

# ALASKA REGIONAL RESPONSE TEAM (ARRT) CHARTER

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### Article I ESTABLISHMENT

Section 1, Authority. The Alaska Regional Response Team is established under the *National Oil and Hazardous Substances Pollution Contingency Plan* (a.k.a. National Contingency Plan or NCP), Title 40 Code of Federal Regulations Part 300.115 (40 CFR 300.115).

Section 2, Designation. Hereafter in this charter, the Alaska Regional Response Team is referred to as the “ARRT.”

### Article II MISSION

As described in the NCP, the ARRT supports On Scene Coordinators (OSC) through two components: the Standing RRT and Incident-Specific RRT.

Section 1, Standing ARRT. The Standing ARRT provides the regional mechanism for development and coordination of pollution preparedness and response policies and activities. Further, the Standing ARRT provides guidance to Alaska’s four Area Committees to ensure inter-area consistency of individual Area Contingency Plans (ACPs) as well as consistency of individual ACPs with the Regional Contingency Plan (RCP) and the National Contingency Plan (NCP).

Section 2, Incident-Specific ARRT. An Incident-Specific ARRT is formed from the Standing ARRT to coordinate assistance and advice to the On-Scene Coordinator (OSC)<sup>1</sup>/Remedial Project Manager (RPM) during such response actions.

Section 3, Joint Federal and State Emergency Response Activities. These Federal and State emergency response activities are mandated in the NCP as well as Alaska Statute and are coordinated with the National Incident Management System (NIMS) and the National Response Framework (NRF).

Section 4, Compliance with State Statute and Policy. The ARRT supports both Federal and State OSCs, in accordance with the NCP, and supports building and maintaining strong Federal-State partnerships critical for effective spill prevention, preparedness, and response. As part of this effort, the ARRT intends to develop policy and guidance in accordance with and supportive of the legal and regulatory requirements of the State of Alaska. Specifically, the RCP (in addition to the four ACPs) serve to meet both the State’s requirement of a State and Regional Master Plans (AS 46.04.200-210). All ARRT developed policy and guidance should be approved by both the ARRT Co-Chairs and the member from ADEC. To facilitate this, the ARRT will comply with the State’s requirements for open meetings, public notices and public comment periods, as appropriate.

### Article III RESPONSIBILITIES

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<sup>1</sup> For the purposes of this Charter, references to “OSCs” for ARRT preparedness activities includes both Federal and State OSCs; references to “OSCs” for incident-specific ARRT activities refer to Federal OSCs.

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Section 1, General. The general responsibilities of an RRT, both Standing and Incident-Specific, are outlined in the NCP at 40 CFR 300.115. Supplemental guidance to RRTs is available on the NRT national website ([www.nrt.org](http://www.nrt.org)).

Section 2, Standing ARRT. The Standing ARRT is tasked to develop and coordinate policies and plans that foster preparedness for an oil discharge or hazardous substance release in Alaska. Specific responsibilities of the Standing ARRT are as follows:

- Maintains the following documents and policy:
  - Alaska RCP
  - Policies and pre-authorization guidelines, if applicable, for NCP Subpart J chemicals and countermeasures
- Provides advice and recommendations to the four Area Committees to facilitate consistency between the ACPs, RCP, and NCP.

Section 3, Incident-Specific ARRT. In the event, of an oil discharge or hazardous substance release, an Incident-Specific ARRT may be activated at the request of the OSC/RPM, or at the request of any ARRT member. The primary role of the Incident-Specific ARRT is to support the OSC/RPM during a response. As such, the Incident-Specific ARRT facilitates and/or coordinates the delivery of assistance or advice as requested by the OSC/RPM.

Further details on the activation and deactivation of an Incident-Specific ARRT is provided in the ARRT Activation Procedures.

Members of the Incident-Specific ARRT come from Standing ARRT member agency based on the type of incident, needs of the response, and its geographic location. An Incident-Specific ARRT is chaired by the agency providing the federal OSC/RPM and the Chair determines the members. ADEC will designate an individual to represent their interests in an incident specific ARRT. This representative will work closely with the Co-Chairs where the State of Alaska has interest.

Section 4, Other Relevant Agreements. The ARRT should ensure awareness of the relevant international relationships and agreements; such as those established with Canada, Russia, the Arctic Council, and the Pacific States/British Columbia Oil Spill Task Force.

Section 5, Jurisdiction. The geographic boundaries of the ARRT include the state of Alaska and all waters of the Exclusive Economic Zone (EEZ).

### **Article IV STRUCTURE/MEMBERSHIP**

Section 1, Structure and Composition. ARRT composition is described in the NCP at 40 CFR 300.115. The ARRT membership parallels that of the NRT, as described in the NCP at 40 CFR 300.110 with the State of Alaska, Alaska Department of Environmental Conservation (ADEC), serving as an additional member. The ARRT is led by Co-Chairs representing the US Coast Guard and the US Environmental Protection Agency. Tribal and local governments may request to be a member of the ARRT. The work of the ARRT is directed by the Co-Chairs, in coordination with the members, and facilitated by the Coordinators.

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### Section 2, Terms and Positions.

- **Member Agency:** The Federal Agencies listed in Section 3 below, the State of Alaska, Department of Environmental Conservation (ADEC), and federally recognized tribes that have requested membership on the ARRT that appoint individuals to serve as members and alternate members on the ARRT,
- **Co-Chair:** The designated individual from the EPA and USCG who lead and as serve as the presiding officers of the ARRT. When appropriate, they serve as the decision-making body of the ARRT, with consultation and advice from the ARRT members. The Co-Chairs will each designate an Alternate Co-Chair to act in their absence.
- **Coordinators:** The designated individuals from the USCG, EPA and ADEC who coordinate and facilitate the activities of the ARRT and serve as the liaison between the ARRT and Area Committees.
- **Members:** Authorized individual from a member agency, appointed to represent the needs, interests, and assets of their agencies and their agency's trust resources.
- **Alternates:** Individual appointed to serve in the place of members or representatives in the event that the member is not available. They have the same authorities and responsibilities of member unable to participate.
- **Working Group Members:** Individuals assigned to committees and task forces to do the work of ARRT. These individuals may come from member agencies and from other organizations outside of the ARRT.

Section 3, Federal Membership. The federal offices providing agency representatives<sup>2</sup> to serve as member of the ARRT are:

1. U.S. Coast Guard, District Seventeen (17), Juneau, AK (Co-chair)
2. U.S. Environmental Protection Agency, Region 10, Seattle, WA (Co-chair)
3. U.S. Department of Agriculture, U.S. Forest Service, Office of the Regional Forester, Juneau, AK
4. U.S. Department of Commerce, National Oceanic and Atmospheric Administration (NOAA), Office of Response & Restoration (OR&R), Seattle, WA
5. U.S. Department of Defense, U.S. Navy
6. U.S. Department of Energy
7. Federal Emergency Management Agency, Alaska Area Office, Anchorage, AK
8. General Services Administration
9. U.S. Department of Health and Human Services
10. U.S. Department of the Interior, Regional Environmental Officer, Anchorage, AK
11. U.S. Department of Justice
12. U.S. Department of Labor, OSHA
13. U.S. Department of Transportation, Anchorage, AK
14. Nuclear Regulatory Commission
15. Department of State

Section 4, State Membership. The State of Alaska has designated the Alaska Department of Environmental Conservation (ADEC), Division of Spill Prevention and Response to represent the State as a member of the ARRT. When an Incident-Specific RRT is activated, ADEC shall participate in all RRT deliberations. The NCP Section 300.910 also outlines the unique role the State plays with respect to pre-authorization and concurrence on OSC's use of the use of dispersants, surface washing agents, surface collecting

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<sup>2</sup> Other department, agency, and bureau representatives are welcome to attend, but do not serve in a member capacity. Each member agency can appoint only one member and alternate member.

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agents, bioremediation agents or miscellaneous spill control agents listed on the NCP Product Schedule (NCP Subpart J).

Section 5, Tribal Membership. In accordance with the NCP, federally recognized tribes are invited to participate in ARRT activities and can request membership on the ARRT. See *ARRT Guidelines for Coordination & Consultation with Federally Recognized Tribes* for further information.

Section 6, Appointment and Resignation. Each member agency and represented government is responsible to designate the individuals authorized to serve as their ARRT member/representative, alternate member/representative. These designations are made for an indefinite period of time. These designations shall be made in writing (letter or email).

A member may resign at any time by written notice to the Co-Chairs. The resigning members should designate a suitable replacement.

Section 7, Documentation of Members. The ARRT Coordinators will maintain and periodically validate (1) a roster of primary and alternate members, including the member appointment documentation; (2) resolutions/letters from tribal governments requesting membership on ARRT; and (3) relevant contact information -- including an electronic distribution list and rapid-recall system.

Section 8, Participation. ARRT members are expected to regularly participate in ARRT meetings and events. Additionally, members are expected to serve on Incident-Specific ARRT as necessary. Members may also be requested to participate in drills and exercises that include an Incident-Specific ARRT activation. In addition, member agencies are expected to provide staff to participate in committees, task forces, or other working groups as needed.

If a member fails to effectively participate in the work of the ARRT, the Co-Chairs should discuss the issue with the member and their agency and take appropriate action.

### **Article V MEETINGS**

Section 1, Frequency and Location. The ARRT will have at least two general meetings per year. To the maximum extent practicable, ARRT meetings should be scheduled to coincide with Area Committee meetings (scheduled by the OSCs) to enable and encourage reciprocal attendance. Most meetings are held in either Anchorage or Juneau, with additional meeting locations scheduled based on needs of the region, availability of funds, and logistics complexity.

The date, time, and place shall be agreed upon by the Co-Chairs, listed in the Biennial Work Plan, and posted by the coordinators to the ARRT web page.

The ARRT Co-Chairs may convene special meetings or sessions as needed for specific issues. Any ARRT member may ask the Co-Chairs to convene a meeting.

When practical, ARRT meetings will be conducted with options for remote participation via teleconference and/or web conference.

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Section 2, Types of Meetings. Four types of ARRT meetings are held on a regular basis.

- **General Meetings:** As noted above, the ARRT will hold at least two general meetings annually. These meetings are open to all ARRT members, representatives and the public. Public Notice is required for these meetings. The public is invited to attend and offer public comment at a designated period in the agenda; however, participation in the meeting by non-members/representatives may be restricted. Whenever possible, teleconference and webinar technology will be utilized to allow remote participation in the meeting.
  - General meetings will comply with the State's open meetings requirements (AS 44.62.310-312) and the State's public notice requirements (AS 44.62.175)
- **Co-Chair Meetings:** Co-Chair meetings are executive session meetings. These are held as needed throughout the year, scheduled by the Co-Chairs with invitation to the State of Alaska ADEC to ensure progress on the work of the ARRT and foster regular communication among of the ARRT Co-Chair agencies.
- **Member Meetings:** Member meetings are held as needed to plan, prioritize and review the work of the ARRT. Like the Co-Chair meetings, these are executive session meetings that ensure progress on the work of the ARRT and foster regular communication among of the ARRT member agencies. To the extent practicable based on demand and availability of resources, an annual "Leadership Summit" for members will be scheduled to strategize ARRT priorities, plans, and projects.
- **Working Group Meetings:** Working group meetings are a type of executive session with the purpose of doing work necessary to accomplish a task assigned by the ARRT or required by the working group's charter or ARRT Biennial Work Plan. Working groups are further described in Article VIII.

An executive session is any meeting or part of a meeting which is not open to non-members. Proceedings from these meetings are not required to be posted publicly. Members and nonmembers may be invited as needed for the issues being discussed. The ARRT Co-Chair(s) may call an executive session of the ARRT for the purpose of discussing sensitive matters involving the ARRT.

Section 3, Sensitive Security Information. When Sensitive Security Information is planned for discussion, such meetings shall be closed to the public to safeguard the material in accordance with Title 40 Code of Federal Regulations Part 1520. Any such anticipated closures shall be clearly indicated on the meeting agenda.

Section 4. Federal Advisory Committee Act (FACA). The ARRT is not subject to the requirements established by the Federal Advisory Committee Act (Pub. L. 92-463).

### **Article VI ARRT ADMINISTRATIVE PROCEDURES FOR GENERAL MEETINGS**

Section 1, Meeting Notices. The ARRT Coordinators distribute meeting notices, via the ARRT website, email distribution lists, and other general publications such as EPA tribal newsletters, and media releases. Coordinators will also share notices with the Area Committees for distribution.

Section 2, Agenda. The ARRT Coordinators will draft an agenda for approval by the ARRT Co-Chairs. Each agenda will detail the meeting time, location, items to be discussed, and teleconference/webinar information. Common agenda items include the following:

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- Co-Chair Report. The Co-Chairs will report on major actions and decisions taken since the last meeting, including the status of the Biennial Work Plan objectives. ADEC may also be asked to provide a report.
- ARRT Working Group Reports. The active ARRT working groups will report on planned and/or completed work and any changes in membership.
- Area Committee Reports. Area Committee representatives will be invited to report on the recent Area Committee activities, a summary of cases and enforcement actions and any requests for support from the ARRT.
- Public Comment. During meetings open to the public, the ARRT shall allow the general public an opportunity to comment during a prescribed public comment period.

Section 3, Presiding Officer(s). The ARRT Co-Chairs are the presiding officers of the ARRT. Recognizing the need to balance inclusiveness and efficiency, the right of the presiding officers to decide, discuss, or table an issue shall not be abridged.

Section 4, Records. The ARRT shall keep a meeting summary that is publicly posted by the ARRT Coordinators, or other venue as determined by the ARRT. The summary will include a list of ARRT members present, subjects covered, points of discussion, decisions, assignments, action items, and any other pertinent information. The meeting summary shall be provided to the ARRT Co-Chairs within approximately one month of the meeting for their review prior to distribution by the Coordinators to the ARRT members and posting on the ARRT website.

Meeting presentations and materials, when available, and summaries are maintained by either the U.S. Coast Guard or the U.S. Environmental Protection Agency and will be posted on the ARRT public website (see Article IX).

### **Article VII WORK PLAN**

Section 1, Work Plan. The ARRT shall be guided by a Biennial Work Plan that has been generated by the ARRT Co-Chairs and Coordinators with input and assistance from interested ARRT members and presented as a draft to the entire ARRT for discussion.

Section 2, Work Plan Amendments. Amendments to the Biennial Work Plan shall be made annually or as needed.

Section 3, Work Plan Contents. The Biennial Work Plan will focus on ARRT activities including, but not limited to scheduled meetings, major internal and external exercises and trainings, development and revision of the Alaska RCP, policy and other preparedness products, as well as applicable lessons learned.

Section 4, Work Plan Review. Progress on the Biennial Work Plan shall be reviewed at each ARRT meeting.

### **Article VIII WORKING GROUPS**

Section 1, Establishment. The ARRT may establish working groups for specific issues as needed. Working groups may or may not be specifically chartered by the ARRT. Working group categories generally include:

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- Committees with standing representation established for a specific purpose or a range of related issues, generally more long term in duration.
- Task Forces designed for specific issues with short term duration intended.

Section 2, Membership. ARRT members and other interested parties will identify and recommend individuals to serve as members of the ARRT working groups. Working group members may invite participation by other agency and/or stakeholder entities that may have subject matter expertise and/or interests in working group activities to provide advice and input to the working group. ARRT working groups may also include members from Area Committees, as appropriate, particularly when the task of the working group is response to a request for support from the Area Committee.

Working group chairperson(s) are responsible for providing a current membership list with contact information to the ARRT Coordinators.

Section 3, Leadership. Each working group will have a member(s) designated as its chairperson(s). The chairperson(s) is/are responsible to the ARRT for the conduct of the working group and its progress.

Section 4, Meetings. Each working group, once established, shall meet as needed to fulfill its goals. Meetings may be in-person, teleconferences, and/or web-conferences.

Section 5, Records. Each working group will have a designated project folder on the ARRT password-protected website (see Article IX). Draft and final work products in editable file formats, such as MS Word should be posted on this site for retention and future revision. Additional working files, references and meeting materials may also be stored on this site. A PDF file version will be posted, when appropriate, on the public ARRT website.

### **Article IX WEBSITE ADMINISTRATION**

Section 1, Use. As funding allows, the ARRT shall have an Internet site with a public side for general information sharing and a password protected side for official use only.

### **Article X CHARTER ADOPTION AND AMENDMENTS**

Section 1, Charter Adoption and Amendments. This charter and any future amendments to it will be approved by the ARRT Co-Chairs and, due to the close and critical working relationship with the State of Alaska, the ADEC member of the ARRT is also a signatory to the charter.

Attested By:

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Mark L. Everett

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Date

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Beth Sheldrake

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Date

