

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029**

SUBJECT: Designation of Area Committee and Federal On-Scene Coordinator
for EPA Region III Inland Area Committee

FROM: Michael Towle, Chief 
Preparedness & Response Branch (3SD30)

TO: Paul Leonard, Director
Superfund & Emergency Management Division (3SD00)

Action Required

The purpose of this memorandum is to obtain your approval and appointment of the Area Committee members and the On-Scene Coordinator designated to work with the Area Committee in accordance with Regional Delegation 2-91.

Background

Section 311(j)(4) of the Clean Water Act (CWA) and Section 4202(b)(1) of the Oil Pollution Act (OPA) require the President to designate Areas and establish Area Committees of qualified personnel from Federal, State and local agencies. In Executive Order 12777, the President delegated these CWA and OPA authorities to designate Areas of the “inland zone”, to name Area Committee members and to review Area Contingency Plans to the Administrator of EPA. The designation of Areas and Area Committees is discussed and referenced in the Federal Register at 57 FR 15198, April 24, 1992. The initial Areas designated are identified in the National Oil and Hazardous Substances Pollution Contingency Plan (NCP); EPA Region III is an Area and the EPA Region III Regional Response Team (RRT3) is the initial Area Committee for the inland Area within EPA Region III.

The Area Committee, under the direction of a Federal On-Scene Coordinator, shall prepare Area Contingency Plans and work with State and local officials to enhance contingency planning and conduct other preparedness activities. The NCP, at 40 CFR 300.210 reiterates the above-mentioned authorities and activities and additionally provides some details about the content of Area Contingency Plans.

Under the direction of an On-Scene Coordinator, the Area Committee (i.e., RRT3) has moved to refine the Region III “inland” Area to consist of 14 sub-areas for improved planning and coordination. The Region III Inland Area Contingency Plan is thus now consisting of multiple volumes; volume I being the inland Area Contingency Plan and the remaining volumes (II through XV) focusing on information specific to the 14 sub-areas.

Agency Delegation 2-91 delegates the following authority of the Administrator to the Regional Administrator:

- a) To designate Areas;
- b) To appoint Area Committee members;
- c) To require information to be included in Area Contingency Plans; and
- d) To review and approve such plans as defined in the National Contingency Plan (NCP).

Regional Delegation 2-91 delegates these authorities from the Regional Administrator to the Director, Superfund and Emergency Management Division.

Recommendation

After careful consideration of candidates, including: response and planning experience; proven ability to coordinate with local, state and federal agencies; and, both organization and leadership skills, I recommend that you approve Myles Bartos as the Federal On-Scene Coordinator for the Region III “inland” Area to work with the Region III Inland Area Committee to produce and maintain the activities of the Area Contingency Plan pursuant to Section 311 (j)(4) of the Clean Water Act and Section 4202 (b)(1) of OPA.

It is also recommended that you renew our commitment for representatives from the Federal Agency and Commonwealth/State organizations listed below, to serve or continue to serve on the Region III Inland Area Committee as contemplated in Executive Order 12777:

- US Environmental Protection Agency
Region 3
- US Coast Guard - Fifth District
- US Coast Guard - Eighth District
- US Coast Guard - Ninth District
- US Department of Agriculture (USDA)
- US Department of Commerce – National Oceanic and Atmospheric Administration (NOAA)
- US Department of Defense - US Army Corps of Engineers (USACE)
- US Department of Energy (DOE)
- US Department of Health and Human Services-Agency for Toxic Substances and Disease Registry (ATSDR)
- US Department of Homeland Security - Federal Emergency Management Agency (FEMA)
- US Department of the Interior (DOI)
- US Department of Justice (DOJ)
- US Department of Labor (DOL) – Occupational Safety and Health Administration
- US Department of State (DOS)
- US Department of Transportation (DOT)
- Nuclear Regulatory Commission (NRC)
- Delaware Department of Natural Resources and Environmental Control (DNREC)
- Delaware Emergency Management Agency (DEMA)
- District of Columbia Homeland Security and Emergency Management Agency (DCSEMA)
- District of Columbia Department of Energy and the Environment (DC DOEE)
- Maryland Department of Environment (MDE)
- Maryland Emergency Management Agency (MEMA)
- Pennsylvania Department of Environmental Protection (PADEP)
- Pennsylvania Emergency Management Agency (PEMA)
- Virginia Department of Emergency Management (VDEM)
- Virginia Department of Environmental Quality (VDEQ)
- West Virginia Department of Environmental Protection (WVDEP)
- West Virginia Department of Homeland Security and Emergency Management Agency (WV HSEM)

Finally, it is recommended that you authorize that all Hazardous Materials and Emergency Management Officials from local jurisdictions be appointed to respective Subarea Committees, at the discretion of the inland Area Federal OSC, as they are identified and express interest.

In accordance with Regional Delegation of Authority 2-91, this recommendation is submitted for your approval.

Concur

Date

Do Not Concur

Date

Paul Leonard, Director
Superfund & Emergency Management Division