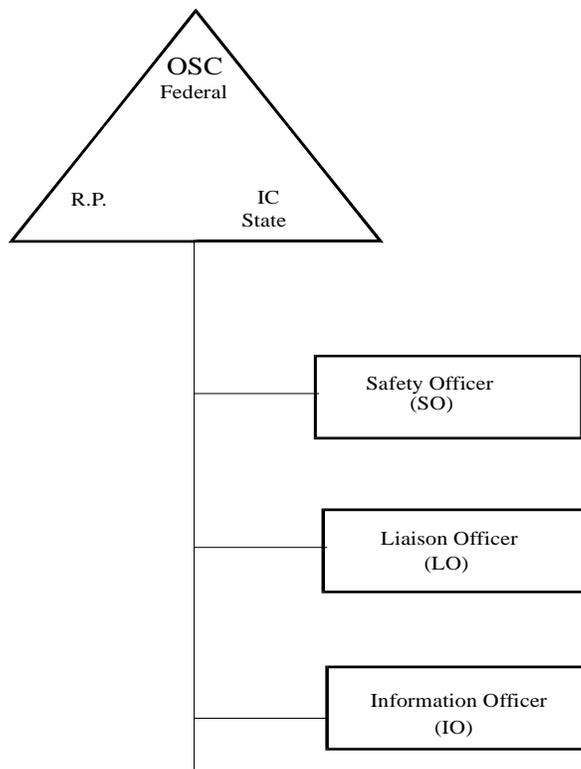
- **Planning Section Chief** is responsible for the development of the Incident Action Plan (IAP) and identifying alternative strategies for the containment and cleanup of the discharge or release.
- **Operations Section Chief** is responsible for management of the tactical response to the discharge or release, including containment and cleanup efforts.

- **Logistics Section Chief** is responsible for ensuring that the necessary personnel and equipment are obtained and delivered to conduct response operations.
- **Finance/Administration Section Chief** is responsible for the accounting management of Fund expenditures, including documentation for claims and cost recovery. This position will typically be staffed by a DRAT (see ACP Section 5612.2) or NPFC representative for marine oil spills under Coast Guard jurisdiction. EPA may staff this position with Contracting Officers from their regional office.

2003.03 Media Briefings

Refer to the United States Coast Guard Incident Management Handbook for information on Media Briefings

**COMMAND SECTION DIAGRAM
FIGURE 2000-A**



2004 COMMAND RESPONSE AUTHORITIES

2004.01 Federal Response

Federal OSCs have command response authorities pursuant to OPA, CERCLA and the NCP.

Federal OSCs assume the role of Federal Incident Commander for responses under their jurisdictional authorities (i.e., discharges of oil to navigable waters of the United States, releases of hazardous substances, and releases of pollutants or contaminants that pose a substantial threat to public health, welfare or the environment). EPA OSCs have individual emergency contracting procurement authority up to \$250,000 to take immediate actions to protect the public and the environment from the hazards posed by a discharge or release and to initiate cleanup operations until further funding, if needed, is authorized by the Agency. Additionally, Federal OSCs have the authority to request response support and assets from other Federal agencies under the National Response System as described in the NCP.

2004.02 State Response

Reserved

2004.02.1 Arizona

Emergency Response – Oil Spills And Hazardous Materials Incidents: The Department of Environmental Quality provides the designated member of the RRT for the State of Arizona and is the lead agency for the State for addressing spills, providing a 24-hour response capability. ADEQ must provide technical assistance to the responsible party and the responding personnel and ensure compliance with the spill regulation and other pertinent State and Federal rules and regulations. Technical assistance takes the form of chemical identification, handling, and hazard information; evaluation of the threat to environmental and public safety; personal protection recommendations; containment and cleanup methods; and resource identification and location. On large spills, or where the spiller fails to respond adequately, ADEQ staff respond on-site in the response effort, assuming the role of State On-Scene Coordinator (SOSC).

During a response, staff of the Emergency Response Unit (ERU) of ADEQ assumes the role of technical advisors to the responsible party and provides on-scene assistance to that individual, as well as to those individuals or agencies involved in the response. On occasion, ERU staff has assumed a role that would appropriately be called that of an On-Scene Commander (OSC). However, if a structure (e.g., ICS) exists within a Local or County jurisdiction that provides an OSC and that OSC is being utilized, ERU staff will stand ready to provide assistance to that OSC.

Once the immediate threat to public health and the environment has been relieved, then the incident is further stabilized and cleaned up under ERU supervision. Arizona Revised Statutes, Title 49, prescribes that responsible parties report to ADEQ and perform a spill response. A spill response means that a spill is contained and free material is removed or neutralized. ERU staff refers disposal of recovered material, which is classified as a waste, to appropriate personnel in the Waste Management office of ADEQ. ERU staff may then conduct a follow-up investigation to ensure that the material has been disposed of properly and the clean up is acceptable.

Other Agencies' Responsibilities and Requirements: The role of liaison between spiller and the different program areas of ADEQ is perhaps the greatest benefit that the ERU can

provide to those involved in a spill. This role can also extend to other State Agencies and other response organizations. State agencies include:

Arizona Division of Emergency Management (ADEM) is the lead planning agency for coordinating man-made and natural disasters. ADEM also provides an alternate member for the RRT.

The State Fire Marshals Office responds to fire and explosions hazards from hazardous materials.

The Arizona Department of Agriculture, Environmental Services Division, provides technical guidance regarding agricultural chemical incidents including fertilizers and pesticides. It also conducts investigations of improper application of regulated agricultural chemicals.

The Arizona Game and Fish Department conducts investigations to assess damages to natural resources including fish, game, water ways, and state land.

The Arizona Corporation Commission regulates oil distribution facilities, including operation, maintenance, construction, and abandonment of related equipment.

The Arizona Radiation Regulatory Agency is the lead agency for releases of radiological materials. They also provide technical guidance to ADEM regarding related health issues and protective action recommendations.

The Arizona Department of Health Services is the lead agency for releases of etiological materials and epidemiological pathogens. They provide technical guidance to ADEM regarding health issues and advisories.

The Arizona Department of Public Safety provides traffic control for major transportation incidents on state and federal highways and assists local law enforcement agencies as requested on municipal and county roads and highways.

The Arizona Department of Transportation responds to hazardous materials incidents on state and federal highways and assists local and state responders, as requested.

The State Emergency Response Commission (SERC) has recognized that many State agencies will have roles to play and that coordination among those agencies is critical. As a result, the SERC has defined responsibilities and the lines of communication as part of planning efforts for emergencies.

2004.02.2 California

Emergency Response - Oil Spills And Hazardous Materials Incidents: The California Department of Fish and Game (DFG) and the Governor's Office of Emergency Services (OES) provides the designated RRT members for the State of California. DFG developed

and implements the state's Oil Spill Contingency Plan and serves as the state's public trust representative for fish, wildlife and their habitat at all off-road oil and hazardous waste spills. DFG provides technical advice on cleanup methods to minimize damage to living resources; arranges for and oversees the care and rehabilitation of injured wildlife; determines when to terminate a cleanup when natural resources are threatened or affected; and conducts investigations to establish criminal and civil liability and responsibility and impacts to natural resource. DFG is responsible for the licensing and use of oil spill cleanup agents in state waters.

OES coordinates the emergency activities of all state agencies during and emergency through standardized emergency management system incorporating principles of the incident Command System, the Multi-agency Coordination System, the Mutual Aid Agreement, and the Operational Area Concept. OES wrote the State Emergency Plan and the Hazardous Materials Contingency Plan, and operates the state's central spill notification reporting system.

State statute does not identify a specific agency to serve as an Incident Commander for off-highway inland oil and hazardous waste spills. Typically, local agencies will head the incident command if they have the appropriate training and resources. When natural resources are at risk, DFG will serve as the Incident Commander, and fill positions within the incident command system, when requested by the local agency of the impacted area.

Other State Agencies' Responsibilities and Requirements: Other state agencies that have specific responsibilities during a spill include:

(a) California Highway Patrol: The California Highway Patrol (CHP) serves as the state's Incident Commander for all on-road spills occurring on all highways constructed as freeways, all state-owned vehicular crossings (toll bridges) and on most highways and roadways (state or county) within the unincorporated areas of the state. The CHP is also responsible for traffic supervision and control in these areas. The CHP provides technical support and expertise concerning commercial vehicle equipment regulations and/or hazardous material transportation provisions.

(b) Department of Toxic Substance Control: The Department of Toxic Substance Control (DTSC) provides technical advice regarding the safe handling of and suitable disposal of toxic materials. Upon request, DTSC will respond to incidents involving facilities or activities, where it has enforcement responsibilities to ensure compliance with regulations. DTSC's Oil Spill Prevention Unit assists in the assessment, evaluation, and control phases of a hazardous materials incident.

(c) State Water Resource Control Board: The State Water Board (SWRCB) and its nine Regional Water Quality Control Boards (one located in each of the nine major watersheds of the state), as state trustees for surface waters, provide DFG and DTSC with technical assistance by evaluating the potential impact of hazardous material spills on water resources. Regional Water Quality Control Boards set sediment cleanup limits at spill sites.

(d) California State Fire Marshal: The State Fire Marshal (CSFM) has the primary responsibility for the safety of all interstate and intrastate hazardous liquid pipelines in the state. CSMF Pipeline Safety Division engineers will respond to all pipeline-related incidents.

(e) California Department of Parks and Recreation: The Department of Parks and Recreation (DPR) responds locally when a spill or release would impact State Park property. The coordination of local districts is handled through DPR headquarters. Enforcement and non-enforcement staff in each district may be utilized for traffic control and for evacuating, closing, and patrolling DPR property. DPR ecologist may be used to identify natural and cultural resources at risk, and injuries to such resources. Heavy equipment and operators are also available from DPR.

(f) Department of Transportation: The Department of Transportation (CALTRANS) response to oil spills/hazardous materials releases is generally limited to the area of right-of-way. However, equipment and personnel are available to contain releases occurring off the right-of-way especially in life-threatening incidents in the interest of public safety. Caltrans has 72 emergency teams stationed throughout the state and will make its entire fleet of vehicles and their operators available to assist in spill response operations.

Other agencies serve a secondary role and provide technical support and resources as needed: however, they do not generally maintain an emergency support capability for on-scene response. These agencies include State Lands, Department of Agriculture, Department of Justice, Department of Health Services, Office of Environmental Health and Hazard Assessment, California Coastal Commission, Bay Conservation and Development Commission and the Department of Conservation, Division of Oil and Gas, and Geothermal Resources.

2004.02.2 Nevada
Reserved

2005 FOSC RESPONSE COORDINATION

2005.01 Federal OSC Response

The Federal OSC directs Federal response efforts and coordinates all other Federal efforts at the scene of a discharge or release. The **FOSC** may monitor Local, Tribal, State, or private entity actions to remove a discharge **or** release, and may provide technical assistance to Local, Tribal, State, or responsible party response personnel. If the incident occurs in EPA jurisdiction, a request for technical assistance from a State, Tribal or Local agency to EPA should be placed in writing and sent via fax (415-947-3518) to the Chief, Emergency Response Section. A written request is also required when a Local, State or Tribal government agency requests EPA to take control of the incident or conduct a Federally-funded removal action to mitigate the discharge or release, or threat of a discharge or release.

If a response action is being conducted through Local, Tribal, State, or responsible party efforts, the FOSC will ensure adequate oversight of response actions. 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 FOSC would advise the government agency or responsible party that the Federal government will take appropriate response actions under existing authorities to protect public health, welfare and the environment.

For releases of hazardous substances, pollutants, or contaminants that are on, or the sole source of the release is from, any facility or vessel under the jurisdiction, custody or control of the Department of Defense (DOD), or the Department of Energy (DOE), DOD or DOE shall provide FOSCs and RPMs for all response actions. In the event DOD (including the Department of the Army) or DOE provides the FOSC for removal operations in response to an off-post and off-site or potential off-post and off-site release, the DOD or DOE FOSC may request the RRT Co-Chair to provide support by facilitating FOSC and RRT coordination and communication. Decisions regarding RRT agencies' support would, however, be made as usual by the DOD or DOE FOSC. DOD will be the removal response authority with respect to incidents involving DOD military weapons and munitions or weapons and munitions under the jurisdiction, custody, or control of DOD.

In the case of a federal agency other than EPA, USCG, DOD, or DOE, such agency shall provide FOSCs for all removal actions that are not emergencies. EPA FOSCs may be requested to provide technical assistance to the lead agency FOSC who is responding to a release or threatened release. This request for assistance from another Federal agency to EPA should be placed in writing and sent via fax (415-947-3518) to the Chief, Emergency Response Section. EPA FOSCs may be requested by another Federal agency to conduct a removal action on their property. In this situation, EPA may decide to enter into a reimbursable Interagency Agreement (IAG) with the other agency where EPA does the removal work and the other agency later reimburses EPA for their removal costs.

When the FOSC has determined that a discharge or release has occurred or there is a substantial threat of a discharge or release, he/she is authorized by the NCP to direct all private, State, or Federal actions to remove the discharge or release or to mitigate or prevent the threat of such a discharge or release. In addition, the FOSC may, if necessary, destroy a vessel discharging, or threatening to discharge, by whatever means available, 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 FOSC is responsible for conducting a preliminary assessment to determine the threat to human health and the environment; the responsible party and its capability to conduct the removal; and, the feasibility of a removal or the mitigation of impact.

In accordance with the NCP, FOSC responsibilities in the event of a discharge or release include the following:

- a) Notify the appropriate State and Federal agencies pursuant to the NCP.
- b) 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 FOSC or does not take appropriate actions, or if the party is unknown, the FOSC shall respond in accordance with provisions of the NCP and agency guidance.

- c) Collect information concerning the discharge or release; its source and cause; the identification of 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.
- d) Coordinate his/her efforts with other appropriate Federal, State, and Local agencies.
- e) Consult with and inform the RRT members of reported discharges and releases through Pollution Reports in Message Format (refer to 2005.01.1(a) for POLREP guidance).
- f) 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. The NRP may have some modifications to existing disaster coordination structures
- g) Implement appropriate community relations activities.
- h) Address worker health and safety issues prior to and during a response operation, and comply with all worker health and safety regulations.
- i) Consult with the Agency for Toxic Substances and Disease Registry (ATSDR), as the FOSC deems necessary, regarding short-term and/or long-term health threats to the local community from exposures to hazardous substances, pollutants and/or contaminants.
- j) Coordinate with the U.S. EPA Office of Radiation and Indoor Air (ORIA) and the Department of Energy (DOE) in emergencies involving radiological hazards.

As requested by the NRT or RRT, the FOSC shall submit to the RRT a complete report on the removal operation, the actions taken, and the lessons learned. The report shall record the situation as it developed (e.g., a chronology of events), the actions taken, the resources committed, the problems encountered, the lessons learned and the recommendations for specific actions that need to be taken to improve emergency preparedness and response at all levels of government and private industry.

2005.01.1 Transition of FOSCs

There are occasions when command responsibilities must transition from one FOSC to another. The transition in FOSCs is often necessitated by a determination of where the greatest impact of a spill is likely to take place. For example, a spill may originate in the inland zone where EPA has primary responsibility, but the majority of the impact from the spill may occur in the coastal zone where the USCG has responsibility. Regardless of the circumstances that necessitate a transition from one jurisdiction to another clear and

effective communication between the incoming and outgoing FOSC is essential to an efficient and safe response. At a minimum, the transition period should at least one operational period and one complete planning cycle so that the incoming FOSC is thoroughly briefed on all aspects of the response operation. Every effort must be made to share all pertinent information during this briefing period. The transition from one OSC to another should not be considered complete until the on-coming OSC acknowledges they are comfortable and the transition is documented. This exchange of information could involve multiple issues and various amounts of detail, depending on the complexity of the spill. It should include, but is not limited to:

Current Situation

Status of the source & spill
Review of the IAP & Site Safety Plan
Review of Site Communications
Discuss Resources En-route & On-Scene

Organizational Structure

Unified Command & RP Representation
ICS Org Chart Review
Schedule of Meetings

Site Visit & Walk Thru

Spill Investigation / Legal Issues

Cause of Spill
Investigation & Evidence

Notifications

What notifications have been made?
Stakeholders? Tribes?
Local Issues & Economics?

Wildlife & Environment

Wildlife Impact Issues
Endangered Species
Environmental Sensitive Areas

Public Affairs & Media

For incidents involving an oil discharge or substantial threat of an oil discharge to surface waters, and a transition between federal agencies is necessary after the Oil Spill Liability Trust Fund is opened and a Federal Project Number (FPN) assigned, the change in FOSC should be documented in a Pollution Report (POLREP). Both agencies must also submit cost documentation to account for funds expended during their tenure as OSC.

2005.01.1(a) Situation/Pollution Reports Guidance (SITREP/POLREP)

Coast Guard Reference COMDTINST M16000.10, Coast Guard Marine Safety Manual, Volume VI, Chapter 7.B.6.b.(1). The POLREP format can be found in Volume VII of the Marine Safety Manual, Figure 7-7.

2005.01.1(b) FOSC Report

FOSC Reports will be submitted as required by the RRT or at the discretion of the FOSC for a particular incident as stated in 40 CFR 300.165. FOSC Reports should be routinely prepared for all major response actions to document lessons learned from the perspective of the FOSC and others that the FOSC 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 FOSC’s organization as well as with others in the response community. The lessons learned can be used as a basis for making positive changes and improvements in emergency prevention, preparedness, planning, response and recovery.

2005.02 OSC Coordination with Regional Response Teams

The RRT should be activated at the request of an OSC as an intergovernmental coordination team when an actual or potential discharge or release:

1. Exceeds the response capability available to the federal On-Scene- Coordinator (FOSC) in the place where it occurs;
2. Crosses State/FOSC boundaries;
3. May pose a substantial threat to the public health, welfare, environment, or to regionally significant amounts of property;
4. Otherwise meets the definition of a major discharge as defined in the National Contingency Plan (NCP); or
5. When requested by the FOSC or an RRT Representative.

Regional Response Center	Regional Response Center
EPA, San Francisco	USCG, Alameda, CA
415-	510-437-3701
415- fax	510-437- fax

When an incident occurs in the Coastal Zone or in specified harbor areas in Region IX, the RRC will be located at the appropriate EPA or Coast Guard District office. Region IX coincides with Coast Guard District 11 (California, Nevada, and Arizona).

Location	District Office
Incidents involving specific ports/harbors in California, contact Eleventh Coast Guard District.	510-437-3701

Once a Co-Chair decides to activate the RRT or receives such a request from another RRT representative, the other Co-Chair will be notified of the decision. The USCG Co-Chair will assume the lead for coastal incidents and the EPA Co-chair will be the lead for

inland incidents. Notification of remaining RRT members will be the responsibility of the lead Co-chair and may be delegated to the RRT Coordinator or other staff representatives.

When activated, the RRT may meet or convene by teleconference at the call of the lead incident specific Chair and may:

1. Monitor and evaluate reports from the FOSC. The RRT may advise the FOSC on the duration and extent of the federal response and may recommend to the FOSC specific actions in responding to the discharge or release;
2. Request other Federal, State/Commonwealth, or local government, or private agencies to provide resources under their existing authorities to assist the FOSC's response efforts;
3. Help the FOSC prepare information releases for the public and for communications with the National Response Team (NRT);
4. If circumstances warrant, make recommendations to the regional or district head of the agency providing the FOSC that a different FOSC should be designated; and
5. Submit Pollution Reports (POLREPS) to member agencies and other entities as significant developments occur.

Arrangements for meeting locations and/or teleconferences will be the responsibility of the incident-specific Chair or designated representative. The recording and distribution of summaries of meetings or teleconferences conducted upon RRT activation shall also be the responsibility of the lead CO-C hair or other designated representative.

The RRT will be deactivated by the incident-specific Chair typically after a discussion with the RRT Agencies. The incident-specific Chair, or his/her representative will be responsible for notifying RRT members of the deactivation. The dates and times for activation and deactivation should be included in POLREPS or other summaries generated by the FOSC or the incident-specific Chair and/or documented in summaries of meetings or teleconferences of the RRT.

The NCP requires that OSC Reports be prepared "as requested by the NRT or RRT". FOSCs may, of course, also issue OSC Reports on their own initiative, independent of a RRT or NRT request. 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.

2005.03 OSC Coordination with Federal Agency Response)

OSC Coordination with Multi-Agency Response (TBD)

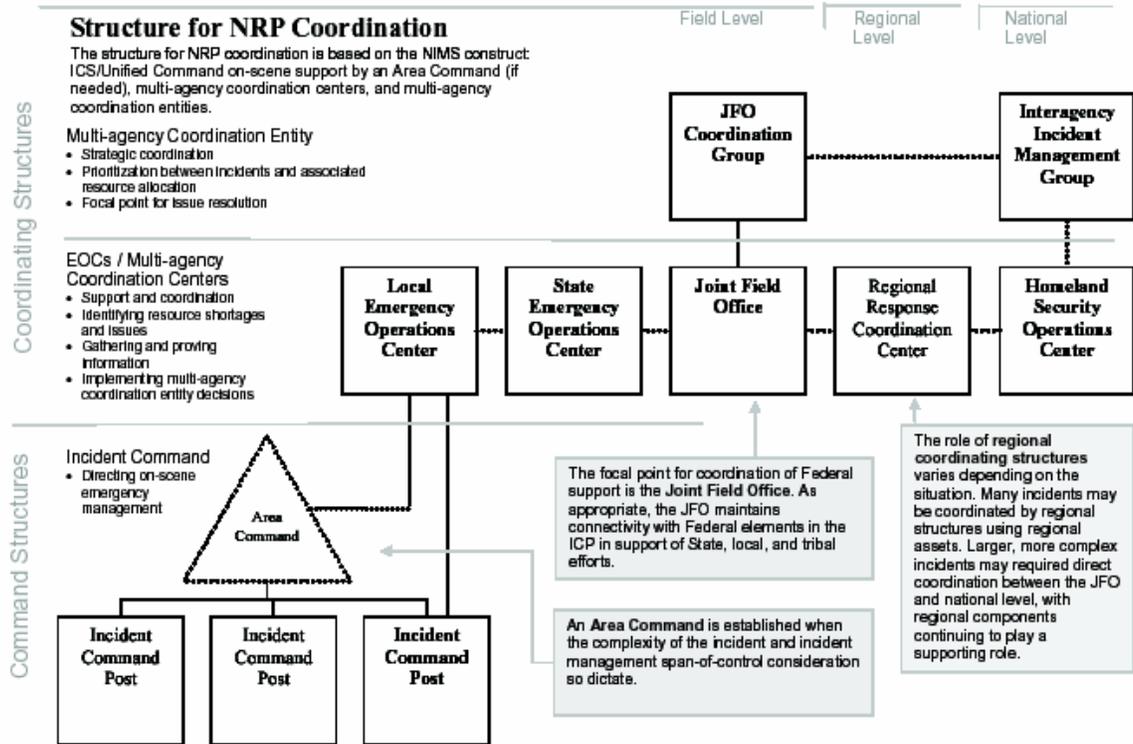


Figure 1 Coordinating structures from the National Response Plan

2006 GUIDANCE FOR SETTING RESPONSE OBJECTIVES

2006.01 Command Objectives

In the Clean Water Act, Congress declared “... it is the policy of the United States that there should be no discharges of oil or hazardous substance..., and that necessary actions shall be undertaken to remove discharges and eliminate the threat of imminent discharges.” This policy is reiterated to serve as a guiding light for the flow of response decisions and allocation of resources.

In support of U.S. policy, the paramount response strategy that should be implemented by the Unified Command is to allocate resources to their optimum use; i.e. the most oil recovered, contained, or prevented from being discharged per expenditure of resources. The only variance from this strategy should be considerations of safety and the protection of critical environmentally sensitive or economically, culturally or archeologically significant resources that may demand protection even though manpower and equipment may be deployed elsewhere to more efficiently recover oil. Examples of the latter may include protecting a waterfront area that may be threatened by fire or explosion if impacted, and protecting a municipality’s water supply.

The priorities of strategic objectives must be carefully considered since they vary from case to case, but generally they are as follows:

2006.02 Region IX Incident Objectives

2006.02.1 Stop the Source

Stopping the source or shutting off the flow is typically the objective with the highest priority. Planning and implementing the intervention countermeasures necessary in order to quickly reduce or mitigate the size of the spill is of paramount importance. This is the logical first priority for a purely environmental threat.

2006.02.3 Prevent Ignition

All hydrocarbon fuels will catch fire and burn. Oils, crude, and heavy paraffins are typically not subject to easy ignition. However, light ends, refined light oils, and highly volatile hydrocarbon fuels can be highly susceptible to easy ignition. Extreme care must be taken during the planning phase to identify all possible sources of extraneous ignition, and implement steps to eliminate them. Local fire departments consider the prevention of ignition of a non-ignited fuel to be their highest priority. Further, the vapors of all hydrocarbon fuels, oils, crude, and paraffins are heavier than air, and will travel downward and outward seeking an ignition source.

2006.02.4 Contain the Spill

Methods to contain the spill should be the next planning objective. Only a small percentage of oil can be successfully skimmed and recovered from open water. Oil escaping areas of concentration contribute to an increase in oil loss and damage to the environment. Planning objectives must be identified to establish primary containment, secondary containment, methods of containment intervention, and selection of containment sites. Additional focus should direct attention to the prevention of the contaminant to escape containment efforts.

2006.02.5 Open Water Response

Operations directed to plan and manage open water recovery objectives follow the containment phase. The main objective is to intercede in a manner to minimize or prevent shoreline damage and reduce threat to wildlife. Planning these operations will necessitate an examination of the resources needed to intercept the spill before it impacts the shoreline, and prepare for removal.

2006.02.6 Shoreline Protection and Response

In the event that open water recovery objectives cannot be completely met, and the spill threatens to make land fall along shoreline, planning must direct immediate attention to shoreline recovery. Accomplishing these objectives will be affected by many factors, including shoreline topography, tidal backflow, eddies, currents, accessibility, and weather. Natural collection opportunities may be identified respective to the topography and terrain. Planning of each shoreline collection opportunity should be considered on a

case-by-case basis. Dedicating open water containment equipment to protecting these areas is not wise if oil that would otherwise have been recovered is merely free to strike other sensitive areas that have not been 'prohylactically' boomed. In general, planning must address objectives which includes tactics that do not weaken open water recovery operations; deployment of resources that are not needed in the open water operations; relocation of threatened wildlife by means such as capturing, or caring with propane noise-making cannons, and closing off narrow channels with sediment dikes, boom, siphon dams or other natural or man-made materials.

2006.02.7 Shoreline Cleanup

Shoreline cleanup should be undertaken only when the threat of recontamination from floating oil has been controlled. Objectives impacting the planning of shoreline cleanup may include: pre-cleaning the beaches of trash and debris prior to the impact of the oil; identification of access routes by water and land; locations for the staging and positioning of cleanup equipment; and examination of tidal change frequency and magnitude.

2006.03 General Response Priorities

In general, protection of the environmentally sensitive areas that could be impacted will receive a higher priority than economically significant sites. This hierarchy was established in the ranking of the environmentally sensitive sites as A, B & C and the economically significant sites as D, E, & F with the highest priority being A . However, as mentioned before, resources and sites determined to be critical to the preservation of human health and safety, such as drinking water intakes, power plant intakes and desalinization plants afford first priority, ahead of an environmentally sensitive site.

The Unified Command will make the final decision regarding protection priorities for the environmentally sensitive and economically significant areas. In order to further assist the UC, additional prioritization of equally categorized areas that could be impacted may, in the future, be included in this plan. This will allow the UC to determine which priority A sites are to be protected when initial resources will only allow the protection of a few of them.

The UC may utilize the predetermined response strategies for environmentally sensitive sites and economically significant sites. The UC must decide which sites are in jeopardy of being oiled and the response strategy should be implemented as indicated in the response strategy site summary sheets included in [Appendix V](#). However, the UC and the responders should remain flexible and be receptive to additional information when instituting the booming plan or other countermeasures. Factors such as unusually high winds, strong tidal currents or freshets, equipment limitations, bottom conditions and the type of oil can have a significant effect on the proposed strategy. Modifications to the preplanned strategies should be expected.

In addition to the seasonal variances, the protection priority of an entire area could be changed. For example, if the SSC or a DFG biologist determine that a certain section of marshland or coastline, previously categorized as a lower priority (or not categorized at all), is currently a breeding ground for an endangered species, then protection of that site may be afforded the utmost priority even at the expense of a previously categorized A site located adjacent to it.

2006.03.1 Discharge or Release Control Responsibilities

Selection of appropriate spill protection, recovery, and cleanup techniques prior to and following a spill is a critical element affecting the ultimate environmental impact. To choose those techniques which most effectively prevent or minimize adverse ecological impact, it is important to identify techniques which have minimal intrinsic ecological impacts and are also effective in minimizing the impact. Furthermore, it is important that these response techniques be pre-planned so that in the event of a spill, minimal time be spent preparing for the response.

Refer to Section 3008 of this plan for details on disposal of recovered oil and contaminated materials.

As stated previously, the FOSC directs response efforts and coordinates all other efforts at the scene of a discharge. As part of this effort the FOSC should:

- Collect information about the discharge including source and cause;
- Identify responsible parties;
- Obtain technical data including amount, exposure pathways, and time of travel;
- Determine potential impact on human health and the environment;
- Determine whether spill poses a substantial threat;
- Assess impact on natural, cultural and historic resources and other properties;
- Determine protection priorities; and
- Document costs.

FOSCs shall consult with the natural resource trustees and appropriate Local, Tribal, State, and Federal response agencies on removal actions as appropriate. FOSCs may designate capable persons from Local, State, or Federal agencies to act as their on-scene representatives. FEMA should be notified of all potential major disaster situations.

Properly trained volunteers can 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. Unless specifically requested by the FOSC, these volunteers generally should not be used for physical removal or mitigative activities. If, in the judgment of the FOSC, dangerous conditions exist, these volunteers shall be restricted from on-scene operations.

All response actions shall be conducted in accordance with the NCP. Oil and hazardous materials recovered in cleanup operations and contaminated materials shall be disposed of in accordance with this RCP and Local contingency plans.

2007 TRUSTEE AGENCY AND STAKEHOLDER COORDINATION

The Regional Response Team is responsible for assisting the FOSC, who shall ensure that trustees for natural resources are promptly notified of discharges or releases. The FOSC shall coordinate all response

activities with affected natural resource trustees and shall consult with affected trustees on appropriate removal action to be taken. In accordance with the NCP, FOSCs are required to contact the Department of the Interior when a discharge may impact any natural resource including endangered species or their habitat.

2007.01 Federal Trustees

Pursuant to the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), Federal Trustees are federal officials who are to act on behalf of the public as trustees for natural resources. Federal officials so designated will act pursuant to Section 107(f) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Section 311(f)(5) of the Clean Water Act (CWA), and Section 1006 of the Oil Pollution Act (OPA).

Natural resources mean land, fish, wildlife, biota, air, water, ground water, drinking water supplies, and other such resources belonging to, managed by, held in trust by, appertaining to, or otherwise controlled (hereinafter referred to as "managed or controlled") by the United States (including resources of the exclusive economic zone).

The following individuals shall be the designated trustee(s) for general categories of natural resources, including their supporting ecosystems. They are authorized to act pursuant to Section 107(f) of CERCLA, Section 311(f)(5) of the CWA, or Section 1006 of the OPA when there is injury to, destruction of, loss of, or threat to natural resources, including their supporting ecosystems, as a result of a release of a hazardous substance or a discharge of oil.

1. Secretary of Commerce - The Secretary of Commerce shall act as trustee for natural resources managed or controlled by DOC and for natural resources managed or controlled by other federal agencies and that are found in, under, or using waters navigable by deep draft vessels, tidally influenced waters, or waters of the contiguous zone, the exclusive economic zone, and the outer continental shelf. However, before the Secretary takes an action with respect to an affected resource under the management or control of another federal agency, he shall, whenever practicable, seek to obtain the concurrence of that other federal agency. Examples of the Secretary's trusteeship include the following natural resources and their supporting ecosystems: marine fishery resources; anadromous fish; endangered species and marine mammals; and the resources of National Marine Sanctuaries and National Estuarine Research Reserves.
2. Secretary of the Interior - The Secretary of the Interior shall act as trustee for natural resources managed or controlled by the DOI. Examples of the Secretary's trusteeship include the following natural resources and their supporting ecosystems: migratory birds; anadromous fish; endangered species and marine mammals; federally-owned minerals; and certain federally managed water resources. The Secretary of the Interior shall also be trustee for those natural resources for which an Indian tribe would otherwise act as trustee in those cases where the United States acts on behalf of the Indian tribe.
3. Secretary for the Land Managing Agencies - For natural resources located on, over, or under land administered by the United States, the trustee shall be the head of the department in which the land managing agency is found. The trustees for the principal

federal land managing agencies are the Secretaries of DOI, USDA (Forest Service), DOD, and DOE.

4. Head of Authorized Agencies - For natural resources located in the United States but not otherwise described in this section, the trustee shall be the head of the federal agency or agencies authorized to manage or control those resources.

2007.02 State Trustees

State trustees shall act on behalf of the public as trustees for natural resources, including their supporting ecosystems, within the boundary of a state or belonging to, managed by, controlled by, or appertaining to such state. The governor of a state is encouraged to designate a state lead trustee to coordinate all state trustee responsibilities with other trustee agencies and with response activities of the RRT and FOSC.

The state's lead trustee would designate a representative to serve as contact with the FOSC. This individual should have ready access to appropriate state officials with environmental protection, emergency response, and natural resource responsibilities. The EPA Administrator or USCG Commandant or their designees may appoint the state lead trustee as a member of the Area Committee. Response strategies should be coordinated between the state and other trustees and the FOSC for specific natural resource locations in an inland or coastal zone and should be included in the Fish and Wildlife and Sensitive Environments Plan annex of the ACP.

2007.03 Tribal Trustees

The tribal chairmen (or heads of the governing bodies) of Indian tribes, or a person designated by the tribal officials, shall act on behalf of the Indian tribes as trustees for the natural resources, including their supporting ecosystems, belonging to, managed by, controlled by, or appertaining to such Indian tribe, or held in trust for the benefit of such Indian tribe, or belonging to a member of such Indian tribe, if such resources are subject to a trust restriction on alienation. Such officials are authorized to act when there is injury to, destruction of, loss of, or threat to natural resources, including their supporting ecosystems as a result of a release of a hazardous substance.

2007.04 Foreign Trustees

Pursuant to the Oil Pollution Act, foreign trustees shall act on behalf of the head of a foreign government as trustees for natural resources belonging to, managed by, controlled by, or pertaining to such foreign government.

2008 INVESTIGATION REPRESENTATIVES

Reserved

2009 EVIDENCE COLLECTION ACTIONS

2009.01 Sample Collection Procedures

The FOSC must observe precautions when collecting and handling liquid samples for analyses, as the character of the sample may be affected by a number of common conditions. Standard agency protocols are to be followed in the collection and shipment of all samples. Reports of laboratory analyses will be forwarded to the appropriate RRT Co-Chair for transmittal to counsel.

2009.02 Photographic Records

Conditions should be photographed to show the source and the extent of oil or hazardous material, if possible using both color and black-and-white film. The following information should be recorded on the back of each photographic print: (a) name and location of vessel or facility; (b) date and time the photo was taken; (c) names of the photographer and witnesses; (d) shutter speed and lens opening; and (e) type of film used and details of film processing.

2009.03 Chain-of-Custody Record

All samples and other tangible evidence must be maintained in proper custody until orders have been received from competent authority directing their disposition. Precautions should be taken to protect the samples from breakage, fire, altering, and tampering. It is important that a chain-of-custody of the samples be properly maintained and recorded from the time the samples are collected until ultimate use at the trial of the case. In this regard, a record of time, place, and name and title of the person collecting the sample, and each person handling same thereafter, must be maintained and forwarded with the sample. Form No. 1-EPA-3500-5-1 may be used. U.S. EPA Regional procedures for sample collection, transport and custody are to be used for all samples submitted to the Regional Laboratory

2010 NATURAL RESOURCES DAMAGE ASSESSMENT

Natural Resource Damage Assessment (NRDA) is the process of identifying and quantifying the resource impacts and evaluating the value of impacted resources for the purpose of restoration. Successful pursuit of NRDA actions, either by the trustees alone or in cooperation with the RP(s), is a complex process comprising numerous tasks involving the interaction of scientists, economists, lawyers, and administrators. The DOI Rules and NOAA rules reduce some of the complexity by establishing an assessment process and providing a mechanism for determining the merits of going forth with the assessment and claim. The process provides a record of the trustee's decisions.

The NRDA Representative is responsible for coordinating NRDA needs and activities of the trustee NRDA Teams with the ICS spill response operations. This includes close coordination with the Planning Section for obtaining timely information on the spill and injuries to natural resources. The NRDA Representative will coordinate with the Scientific Support Coordinator, the RP and Legal specialists for possible coordination of NRDA or injury determination activities.

- Attend appropriate planning meetings to facilitate communication between NRDA Team and ICS elements.
- Identify site access, transportation support, logistics requirements and staffing needs to the proper ICS elements.
- Interact with ICS elements to collect information essential to NRDA.
- Coordinate sampling requirements with Sampling Specialists and the Situation Unit.

- Coordinate with the Liaison Officer and the SSC to identify other organizations available to support NRDA activities.
- Ensure that NRDA activities do not interfere or conflict with response objectives.

As natural resource(s) trustees, agencies are responsible for assessing damages to resources under their jurisdictions occurring as a result of oil spills or the release of hazardous substances. Additionally, agencies are responsible for seeking recovery for losses from the responsible person(s) and for devising and carrying out rehabilitation, restoration, and replacement of injured natural resources.

Where more than one natural resource(s) trustee has jurisdiction over a resource, these agencies will coordinate and cooperate in carrying out the activities described above (reference NCP 300.600). Damage assessment is controlled by the designated natural resource(s) trustees and not response; however, it is important for natural resource(s) trustees to work with the FOSC to coordinate activities as necessary.

DOI is the Federal natural resource(s) trustee for migratory birds, certain marine mammals, certain anadromous fish, federally listed threatened and endangered species, and DOI-managed lands such as National Parks, National Recreation Areas, BLM-administered lands, and National Wildlife Refuges.

The DOI Office of Environmental Policy and Compliance manages the Department's natural resources trust and response programs for natural and technological incidents, such as oil spills, hazardous substance releases, radiological accidents, floods, hurricanes, and earthquakes, that may affect natural resources or Departmental lands or facilities.

This includes supervision of DOI's participation in contingency planning, response activities, technical assistance, and training exercises. In this regard it represents the Department in the NCP, the FRERP, and the National Plan for Federal Response to a Catastrophic Earthquake, and other Federal response plans for natural and technological hazards on national and regional response teams.

The DOI Office of Environmental Policy and Compliance is the initial contact for notification and for overall coordination of DOI's trustee activities. USFWS is the program manager for migratory birds, threatened and endangered species, anadromous fish, and lands in the National Wildlife Refuge system, and will likely be among those involved for DOI in spill incidents because of its responsibility for these resources.

Those agencies such as DOD, DOE, the Department of Agriculture/U.S. Forest Service, and DOC/NOAA may serve as co-trustees with DOI. At the time of a spill, the trustees of affected State and Tribal communities and Federal trustees will meet and select one agency to act as Lead Administrative Trustee (LAT) and will convene a trustee group to ensure the best possible coordination of natural resource trustee activities such as data gathering, damage assessment, and negotiations with responsible parties.

DOI and DOC/NOAA can also provide technical assistance to those agencies for the initiation of damage assessments. The Federal damage assessment regulations for oil discharges mandated under OPA were developed by NOAA and are now final (15 CFR Part 990). The regulations developed by DOI under CERCLA and CWA authorities apply to releases of hazardous substances, and are in effect and available for trustee guidance and use (43 CFR Part 11).

Specific natural resource trustee activities which may be expected to begin during a response include, but are not limited to, convening the trustee group; developing and implementing initial sampling plans; establishing the lead administrative trustee; developing initiation requests to the OSLTF; selecting appropriate assessment strategies; and implementing longer-term assessment studies.

2011 SONS

If a discharge occurs in either the coastal or inland zone, and due to its severity, size, location, actual or potential impact on the public health and welfare or the environment of the United States (40 CFR 300.320 (a)(2)), or the necessary response effort is so complex that it requires extraordinary coordination of Federal, State, Local, and responsible party resources to contain and clean up the discharge, the Commandant of the Coast Guard (coastal zone) or Administrator of the EPA (inland zone) may classify the incident as a Spill of National Significance (SONS) under the National Oil and Hazardous Substance Contingency Plan (NCP) (40 CFR 300.5). The NCP describes, in part, the Federal government's responsibility for strategic coordination and support of Federal On-Scene Coordinators (FOSC) when responding to SONS.

To meet these responsibilities, an "Area Command" organizational model used for major/multiple incident management within NIMS may be established. Other agencies or the RP may use different organizational structures (not based on the NIMS Area Command model) to carry out similar strategic coordination to support the IC or UC. In such instances, the Coast Guard or EPA will work with the affected State(s), RP, and other appropriate agencies to agree on an organizational structure that best ensures effective strategic coordination and support to the incident management team(s).

When a discharge is classified as a SONS, the Commandant or Administrator may name an Area Commander. The Area Commander will establish an Area Command organization. Pursuant to 40CFR300.323, the Area Command will support the FOSC(s) by assuming the role of:

- Communicating with affected parties and the public, and
- Providing strategic coordination of Federal, State, Local, and International resources at the National level.
- This strategic coordination will involve, as appropriate, the NRT, the RRT, the Governor(s) of the affected state(s), and the mayor(s) or other chief executive(s) of local government(s). In addition, the Area Command will coordinate with the senior corporate management of the RP(s).
- To ensure a clear line of succession, a Deputy Area Commander will be designated by the Commandant or appointed Area Commander.

The Area Command does not replace the on-scene Incident Command/Unified Command organization(s) or functions. Tactical operations continue to be directed at the on-scene IC/UC level. The Area Command will be established to include representatives of the RP and affected Federal, State, Local and International interests. Representatives to the Area Command should typically be at the highest executive levels of the RP and responding government agencies.

2011.01 Establishment of Command (TBD)

2011.02 Area Command

There shall be only one FOSC serving as Incident Commander at anytime during the course of a response operation to a single incident, regardless of whether the spill covers multiple areas, ACPs or Federal Regions (40CFR300.140). In the coastal zone, the primary consideration in determining which Captain of the Port (COTP) is to be the FOSC is based upon which area is the most vulnerable or is faced with the greatest threat. If a discharge or release moves from the area covered by one ACP into another area, the authority for response actions should likewise shift. In the inland zone, the FOSC should initially come from the EPA Region whose response jurisdiction is the most vulnerable or is faced with the greatest threat.

- When a discharge affects two or more areas with different lead agencies having response authority (for example EPA and Coast Guard), the FOSC to be assigned as Incident Commander should be assigned from the agency that maintains the most appropriate response expertise or whose area is vulnerable to the greatest threat. If the agencies cannot agree, the applicable Regional Response Team (RRT) or Teams will designate the FOSC.
- The National Response Team (NRT) will designate the FOSC if two or more RRTs are unable to agree on an FOSC designation within two or more adjacent RRT areas.
- The Area Command structure is intended to enhance the local response organization and will rely on the applicable ACP(s) as the basis for strategic direction of response actions.

2012 NATIONALLY SIGNIFICANT EVENT

The Secretary of Homeland Security, as the Principal Federal Official (PFO) for domestic incident management, declares Incidents of National Significance (INS) in consultation with other departments and agencies as appropriate. During an INS, the PFO provides:

- Coordination for Federal operations and/or resources,
- Establishes reporting requirements, and
- Conducts ongoing communications with Federal, State, local, tribal, private sector, and nongovernmental organizations to:
 - Maintain situational awareness,
 - Analyze threats,
 - Assess national implications of threat and operational response activities, and
 - Coordinate threat or incident response activities.

Incidents of National Significance are defined as situations related to the following four criteria set forth in HSPD-5:

1. A Federal department or agency acting under its own authority has requested the assistance of the Secretary of Homeland Security.
2. The resources of State and local authorities are overwhelmed and the appropriate State and local authorities have requested Federal assistance. Examples include:
 - Major disasters or emergencies as defined under the Stafford Act; and
 - Catastrophic incidents (see pages 43 and 63 of the NRP).
3. More than one Federal department or agency has become substantially involved in responding to an incident. Examples include:
 - Credible threats, indications or warnings of imminent terrorist attack, or acts of terrorism directed domestically against the people, property, environment, or political or legal institutions

- of the United States or its territories or possessions; and
 - Threats or incidents related to high-profile, large-scale events that present high-probability targets such as National Special Security Events (NSSEs) and other special events as determined by the Secretary of Homeland Security, in coordination with other Federal departments and agencies.
4. The Secretary of Homeland Security has been directed to assume responsibility for managing a domestic incident by the President.

Additional information regarding Incidents of National Significance under the National Response Plan can be found at: http://www.dhs.gov/interweb/assetlibrary/NRP_FullText.pdf

2013 INTERNATIONAL RESPONSE(ALSO REFER TO 1009)

2013.1 Coastal-

The MEXUS Plan establishes a unified MEXICO and USA Joint Response Team (JRT). In Mexico, the OSC will be the Commander of the 1st Naval Zone (ZN-1) if MEXUSGULF is activated, and the Commander of the 2nd Naval Zone (ZN-2) if MEXUSPAC is activated. In the USA, the OSC will be appointed by the Chief of the Marine Safety Division of the CGD8 for MEXUSGULF; and by the Chief of the Marine Safety Division of the CGD11 for MEXUSPAC. The members of the Command Staff and the Advisory Liaison Coordinator (ALC) will be designated by their respective OSCs and will report to them. When the JRT meets in Mexico, the Mexican JRT Co-chair will preside and when it meets in the USA, the USA JRT Co-chair will preside. Figure 201-1 of the MEXUSPLAN establishes the lines of Command of the Mexico JRT and Figure 201-2 of the MEXUSPLAN those of the USA JRT.

The USA JRT Co-chair may deploy a U.S. Response Advisory Team at the request of the Mexico JRT Co-chair to a Mexico Unified Command (UC). This team will include RRT9 member agency representatives including USCG, USEPA, NOAA, USDOJ, CA OSPR, with additional Federal agencies requested as needed to complement the team. The team would be tasked with providing response expertise to the Mexican UC, serve as a communication conduit between Mexican UC and U.S. JRT, address protection measures for potential threats to U.S. waters and facilitate requests for additional U.S. response resources.

2013.2 Inland -

The federal response structure that will provide the nucleus for coordinating a joint response to a polluting incident under the Inland Plan is summarized below. A detailed list of duties and responsibilities of federal entities can be found in [Appendix I](#) of the Inland Plan.

The national coordinators for the 1983 La Paz Agreement, to coordinate and monitor implementation of the La Paz Agreement are:

- The Environmental Protection Agency (EPA) for the United States; and
- The Secretariat of Environment, Natural Resources, and Fisheries (SEMARNAT) for Mexico.

The national coordinators are to be kept informed by their respective coordinating authorities for

this Inland Plan of all key activities and emergency activations conducted under the Inland Plan.

The inland Joint Response Team (JRT) is the policy and decision making body with overall responsibility for the maintenance and effective implementation of the Inland Plan. The Co-chairs of the JRT are EPA and SEMARNAP, who also serve as the coordinating authorities for implementation of this Inland Plan.

For the United States, the Co-chair will be a representative from US EPA Headquarters Chemical Emergency Preparedness and Planning Office (CEPPO). For Mexico, the Co-chair will be a representative from PROFEPA. Membership on the JRT is comprised of relevant supporting agencies from each country. The JRT co-chairs will assure coordination with the JRT support agencies.

The Issue/Incident-Specific Joint Response Team (ISJRT) is responsible for effective implementation of the Inland Plan on a regional level in the U.S. and on a state and local level in Mexico in accordance with the policies of the JRT. The Issue/Incident-Specific Joint Response Team may be composed of Regional, State, and local agencies of each country.

- Issue-Specific Team: The general function of the Issue-Specific Joint Response Team includes planning and preparedness prior to a polluting incident. This Issue-Specific Joint Response Team may be convened to resolve a preparedness issue that requires localized geographic action. The Issue-Specific Joint Response Team will be led by a representative from the U.S. and/or Mexico as designated by the JRT Co-chairs.
- Incident-Specific Team: The general function of the Incident-Specific Joint Response Team includes monitoring and support of response operations during a polluting incident. This Incident-Specific Joint Response Team may be convened when a polluting incident has occurred and coordination of response and follow-up is required or when there is a threat to a specific geographic area that requires coordination of appropriate personnel. The Incident-Specific Joint Response Team will be led by:
 - For the United States, the United States Regional Response Team (RRT) co-chairs of the appropriate EPA Regional area; and,
 - For Mexico, the State Civil Protection representative and the respective PROFEPA delegate.

The On-Scene Coordinator (OSC) is the official designated by each country to exercise the functions and responsibilities for coordinating joint response action at the site of a polluting incident in the inland border area of that country and providing information on the polluting incident to the ISJRT. The OSC may:

- Provide advice, assistance, and support to the local or state incident commander and as coordinator direct the federal government activities at the scene of a polluting incident; or,
- Direct the response to the polluting incident when it is under federal jurisdiction or in accordance with federal or state agreements, or when the polluting incident is beyond the capabilities of the local and state incident commander.

For the U.S., the On-Scene Coordinator shall be provided by the Regional EPA Office having jurisdiction over the incident location, and State and local participation will be coordinated through a Unified Command system, as identified in Appendix G of the Inland Plan.

For Mexico, the On-Scene Coordinator will be designated by the PROFEPA delegate within the

zone of the incident.

Initial responsibility for responding to incidents rests with local authorities unless otherwise identified as being under federal jurisdiction. Therefore, the Inland Plan anticipates that each country will encourage Sister Cities to have up-to-date contingency plans and information about potential hazards as well as adequate equipment and trained personnel for responding to potential incidents within the Sister City's jurisdiction. Whenever an incident exceeds local capabilities, local officials should seek the assistance of state agencies and should coordinate with nongovernmental organizations when appropriate. To ensure that authorities do not overlap during a polluting incident, the Inland Plan and its Annexes should be coordinated with the comprehensive emergency plans prepared for U.S. local emergency planning districts on the international border in compliance with the 1986 Superfund Amendments and Reauthorization Act (SARA) Title III (the Emergency Planning and Community Right-to-Know Act of 1986) as well as the Area Contingency Plans developed under the Oil Pollution Act of 1990, and equally with existing Mexican plans and arrangements. Nothing in this Inland Plan imposes formal obligations on state or local authorities.