



U.S. Department of Commerce/ National Oceanic and Atmospheric Administration

Pollution responses can involve a large number of organizations due to the potential for widespread and diverse impacts. Government agencies at several levels may have jurisdiction over different aspects of a pollution response. To ensure effective coordination, lead agencies have been designated within the National Response System to coordinate or direct pollution response efforts. While many pollution incidents are small and are cleaned up by the responsible party under the supervision of local authorities, the National Response System ensures that state and federal resources are available to ensure adequate cleanup on larger or more complex spills. Within the National Response System, the US Department of Commerce (DOC) has been designated as the supporting agency for oil and hazardous substance pollution incidents occurring within the U.S.

In addition, under the National Oil and Hazardous Substances Pollution Contingency Plan (NCP – 40 CFR Part 300.175), DOC, through its National Oceanic and Atmospheric Administration (NOAA), provides scientific support for response and contingency planning in coastal and marine areas, including assessments of the hazards that may be involved, predictions of movement and dispersion of oil and hazardous substances through trajectory modeling, and information on the sensitivity of coastal environments to oil and hazardous substances and associated clean-up and mitigation methods; provides expertise on living marine resources and their habitats, including endangered species, marine mammals, and National Marine Sanctuary ecosystems; provides information on actual and predicted meteorological, hydrological, ice, and oceanographic conditions for marine, coastal, and inland waters, and tide and circulation data for coastal and territorial waters and for the Great Lakes.

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GENERAL

NOAA has multiple roles in a spill response, both as a component of the response (spill response and damage assessment) and as a steward of the NOAA trust resources. One of NOAA's primary responsibilities is to providing scientific support to the Federal On-Scene Commander (FOSC) for oil and hazardous material spills. NOAA may also be activated under the National Response Framework Emergency Support Function (ESF) 10 to support the coordinated federal response to incidents involving the release of dangerous contaminants.

To support these mandates, the NOAA Emergency Response Division (ERD) provides 24-hour, seven-day-a-week response to spill events. NOAA Scientific Support Coordinators (SSCs) coordinate scientific information and provide critical information to the FOSC. A multidisciplinary team of ERD scientists, including oceanographers, modelers, biologists, chemists, and geologists, are based in Seattle and support the SSCs during spill events, as well as in drills, exercises, and contingency planning. ERD SSCs are strategically located around the country, often within U.S. Coast Guard (USCG) offices, providing local services to a range of users in public and private sectors.

As a federal trustee, NOAA serves as a trustee agency for NOAA trust resources in the event of an incident. Congress directed the Secretary of Commerce to assess and recover damages for injuries to natural resources from releases of oil and other hazardous substances. The Commerce Secretary has delegated this important responsibility to NOAA.

NOAA's responsibility is focused on specific trust resources which include:

- Commercial and recreational marine fishery resources including anadromous fish (like salmon, that spawn in freshwater and then migrate to the sea);
- Endangered and threatened marine species and their habitats (sea turtles, for example);
- Marine mammals (such as whales, dolphins and seals);
- Marshes, mangroves, seagrass beds, coral reefs, and other coastal habitats; and
- All living marine resources associated with National Marine Sanctuaries and National Estuarine Research Reserves.

Role/Responsibility

NOAA's ERD services include:

- Supporting emergency response and restoration activities
- Assisting in the development of contingency plans
- Improving response policies and enhancing readiness by representing the Department of Commerce on the National Response Team and Regional Response Teams
- Developing tools for local decision makers
- Training local responders

ERD facilitates spill prevention, preparedness, response, and restoration at national and local levels. By working at both national and local levels on planning activities, ERD provides expertise on such issues as dispersant use, alternate response technologies, response countermeasures, assessment of natural resource injury, and emergency restoration actions. ERD's scope encompasses the entire U.S. coastline, including the Great Lakes, the Gulf of Mexico, Alaska, and Hawaii. In the last 25 years, ERD has responded to virtually every major marine spill in the U.S. and ERD's expertise is frequently sought internationally. While oil and chemical spills are the major focus, ERD also provides scientific and trajectory support for incidents ranging from downed aircraft to coastal storms.

Laws/Authorities Governing their Response

- National Oil and Hazardous Substances Pollution Contingency Plan (NCP)
- National Response Framework (NRF)
- Homeland Security Act of 2002
- Stafford Act, as Amended
- Executive Order 12148 — Federal Emergency Management
- Executive Order 12656 — Assignment of Emergency Preparedness Responsibilities Executive Order 12656 — Assignment Of Emergency Preparedness Responsibilities Robert T. Stafford Disaster Relief and Emergency Assistance Act
- Executive Order 13148 – Greening the Government Through Leadership in Environmental Management
- HSPD-5 Management of Domestic Incidents
- HSPD-7 Critical Infrastructure
- HSPD-8 National Preparedness

Response Requirements

During times of national threat or a Presidential Declaration, the Department of Homeland Security serves as the planning integrator for the President for a more robust federal incident management capability and in order to coordinate all Federal incident Management Activities in support of our State and local partners. All Federal departments and agencies may play significant roles in incident management and response activities, depending on the nature and size of an event. Federal Emergency Management Agency (FEMA) coordinates response support from across the Federal Government and certain non-governmental organizations (NGOs) by calling up, as needed, one or more of the 15 ESFs.

Each of these functions are coordinated by a single agency (Primary ESF Coordinating Agency) but may rely on other agencies (Support Agencies) to provide resources for each functional area. The mission of the ESFs is to provide the greatest possible access to capabilities of the Federal Government regardless of which agency has those capabilities. Under the National Response Framework (formerly known as the National Response Plan), DOC/NOAA and its member agencies and services plays a role for the following ESFs:

ESF #	Primary Agency	Support Agency
1 Transportation		X
2 Communications		X
3 Public Works & Engineering		X
4 Firefighting		X
5 Emergency Management		X
6 Mass Care, Emergency Assistance, Housing, and Human Services		
7 Logistics Management and Resource Support		X
8 Public Health and Medical Services		
9 Search and Rescue		X
10 Oil and Hazardous Materials Response		X
11 Agriculture and Natural Resources		X
12 Energy		X
13 Public Safety and Security		
14 Long-Term Community Recovery		X
15 External Affairs		X

Trusteeship

To meet its trustee responsibility, the DOC established the NOAA Damage Assessment, Remediation and Restoration Program (DARRP). DARRP has two primary goals:

1. Assess injury to NOAA trust resources caused by spills and chronic releases of hazardous materials or oil.
2. Compensate the public for injury or loss of natural resources through quick and efficient restoration.

NOAA's damage assessment, remediation and restoration activities fall into three categories:

1. Those related to long-term releases of hazardous substances and oil spills.
2. Those associated with catastrophic spills (primarily oil).
3. Those resulting from physical injury to resources of National Marine Sanctuaries (e.g., ship groundings on coral reefs).

NOAA has assembled a multi-disciplinary team of natural scientists, resource economists and lawyers qualified to:

- Evaluate toxic releases;
- Assess and quantify injuries;
- Recover damages through negotiation or litigation;
- develop and evaluate restoration alternatives; and
- implement successful restoration strategies.