



Section 9105

Incident Specific Region 10 Regional Response Team Activation – Quick Response Guide



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Incident Specific Region 10 Regional Response Team Activation – Quick Response Guide

9105.1 Purpose

This document provides the process and guidelines for activation of an incident-specific Region 10 Response Team (RRT, in accordance with the National Contingency Plan (NCP)).¹

9105.2 Background

The RRT has duties, as outlined in the NCP, to provide support during a response to an oil or hazardous substance spill or release. The NCP provides information concerning what conditions should exist for the RRT to be activated and what services would likely be expected during activation.

NOTE: This document provides guidelines on the procedures for activation of an incident-specific team and is not intended to inhibit or impede agency-to-agency requests. The role of the incident-specific team is determined by the operational requirements of the response to a specific discharge or release. Participation by RRT members will relate to the technical nature of the incident and its geographic location.

9105.2.1 Tasks Directed to the Regional Response Team

- Monitor and evaluate reports from the On-Scene Coordinator (OSC); advise the OSC on the duration and extent of response; recommend specific response actions.
- Request other federal, state, and local governments, or private agencies, to provide resources under their existing authorities;
- Help the OSC prepare information releases for the public and for communication with the National Response Team (NRT).
- Review major policy issues with regard to response actions for:
 - Dispersants usage in Case-by-Case areas

¹ National Oil and Hazardous Substance Contingency Plan (NCP), 40 Code of Federal Regulations, Part 300, September 15, 1994

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- *In-situ* burning
- Use of surfactant cleaners
- Use of solidifiers
- Use of bioremediation
- If circumstances warrant, make recommendations to the regional or district head of the agency providing the OSC that a different OSC should be designated; and
- Submit reports to the NRT as significant developments occur.

RRT COMPONENTS:

Standing RRT - Role of the standing RRT includes evaluation of communication systems and procedures, planning, coordination, training, evaluation, preparedness, and related matters on a region-wide basis.

Incident-specific RRT- Formed from the standing team when the RRT is activated for response.

The role of an incident-specific RRT is determined by the operational requirements of the response.

- May be activated when response exceeds capabilities of the area where it occurs, transects state boundaries, or may pose a substantial threat to public health or welfare or the environment.
- May also be activated upon a request by the FOSC or any RRT representative.
- May be used to assist the FOSC in obtaining additional federal resources.
- May also monitor and evaluate reports from the FOSC, advise the FOSC on the duration and extent of the response, recommend specific actions related to the response, assist the FOSC in preparing information for the public, and, if necessary, recommend the appointment of a different FOSC for the response.

| | |
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| | SECTION 1. <u>Type of Situation:</u> |
| <input type="checkbox"/> | Has there been a request by the Federal or State On-Scene Coordinator to the RRT Co-Chair lead agency (with jurisdiction) to activate the RRT? |
| <input type="checkbox"/> | Has there been a request by an RRT member to the RRT Co-Chair lead agency (with jurisdiction) to activate the RRT? |
| <input type="checkbox"/> | Has there been an oil discharge or hazardous material release that may pose a serious threat to the public health, welfare, the environment, or to regionally significant amounts of property? |
| <input type="checkbox"/> | Is the incident an oil discharge or hazardous material release that is or has the potential to be a worst case discharge, ² (determined by the Responsible Person in Charge or other Unified Command member)? |
| <input type="checkbox"/> | Other: |
| | SECTION 2. <u>Chairs of the Incident Specific RRT?</u> |
| | Chaired by lead Agency (agency that provides FOSC for spill) |
| <input type="checkbox"/> | U.S. Environmental Protection Agency |
| <input type="checkbox"/> | U.S. Coast Guard |
| <input type="checkbox"/> | U.S. Department of Defense |
| <input type="checkbox"/> | U.S. Department of Energy |

² Worst Case Discharge planning volumes are calculated using specific formulae depending on the source of the release outlined in relevant regulations, and are typically based on maximum storage, transfer and production volumes as well as pump rates or oil types: Vessels - 33 Code of Federal Regulations (CFR) 155 Appendix B; Onshore Storage and Production Facilities - 40 CFR 112, App D; Onshore Pipelines – 49 CFR 194.105; Offshore Facilities – 30 CFR 254.47

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| SECTION 3. RRT Activation Process: | |
| <input type="checkbox"/> | Step 1: On-Scene Coordinator or designated representative provides a brief summary of issues to either U.S. Environmental Protection Agency (EPA) or U.S. Coast Guard (USCG) RRT Co-Chair (determined by jurisdictional boundaries). |
| <input type="checkbox"/> | Step 2: The RRT Lead Agency Co-Chair, in consultation with others as needed, decides to activate the RRT and identifies participating agencies. Select participating agencies below: |
| <p>Co-Chairs</p> <ul style="list-style-type: none"> <input type="checkbox"/> USCG District 13 <input type="checkbox"/> EPA, Region 10 <p>Members</p> <ul style="list-style-type: none"> <input type="checkbox"/> Department of Agriculture (United States Forest Service) <input type="checkbox"/> Department of Commerce (National Oceanic and Atmospheric Administration) <input type="checkbox"/> U.S. Department of Defense (Army Corps of Engineers) <input type="checkbox"/> U.S. Department of Energy <input type="checkbox"/> U.S. Department of Justice <input type="checkbox"/> U.S. Department of Labor (OSHA) <input type="checkbox"/> U.S. Department of Transportation <input type="checkbox"/> Federal Emergency Management Agency <input type="checkbox"/> U.S. Department of Health and Human Services <input type="checkbox"/> U.S. Department of Interior | <p>Area Committee Members</p> <ul style="list-style-type: none"> <input type="checkbox"/> United States Fish and Wildlife Service <input type="checkbox"/> United States Navy <input type="checkbox"/> Federal Highway Administration <input type="checkbox"/> USCG Sector Columbia River and Sector Puget Sound <input type="checkbox"/> Oregon State Public Health <input type="checkbox"/> Oregon Emergency Management <input type="checkbox"/> Oregon Office of State Fire Marshal <input type="checkbox"/> Washington State Department of Health <input type="checkbox"/> Washington Military Department <input type="checkbox"/> Idaho Department of Health and Welfare <p>Tribes</p> <ul style="list-style-type: none"> <input type="checkbox"/> _____ <input type="checkbox"/> _____ <p>Other</p> <ul style="list-style-type: none"> <input type="checkbox"/> _____ |

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| | <ul style="list-style-type: none"> <input type="checkbox"/> General Services Administration <input type="checkbox"/> State of Idaho, Office of Emergency Management <input type="checkbox"/> State of Oregon, Department of Environmental Quality <input type="checkbox"/> State of Washington, Department of Ecology <input type="checkbox"/> Food and Drug Administration <input type="checkbox"/> Makah Tribe <input type="checkbox"/> Yakama Nation | |
| <input type="checkbox"/> | <p>Step 3: RRT Lead Agency Chair directs staff (RRT Coordinators/Command Centers) to set up a phone conference to formally initiate activation. (Using the National Response Center or other connection to set up teleconference line for number of members expected to call in, see Section 6). Call-in Time, Number: _____</p> | |
| <input type="checkbox"/> | <p>Step 4: RRT Lead Agency Co-Chair initiates an activation meeting for all participating members (see Section 7, “Points of Contact”).</p> | |
| | <ul style="list-style-type: none"> <input type="checkbox"/> Staff directed to call and email or fax all members expected to participate in the activation with the teleconferencing information and a short synopsis of the situation. (See attached example). | |
| | <ul style="list-style-type: none"> <input type="checkbox"/> All other members of the RRT and affected states are to be notified by e-mail with a general synopsis of the situation. | |
| <input type="checkbox"/> | <p>Step 5: During the initial phone conference, the RRT Lead Agency Co-Chair has available and will provide the following information:</p> | |
| | <ul style="list-style-type: none"> <input type="checkbox"/> Designation of lead agency Co-Chair for the activated RRT. | |
| | <ul style="list-style-type: none"> <input type="checkbox"/> Reason for and background of the activation; | |
| | <ul style="list-style-type: none"> <input type="checkbox"/> Status of the incident and the response, as known; | |
| | <ul style="list-style-type: none"> <input type="checkbox"/> Relevant RRT activities to date; | |
| | <ul style="list-style-type: none"> <input type="checkbox"/> The agencies/states involved and why they were selected; | |

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| | <p><input type="checkbox"/> For all cases that involve dispersant decisions the following citation from the National Contingency Plan should be read for clarification: 40 Code of Federal Regulations (CFR) 300.915(b) <i>For spill situations that are not addressed by the preauthorization plans developed pursuant to paragraph (a) of this section, the OSC, with the concurrence of the EPA representative to the RRT and, as appropriate, the concurrence of the RRT representatives from the states with jurisdiction over the navigable waters threatened by the release or discharge, and in consultation with the DOC and DOI natural resource trustees, when practicable, may authorize the use of dispersants, surface washing agents, surface collecting agents, bioremediation agents, or miscellaneous oil spill control agents on the oil discharge, provided that the products are listed on the NCP Product Schedule.</i></p> |
| | <p><input type="checkbox"/> For all cases that involve in-situ burning decisions the following citation from the National Contingency Plan should be read for clarification: 40 CFR 300.915 (c) <i>The OSC, with the concurrence of the EPA representative to the RRT and, as appropriate, the concurrence of the RRT representatives from the states with jurisdiction over the navigable waters threatened by the release or discharge, and in consultation with the DOC and DOI natural resource trustees, when practicable, may authorize the use of burning agents on a case-by-case basis.</i></p> |
| | <p><input type="checkbox"/> <u>Step 6:</u> The Lead Agency Co-Chair of the activated RRT will lead discussions and decisions on the following:</p> |
| | <p><input type="checkbox"/> Specific information and assistance requests to be made to other agencies and states by the incident-specific RRT and the point person for those activities.</p> |
| | <p><input type="checkbox"/> Communication mechanism and schedule for briefing participating member agencies/states with planned response actions from Unified Command.</p> |
| | <p><input type="checkbox"/> Identification of the Incident Command Center responsible for support of the activated RRT (i.e., EPA, Commander of USCG District 13 or State Operations Centers).</p> |
| | <p><input type="checkbox"/> Prioritization of requests and established deadlines for completion of tasks.</p> |
| | <p><input type="checkbox"/> Identification of point of contact for providing updated information to each member agency/state.</p> |
| | <p><input type="checkbox"/> Dissemination of Lead Agency Co-Chair’s 24 hour contact information.</p> |
| | <p><input type="checkbox"/> Establishment of schedule for future conferences.</p> |
| | <p><input type="checkbox"/> <u>Step 7:</u> RRT Lead Agency Co-Chair continues to conduct and lead meetings, conferences, briefings, etc. as needed and take responsibility for action on requests to/from the RRT.</p> |

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| | Next Meeting(s) Date/Time: |
| | |
| | SECTION 4. <u>Does the NRT Need to be Notified?</u> |
| | |
| <input type="checkbox"/> | The decision to notify the NRT for advice/input will be determined by EPA and USCG RRT Co-Chairs. Conditions: |
| | <input type="checkbox"/> Insufficient national policy guidance on a response-related issue. |
| | <input type="checkbox"/> A technical matter requiring a solution, or a question concerning interpretation of the National Contingency Plan. |
| | <input type="checkbox"/> A disagreement on discretionary actions among RRT members that cannot be resolved at the regional level. |
| | <input type="checkbox"/> National Response Team notification is made through the National Response Center with the request for National Response Team notification (800) 424-8802) |
| | |
| | SECTION 5. <u>Termination of Incident-Specific RRT:</u> |
| | |
| | <input type="checkbox"/> Initiated by the lead Agency Co-Chair, in consultation with the RRT, and OSC/RPM, after assumed tasks have been completed and RRT involvement is no longer considered necessary. |
| | <input type="checkbox"/> Staff is directed to brief all members of RRT of incident-specific termination. |
| | |
| | SECTION 6. <u>Conference Call Services</u> |
| | |
| | The National Response Center is equipped and ready to provide conference call services. Simply call 1-800-424-8802 . You will need to provide a point of contact, number of participants, time, and duration of call. They will provide a phone number for the participants to call into (“meet-me” conference). |
| | |
| | SECTION 7. <u>Points of Contact:</u> |
| | |
| | Use Current Member Contact List on RRT 10 internet private site. (http://private.rrt10nwac.com/) |

9105.3 RRT Activation Example E-Mail/Message

SUBJ: Activation of RRT 10 for EPA Thermo Fluids response in Portland, OR-TODAY @ 10 am Pacific

TO: *Region 10 RRT* –

EPA Region 10 Federal On-Scene Coordinators (FOSCs) Michael Szerlog and Dan Heister are requesting an activation of RRT 10 to discuss funding issues that have arisen during our response to the Thermo Fluids fire that occurred on Monday, March 15th in Portland, Oregon. The purpose of this Incident Specific RRT activation is to make the RRT aware of the funding issue and address the possibility that RRT 10 will need to inform the NRT of this issue, if necessary.

A conference call line has been set up for 10 - 11:30 am Pacific time today and the call in number is 202-267-2174.

While the entire Region 10 RRT is welcome to join in on the conference call, the specific agencies being requested for this activation are:

U.S. EPA
U.S. Coast Guard, District 13
U.S. Department of the Interior
U.S. Department of Commerce (NOAA)
State of Oregon
State of Washington
State of Idaho

Also, due to the EPA/USCG jurisdictional boundary on the Willamette River (Oregon City Falls), we would like to request that Associate RRT Member Sector Columbia River also be included in the activation (see below for further discussion).

Background:

After Oregon DEQ's request for assistance, EPA began its response to the fire and resulting oil release into Johnson Creek, a tributary to the Willamette River, on Monday afternoon, March 15th. The fire had broken out earlier in the day. Although the responsible party is conducting much of the response work, EPA is directing the response as required by the NCP. The Oil Spill Liability Trust Fund was opened to initiate EPA's response. A Pollution Removal Funding Authorization was also issued by the FOOSC to U.S. Fish and Wildlife Service for assistance in protecting fish and wildlife species and habitat in the area.

Shortly into the response, the presence of hazardous substances (acid and asbestos) was also identified, and EPA has initiated a concurrent CERCLA assessment, with CERCLA funding, to evaluate the potential threat caused by these hazardous substances. The majority of the response efforts have been and continue to be focused on protection of Johnson Creek and the Willamette River from the impacts of the released petroleum products.

Although this is a waste oil facility, analytical results do not indicate significant amounts of any CERCLA hazardous substances in the oil.

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Below is the email from the National Pollution Funds Center (NPFC) documenting the freezing of oil spill funds for this response.

EPA has set up a web site for the Thermo Fluids response. The web site also includes the POLREPS that have been developed to date. Please do not release this web site to the public at this time.

http://www.epaosc.org/site_profile.asp?site_id=763

Issue:

The NPFC, managed by the USCG, has capped the funding allowed for this response at the initial request of \$46,000. With this amount of funding, EPA estimates that we will have to demobilize from the site beginning at approximately 12 noon today, Friday, March 19th. Due to the petroleum exclusion in CERCLA, EPA does not believe we have the statutory authority to continue the response without OSTLF/NPFC funding. The FOSC's on-scene estimate that EPA needs to remain in its oversight role for approximately an additional 5 days until the threat to Johnson Creek has been abated. Oregon DEQ is very concerned that if EPA leaves the site, the responsible party will not fulfill its responsibility to abate the impacts of the discharge of oil into the environment.

If the NPFC does not reverse its decision to cut off funding by 12 noon today, EPA would like RRT 10 to elevate this issue to the National Response Team.

Ancillary Issue:

The EPA/USCG jurisdictional boundary on the Willamette River is the Oregon City Dam/Falls, which is upstream of the confluence of Johnson Creek with the Willamette River. The geographic boundaries section of Chapter 1000, "Introduction," states:

"According to Section 300.140(b) of the NCP, if a discharge or release affects more than one zone, determination of the FOSC should generally be based on the area vulnerable to the greatest threat. If the area vulnerable to the greatest threat cannot be determined, the Unified Command may want to consider establishing an Incident Command System (ICS) that can adequately provide for effective response in both zones. If transition of the FOSC position from one agency to another is necessary, the transition will generally follow the guidelines outlined in Section 1410, 'National Response Structure.'"

EPA wants to confirm that USCG Sector Columbia River is aware of the response and supportive of EPA's role as the FOSC.

(for all cases that involve dispersant decisions add the following site from the National Contingency Plan for clarification: 40 CFR 300.915(b) For spill situations that are not addressed by the preauthorization plans developed pursuant to paragraph (a) of this section, the OSC, with the concurrence of the EPA representative to the RRT and, as appropriate, the concurrence of the RRT representatives from the states with jurisdiction over the navigable waters threatened by the release or discharge, and in consultation with the DOC and DOI natural resource trustees, when practicable, may authorize the use of dispersants, surface washing agents, surface collecting agents, bioremediation agents, or miscellaneous oil spill control agents on the oil discharge, provided that the products are listed on the NCP Product Schedule.)

(for all cases that involve in-situ burning decisions add the following site from the National Contingency Plan for clarification: 40 CFR 300.915 (c) The OSC, with the concurrence of the EPA representative to the RRT and, as appropriate, the concurrence of the RRT representatives from the states with jurisdiction over the navigable waters threatened by the release or discharge, and in consultation with the DOC and DOI natural resource trustees, when practicable, may authorize the use of burning agents on a case-by-case basis.)