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## **National Approach to Response**

### **Introduction**

In recent years, the United States has faced unprecedented challenges in responding to nationally significant incidents, including the World Trade Center and Pentagon terrorist attacks, the anthrax response, the Columbia Space Shuttle recovery, Hurricanes Katrina and Rita, and the Gold King Mine release. These events and the possibility of future similar events make it clear that the U.S. Environmental Protection Agency must continue to focus preparedness and response planning on the possibility for multiple, simultaneous significant incidents that could occur across several regions. Additionally, with each major incident, it is also clear that the role of the agency is expanding to include the expertise of offices and activities across the agency.

In June 2003, the Administrator introduced a new agency-wide national approach to response designed to bring together and ensure efficient utilization of existing emergency response assets and to ensure that roles and responsibilities at all levels in headquarters and the regions are clear. After the publication of the national response framework, the NAR was formalized by agency order in 2008 to conform with that document and the national incident management system, as well as recent agency experience with response to major events.

### **Purpose of the Directive**

This document sets forth agency-wide NAR in accordance with the government-wide NRF. Additionally, it documents agency policy for implementation of the government-wide national incident management system.

### **Scope and Applicability**

The provisions of the NAR policy apply to all hazards and to all headquarters and regional personnel who are engaged in any aspects of preparedness for and response to a nationally significant incident requiring a coordinated response under the NRF. Additionally, the NIMS policy applies to all Agency incident management and emergency prevention, preparedness, response, recovery and mitigation activities as well as those taken in support of state, tribal or local entities.

## Background

1. On **February 28, 2003**, the President issued Homeland Security Presidential Directive HSPD-5, *Management of Domestic Incidents*, which directs the Secretary, Department of Homeland Security, to develop and administer a NIMS to provide a consistent nationwide approach for federal, tribal, state, and local governments to work effectively and efficiently together to prepare for, respond to, and recover from domestic incidents, regardless of cause, size, or complexity. Additionally, HSPD-5 requires the Secretary, DHS, to develop a National Response Plan that integrates the federal government domestic prevention, preparedness, response and recovery plans into one all-discipline, all-hazards plan. All federal agencies are required to adopt NIMS.
2. On **June 27, 2003**, the Administrator introduced a new agency-wide NAR to increase preparedness for the possibility of multiple, simultaneous nationally significant incidents across several regions. This multi-faceted mechanism included a new management approach designed to provide consistency and coordination in addressing key aspects of a response such as organizational elements (emergency response assets, support personnel and national teams), exercises and training, equipment, laboratory capability/capacity, and contracting. In addition, the approach defined roles for field operations, regional offices and headquarters.
3. On **March 1, 2004**, the Secretary, DHS, issued the NIMS. The NIMS represents a core set of doctrine, concepts, principles, terminology and organizational processes to enable effective, efficient and collaborative incident management at all levels. In **December 2004**, the NRP was published. On **May 25, 2006**, an NRP Notice of Change was published. On **January 22, 2008**, the NRP was replaced by the National Response Framework. The NRF has been updated twice since its introduction, most recently in **June 2016**. NIMS (which evolved concurrently with the progression of the NRP/NRF) and the NRF use the foundation provided by the Homeland Security Act, HSPD-5, and the Stafford Act to provide a comprehensive, all-hazards approach to domestic incidents management in the following ways:
  - Maximize the integration of incident-related prevention, preparedness, response, and recovery activities;
  - Enhance the coordination and integration of response partners;
  - Maximize efficient utilization of resources needed for effective incident management and critical infrastructure protection and restoration;
  - Increase situational awareness;
  - Facilitate federal-to-federal interaction and emergency support;
  - and

- Address linkages to other federal plans developed for specific types of incidents or hazards.

**EPA's Role  
Under the  
National  
Response  
Framework**

The NRF identifies the key response principles, as well as the roles and structures that organize national response. In addition to the NRF, emergency support function annexes and support annexes have been designed to provide concept of operations, procedures and structures for achieving response directives for all partners in fulfilling their roles under the NRF.

The agency is the coordinator and primary agency, along with the U.S. Coast Guard for Emergency Support Function #10, Oil and Hazards Materials Response. The agency is also a support agency for the following ESFs. For each ESF, the offices indicated are generally those with significant roles. However, other offices may play a significant role during the response.

- **ESF #3 - Public Works and Engineering**—The agency's role may include infrastructure protection activities for drinking water and water treatment facilities, in accordance with its responsibilities as the sector specific agency as described in HSPD-7, *Critical Infrastructure Identification, Prioritization, and Protection*; assistance in determining suitability for human consumption of water from local sources and in identifying hazardous materials having the potential to affect drinking water supplies; assist in identifying critical water and wastewater needs; locating disposal sites for debris clearance activities; and assessments, technical assistance and monitoring for contaminated debris management. (Office of Land and Emergency Management/Office of Water)
- **ESF #4 – Firefighting**—The agency's role may include technical assistance for fires involving hazardous materials and also assistance in identifying uncontaminated water sources for firefighting. (OLEM/OW)
- **ESF #5 – Emergency Management**—The agency's role may include support to the joint field office, and provision of staff liaisons and technical experts. (All offices)
- **ESF #8 – Public Health and Medical**—The agency's role may include technical assistance and environmental information for health/medical aspects of hazardous materials situations; technical assistance regarding drinking water supplies; and assistance identifying water supplies for critical care facilities. (OLEM/OW)
- **ESF #10 – Oil and Hazardous Materials Response**—The agency's role may include efforts to detect, identify, contain, clean up, or dispose of released oil or hazardous materials; removal of drums, barrels, tanks, or other bulk containers that contain oil or hazardous materials; household hazardous waste collection;

monitoring of debris disposal; water quality monitoring and protection; air quality sampling and monitoring; and protection of natural resources. (OLEM)

- **ESF #11** – Agriculture and Natural Resources—The agency’s role may include technical assistance for biological and chemical agents regarding environmental monitoring, contaminated crops/animals, and food/product decontamination; and provides technical assistance in determining when water is suitable for human consumption. (OLEM/Office of Chemical Safety and Pollution Prevention/Office of Enforcement and Compliance Assurance/OW)
- **ESF #12** – Energy—The agency’s role may include response to state/local requests for the agency to exercise enforcement discretion to waive environmental requirements during fuel shortages; and assists in identifying critical water and wastewater systems requiring priority power restoration. (OECA/OW)
- **ESF #13** – Public Safety and Security—The agency’s role may include assistance through specialized evidence response teams who can work in a contaminated environment; investigation of criminal violations of environmental statutes; and forensic analysis of industrial chemicals. (OECA/OLEM)
- **National Disaster Recovery Framework** –When the agency is involved in recovery operations, it operates within the NDRF. Coordinated by the Federal Emergency Management Agency, the NDRF defines how federal agencies organize and operate to promote effective recovery and support states, tribes and other jurisdictions affected by a disaster. The NDRF is comprised of six recovery support functions with a federal agency designated the coordinating agency for each one –

is not

a coordinating agency under the NDRF. However, the agency can play a significant part in recovery because it is identified as a primary agency or support agency for all six RSFs.

- **ESF #15** – External Affairs—The agency’s role may include appropriate support as required. ESF # 15 integrates Public Affairs and the Joint Information Center, Congressional Affairs, Intergovernmental Affairs (state, local, tribal and territorial), Planning and Products and the Private Sector under the coordinating auspices of external affairs. The JIC ensures the coordinated release of information. The Planning and Products component of external affairs develops all external and internal communications strategies and products for the ESF #15 organization. (Office of Public Affairs)

The agency also serves as the coordinating agency or as a cooperating (support) agency for several incident annexes of the NRF. For each incident annex, the offices indicated are generally those with significant roles. However, other offices may contribute during the response.

- **Biological Incident Annex**—The agency’s role is largely carried out under ESFs #8 and 10, as well as the Terrorism Incident Annex. (OLEM/OCSP)
- **Catastrophic Incident Annex**— The agency’s role under this Annex involves decontamination, but could also involve other responsibilities under ESF #10. (OLEM)
- **Food and Agriculture Incident Annex**—The agency’s role under this annex involves decontamination and disposal following incidents that require a coordinated federal response involving the nation’s agriculture and food systems. (OLEM/OCSP)
- **Nuclear/Radiological Incident Annex**—The agency’s role may include either leading or assisting in the response to a radiological incident, depending on the ownership of the materials involved in the release. The agency’s response under the annex may be implemented under ESF #10, as well as the Terrorism Incident Annex. (OLEM/Office of Air and Radiation)
- **Terrorism Incident Law Enforcement and Investigation Annex**—The agency’s role may include assessing the credibility of a threat involving chemical, biological, radiological or nuclear agents or assisting in the collection of related forensic evidence for investigative purposes. This includes support to the Federal Bureau of Investigation, as part of the Domestic Emergency Support Team. In addition, OECA, through its representatives at the FBI's National Joint Terrorism Task Force and the DHS National Operations Center, will provide law enforcement intelligence and information, incident management information and public safety information directly to the Incident Coordinator and the Emergency Operations Center, when appropriate. In the event of a terrorist attack, the agency may respond to an incident with resources that are capable of handling not only the assessment and cleanup aspects of a response, but also the preservation of a potential crime scene. This coordination will be addressed at the national level with appropriate officials within OECA, the Office of Homeland Security and the Office of Inspector General-Office of Investigations. (OECA/OLEM/OAR)

### Authorities

Under Section 402 of the Stafford Act, federal agencies utilize their own authorities in support of state and local assistance efforts and under Section 403, can provide assistance essential to meeting immediate threats to life and property. The following statutory and regulatory authorities can

be utilized in connection with the agency's roles and responsibilities under the National Response Framework:

- Comprehensive Environmental Response, Compensation, and Liability Act
- Clean Water Act
- National Oil and Hazardous Substances Pollution Contingency Plan (NCP-40CFR Part 300)
- Resource Conservation and Recovery Act
- Clean Air Act
- Radon Gas and Indoor Air Quality Reserve Act
- Safe Drinking Water Act
- Marine Protection, Research, and Sanctuaries Act
- Toxic Substances Control Act
- Federal Insecticide, Fungicide, and Rodenticide Act
- Competition in Contracting Act
- Atomic Energy Act
- Public Health Service Act
- Occupational Safety and Health Act
- Pollution Prevention Act

**National Incident Management System Policy (NIMS)**

The NIMS provides a set of standardized organizational structures – such as the incident command system, multi-agency coordination systems and public information systems –as well as requirements for policies, procedures and systems designed to improve interoperability among jurisdictions and disciplines in various areas, including training; resource management; personnel qualification and certification; equipment certification; communications and information management; technology support; and continuous system improvement. HSPD-5 requires all federal departments and agencies to adopt the NIMS and to use it in their individual domestic incident management and emergency prevention, preparedness, response, recovery and mitigation activities, as well as in support of actions taken to assist States, local, or tribal entities. The directive also requires federal departments and agencies to make adoption of the NIMS by state, tribal and local organizations a condition for federal preparedness assistance. The agency incorporates this requirement as agency policy in this order.

**Incident Command System (ICS)**

NIMS ICS is a flexible and scalable system driven by the tactical needs of the responders at the scene. ICS provides a flexible management structure, common terminology, standardized training, pre-designated leadership positions, specific span of control and well understood assigned responsibilities. The system is built around five major response management functional areas: Command, Planning, Operations, Logistics and Finance. Specifically:

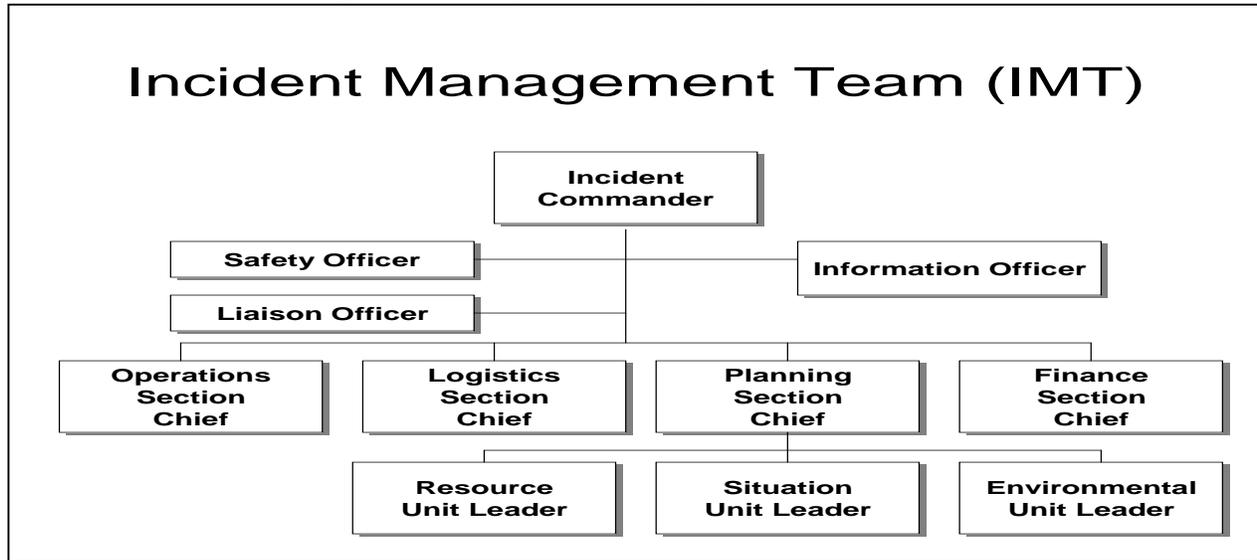
- The **incident commander** has overall responsibility for the incident, determining incident objectives and establishing priorities based on the nature of the incident, the resources available and Agency policy. In addition, command staff is responsible for public and internal communications, health and safety activities and liaison activities within the ICS structure.
  - The **command staff** has multiple responsibilities that are supported by a safety officer, liaison officer and public information officer. **The SO** is responsible for the overall safety of the incident within the scope of the IMT. The SO's function is to develop and recommend measures for ensuring personnel safety, and to assess and anticipate hazardous and unsafe situations. The **LNO** supports incidents that are multijurisdictional or that have several agencies involved. The LNO is the point of contact for personnel assigned to the incident by assisting or cooperating agencies. The **PIO** is responsible for communicating with the public, media, and/or coordinating with other agencies, as well as developing and releasing information about the incident to the news media, incident personnel, and other appropriate agencies and organizations.
- The **operations section** carries out all operations directly applicable to the primary mission of the response.
- The **planning section** develops an incident action plan, in consultation with the Command and General Staff positions, and collects, evaluates and disseminates incident information and status of resources. They conduct long-range planning, including the development of plans for demobilization at the end of an incident.
- The **logistics section** provides facilities, services and materials in support needs of an incident, including obtaining and maintaining essential personnel, equipment, and supplies.
- The **finance section** monitors costs related to the incident and provides accounting, procurement, time recording, cost analysis and overall fiscal guidance.

During an incident, all resources deployed to the incident scene to perform agency field response will be organized and managed by one or more IMT. In support of agency readiness for a nationally significant incident, each region will maintain IMTs with at least three personnel in

each key leadership position who are trained and ready to respond. KLPs represent those positions within an IMT that the agency has identified as critical to managing the incident; and those personnel designated to fill KLP positions will require ICS position-specific training. In addition to the regional IMTs, the agency will maintain a national incident management assistance team to provide support and depth to the regions in each of the KLPs during the initial phase of an incident. Figure 1 depicts key leadership positions on the IMT and National IMAT. During an incident, Regional Emergency Operations Centers and the headquarters Emergency Operations Center will also be organized using the principles of ICS to provide reach back support for the IMTs and to ensure organized delivery of agency guidance and direction to the IMTs.

Note: When multi-jurisdictional responsibilities for the response exist, a unified command may be established with agency incident commanders working together to establish common objectives.

**Figure 1: Key Leadership Positions (KLP)**



**National  
Coordination  
Responsibilities**

The **Associate Administrator for Homeland Security** is responsible for the agency’s planning, prevention, preparedness, response and recovery for nationally significant incidents and provides agency-wide policy, guidance and direction, and recommendations for resources on matters of homeland security. The AA HS serves as the principal agency contact with the Department of Homeland Security and the White House National Security Council and staff. During a nationally significant incident, the AA HS, in consultation with the Administrator, assistant administrators and regional administrators and other appropriate parties, facilitates the development and establishment of the long-term strategic direction for the response and recovery.

The Administrator may choose to convene an **executive policy coordinating committee** to address significant intra-agency and inter-agency national policy issues. The PCC (consisting of appropriate assistant administrators and regional administrators) is responsible for assessing, analyzing and formulating a coordinated agency position on questions, situations and incidents related to the nationally significant incident as they occur. This forum will also provide for the exchange of information among agency senior officials regarding the nationally significant incident.

During a nationally significant incident, the **AA OLEM**, oversees the **national incident coordinator** and ensures the effectiveness of the response to meet agency objectives. The AA OLEM provides national direction on Superfund/RCRA and other response program issues and represents OLEM on the PCC.

During a nationally significant incident, other **AAs** provide national direction on their programs and represent their offices on the PCC. The **associate administrator, OPA**, is the focal point for incident communication policy issues, sets the direction for the public information assistance teams and is responsible for implementing the crisis communications plan.

During a nationally significant incident, the director, OLEM's Office of Emergency Management will typically serve as the NIC for the incident. In specific situations, such as OAR's role in a foreign nuclear incident that does not create a specific response site within the US, other offices may provide the NIC. The NIC coordinates with the regions as well as other departments/agencies to resolve policy issues. The NIC oversees the work of the headquarters **emergency operations Center**. As chair of the **national incident coordination team**, the NIC will be responsible for coordinating cross-programmatic policy and resource needs and elevating issues to the AA OLEM, as necessary.

The NICT is a standing team of senior representatives from each headquarters office which functions both in preparedness and emergency response roles. During a nationally significant incident, the NICT includes a representative from the affected region(s) and coordinates resources, resolves issues and keeps the PCC fully informed via the NIC.

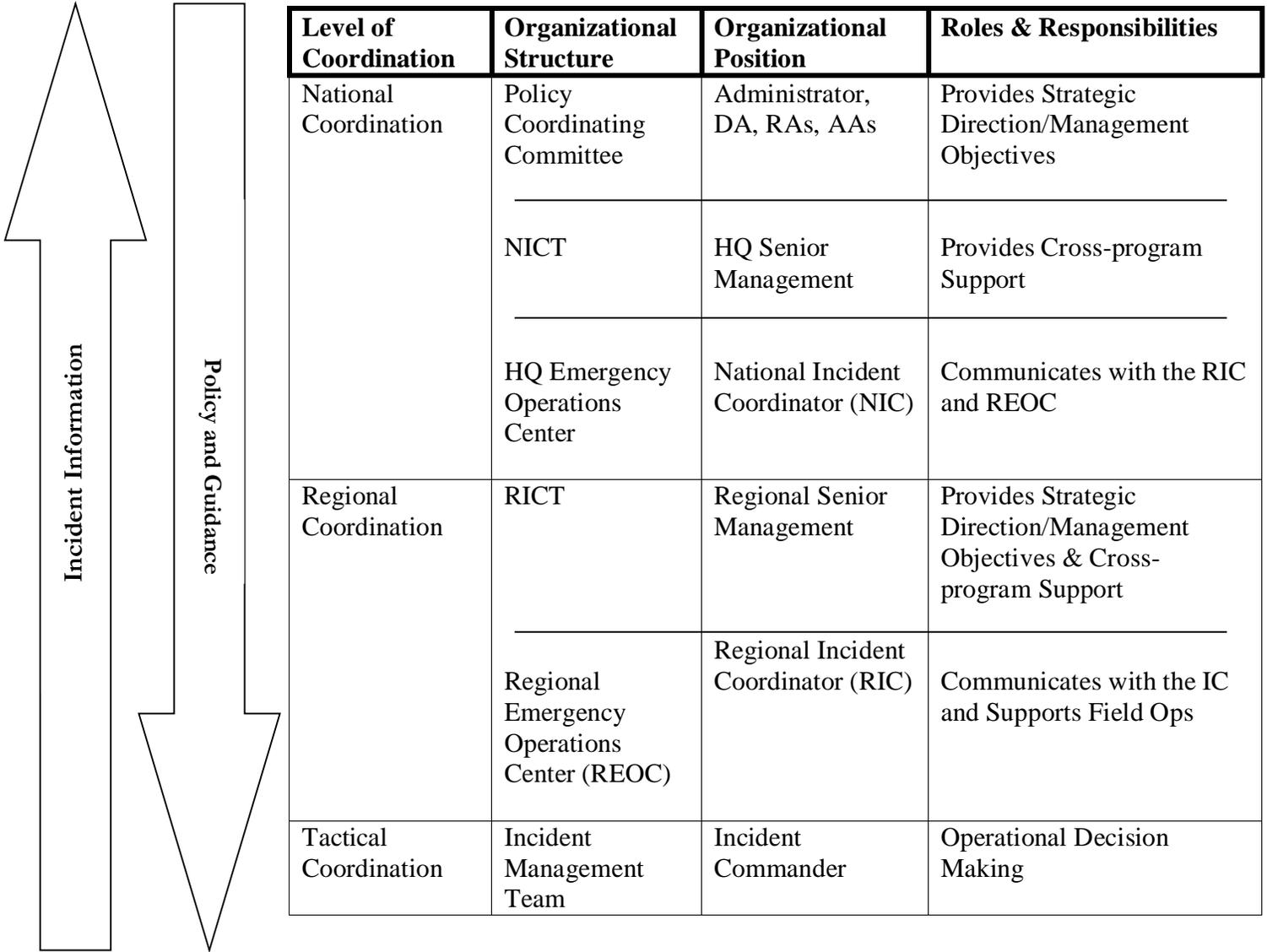
The EOC will serve as the primary contact point for information coming into the Agency and will disseminate information to appropriate parties. The EOC will also serve as the official channel for the flow of all internal and external information between the regions and headquarters. The regional emergency operations centers serves as the conduit at the regional level.

Figure 2 represents coordination across the agency.

When a nationally significant incident occurs in more than one region, when necessary, allocation of resources and other coordination across operations will be addressed at the national level.

Public information assistance teams may be activated for any emergency response by a field PIO in coordination with the Incident Commander or the Associate Administrator, OPA in order to support the communication objectives generally required during a federal response to an incident.

**Figure 2: National Incident Coordination and Communication**  
**EPA Model for National Incident Coordination**



**Regional Coordination**

The **Regional Administrator** provides the strategic vision for the scope of EPA involvement in the response by setting overall management objectives and priorities. The RA or his/her designee will serve as the designated contact on policy or political issues, will act as the regional spokesperson, and will coordinate at the political and strategic level with other agencies. The RA is responsible for resolving regional cross-program and policy issues and designates the RIC.

The **Superfund Regional division director or other DD assigned by the RA**, will coordinate and organize the activities of the **RICT**. He/she also assists the RA in the development of strategic and management objectives and works with the removal program branch chief to designate the Incident Commander. The Superfund DD may also serve as the agency's senior official at the DHS Joint Field Office or as the RIC.

The **public affairs director** and other **regional DD** represent their offices on the RICT and assist as appropriate in development of strategic and management objectives. They may also serve as the SO at the JFO. In addition, the PAD supports identification and coordination of PIO staffing for the incident, consistent with the deployment of incident resources through the REOC(s).

The **RIC** is the primary point of contact with the IC and provides the IC with the management/strategic objectives for the incident. The RIC ensures effective and timely communication between the field and senior management involving the RICT and the NIC to assure that policy issues are elevated and resolved.

The **RICT** is a standing team with representatives from each regional program office which coordinates and provides multi-program policy and resource support, information sharing, technical assistance and issue resolution.

The **IC** establishes incident objectives and immediate priorities in the field and coordinates with State, tribal, local and private sector representatives. The IC establishes the level of organization required and monitors the operation and effectiveness of that organization, and he/she ensures the development of an incident specific health and safety plan. He/she coordinates with the RIC to ensure timely and adequate incident information flow; aligns tactical objectives to meet the broader management objectives established by the RA and senior agency leadership, and applies policy and guidance.

The **REOC** provides immediate reach-back support to the field IMT. The REOC is managed by the removal program branch chief or designee and coordinates emergency support function activities with FEMA. It is also the official channel for information flow and deployment of resources in the region.

**NAR**  
**Preparedness**  
**Activities**

**OEM, OLEM**, is responsible for coordinating across the Agency to ensure that NAR priorities are identified and addressed in a timely and effective manner. This coordination will take place through a variety of methods, including the NICT and RICTs.