US EPA Roles and Authorities During Response to Natural Disasters

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Objectives

- Review EPA’s overall response program
- Provide introduction to EPA Role During Natural Disaster Response
- Provide overview of our response strategy during a disaster
Superfund Emergency Response Program

- Authority to respond to threats to public health or welfare or the environment
- Framework of program established under the *National Oil and Hazardous Substance Pollution Contingency Plan (NCP)*
- Statutory authority:
  - CERCLA (Superfund)
  - Clean Water Act
  - Oil Pollution Act
On-Scene Coordinator & Response Support Corp

- (NCP §300.5) lead Federal EPA or USC* designated to coordinate and direct responses to discharges of oil… and direct removal actions for releases of hazardous substances
  - There are about 240 EPA OSCs nationwide
  - 28 EPA OSCs currently stationed in Region 4
  - Response Support Corp provides cadre of trained personnel from outside OSC ranks to support response activities

* Other lead federal agencies (e.g., DOD) designate OSCs on case-by-case basis for HazMat response
What are the Triggers?

- Oil spill or threat of spill larger than 1,000 gallons
- Abandoned Drums and chemical spills (e.g., Mercury in schools)
- Fire/Explosion involving hazardous substances
- Railroad derailment to Tanker Truck rollover
- Vapor Intrusion
- Contaminated Private drinking water supply

*If in doubt….send’em out*

We do not respond to:

- Naturally occurring substances in their unaltered form
- Structural components that result in exposure within that structure
- Public or private drinking water supplies due to deterioration of the system through ordinary use
- Natural Gas leaks
- Domestic or Municipal sewage
- Oil spills that do not threaten Waters of the United States
Disaster Response

- Are our day-to-day authorities typically used in responding to a disaster?
  - Yes & No
  - We can respond to:
    - individual incidents under normal response process, or
    - incidents/sites not covered under FEMA funding (e.g., National Priority Lists Sites)
Stafford Act and National Response Framework

- Robert T. Stafford Act (PL-23-288)
  - Established authority and funding for federal government to respond to a declared disaster.
  - FEMA is the lead coordinating agency

- National Response Framework
  - Provides coordination structure for overall response roles and responsibilities
  - Established set of Emergency Support Functions (ESFs)
Emergency Support Functions

- Group operations and activities most frequently used to provide support to States, tribes and Fed-to-Fed support (e.g.):
  - ESF #3: Public Works and Engineering
  - ESF #8: Public Health and Medical Services
  - ESF #10: Oil and Hazardous Materials Response
  - ESF #11: Agriculture and Natural Resources

- Each ESF is assigned a lead coordinating Agency, Primary Agencies, and Support Agencies

- EPA is Coordinating and Primary Agency for ESF #10
How does EPA Get Activated under Stafford Act and NRF?

- Presidential Declaration activates FEMA
- FEMA issues a Mission Assignment to EPA with a specific scope of work, funding ceiling, and period-of-performance
  - **Federal Operational Support (FOS)**
    - Federal-to-Federal Support
  - **Direct Federal Assistance (DFA)**
    - Federal to State/Tribal Support
    - Scope of Work as specified by State/Tribe
    - Funding and period of performance negotiated with FEMA
    - Typically State has to pay a percentage of cost (i.e. Cost Share).
Examples of EPA Operations under FEMA Missions

- Hurricane Maria in Puerto Rico (Region 2)
- Mississippi River flooding (Region 7)
- Volcanic eruptions in Hawaii (Region 9)
- California wildfires (Region 9)
- Hurricanes Katrina, Irene, Matthew and Irma (Region 4)

Within Region 4, states appear to be taking a more surgical approach to scoping ESF #10 missions
Examples of EPA Operations under FEMA Missions

Division Alpha

Division Bravo

Division Charlie

Hancock

Harrison

Jackson

Mobil

Baldwin

MS

AL
Incident Command Structure

Support Organizations

Finance Section
- Supply Unit
- Facilities Unit
- Communications Unit

Logistics Section

Planning Section
- Resource Unit
- Situation Unit
- Environmental Unit
- IT Unit
- Documentation Unit
- Field Observers (Landfill Monitors)

Operations Section
- Division A
- Division B
- Division C
- AST Group
- Community Involvement Grp
- Collection Pt Group
- Lift Station Group
- Vessel Branch

Incident Command or Unified Command

Safety Officer
Liaison Officer
Public Info Officer
Examples of EPA Operations under FEMA Missions

Survey 1-2-3 and Mobile Facility Assessment App
Other EPA R4 Activities in Support of Disaster Response

Under FEMA MA umbrella (i.e., FEMA funded)
- Water Sector Technical Support (ESF #3)
- Debris Management Field Technical Support (ESF #3 and #10)

Outside FEMA MA umbrella (i.e., EPA funded)
- National Priority List (NPL) Site assessment and response
- Fuel Waivers
- Chemical Facility Outreach
- Oil Storage Facility Outreach
Summary and Conclusions

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Questions?