



ALASKA REGIONAL RESPONSE TEAM (ARRT) CHARTER

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

The ARRT provides (1) the regional mechanism for development and coordination of preparedness activities before a response action is taken and for coordination of assistance and advice to the On-Scene Coordinator (OSC)¹/Remedial Project Manager (RPM) during such response actions; and (2) guidance to Subarea Committees to ensure inter-area consistency and consistency of individual Subarea Contingency Plans (SCPs) and consistency of individual SCPs with the Regional Contingency Plan (RCP) and the National Contingency Plan (NCP). The *Alaska Federal/State Preparedness Plan for Response to Oil and Hazardous Substance Discharges/Releases (Unified Plan)* serves as the RCP and, in conjunction with the ten SCPs, serves as the Area Plan; and provides the mechanism to coordinate Federal and State emergency response plans. These Federal and State emergency response activities are mandates in the NCP and are coordinated with the National Incident Management System (NIMS) and the National Response Frameworks (NRF).

Article III RESPONSIBILITIES ²

Section 1, Standing RRT.

(a) Regional planning and coordination of preparedness and response actions is accomplished through the ARRT. In the case of a discharge of oil, preparedness activities will be carried out in conjunction with Unified Plan, as appropriate. The ARRT agency membership parallels that of the NRT, as described in §300.110, but also includes state [, tribal,] and local representation. The ARRT provides:

(1) The appropriate regional mechanism for development and coordination of preparedness activities before a response action is taken and for coordination of

¹ 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.

² Except bracketed portions, the following text is excerpted from 40 CFR 300.115 of the NCP which discusses Regional Response Teams. Note that the terms Unified Plan and Subarea Contingency Plans (SCPs) have been inserted at all references to Regional Contingency Plans and Area Contingency Plans.

ALASKA REGIONAL RESPONSE TEAM (ARRT) CHARTER

assistance and advice to the OSC/RPM during such response actions; and

(2) Guidance to Subarea Committees as appropriate, to ensure inter-area consistency and consistency of individual SCPs with the Unified Plan and NCP.

(b) The two principal components of the RRT mechanism are a standing team, which consists of designated representatives from each participating federal agency, state governments, and local governments (as agreed upon by the states); and incident-specific teams formed from the standing team when the RRT is activated for a response. [See Section 2 for information on the incident-specific team. State and local government and federally recognized tribe participation may be limited to subject matter or geography in which they have an interest.]

(c) The standing team's jurisdiction corresponds to the standard federal regions, except for Alaska, Oceania in the Pacific, and the Caribbean area, each of which has a separate standing RRT. The role of the standing RRT includes communications systems and procedures, planning, coordination, training, evaluation, preparedness, and related matters on a region-wide basis. It also includes coordination of Area Committees for these functions in areas within their respective regions, as appropriate.

(d) The representatives of EPA and the USCG shall act as co-chairs of the ARRT except when the ARRT is activated for a specific incident.

(e) Federal ARRT members or their representatives should provide OSCs/RPMs with assistance from their respective federal agencies commensurate with agency responsibilities, resources, and capabilities within the region. During a response action, the members of the ARRT should seek to make available the resources of their agencies to the OSC/RPM as specified in the Unified Plan and SCP.

(f) ARRT members should nominate appropriately qualified representatives from their organizations to work with OSCs in developing and maintaining SCPs.

(g) The standing ARRT shall recommend changes in the regional response organization as needed, revise the Unified Plan as needed, evaluate the preparedness of the participating entities and the effectiveness of SCPs for the federal response to discharges and releases, and provide technical assistance for preparedness to the response community. The ARRT should:

(1) Review and comment, to the extent practicable, on local emergency response plans or other issues related to the preparation, implementation, or exercise of such plans upon request of a local emergency planning committee;

(2) Evaluate regional and local responses to discharges or releases on a continuing basis, considering available legal remedies, equipment readiness, and coordination among responsible public agencies and private organizations, and recommend improvements;

(3) Recommend revisions of the NCP to the NRT, based on observations of response operations;

(4) Review OSC actions to ensure that the Unified Plan and SCPs are effective;

(5) Encourage the state and local response community to improve its preparedness for response;

ALASKA REGIONAL RESPONSE TEAM (ARRT) CHARTER

(6) In accordance with any applicable laws, regulations, or requirements, conduct advance planning for use of dispersants, surface washing agents, surface collecting agents, burning agents, bioremediation agents, or other chemical agents in accordance with subpart J of this part;

(7) Be prepared to provide response resources to major discharges or releases outside the region;

(8) Conduct or participate in training and exercises as necessary to encourage preparedness activities of the response community within the region;

(9) Meet at least twice annually to review response actions carried out during the preceding period, consider changes in the Unified Plan, and recommend changes in the SCPs.

(10) Provide letter reports on ARRT activities to the NRT [once a year, no later than January 31, or as directed by the NRT or in accordance with NRT guidance]. At a minimum, reports should summarize recent activities, organizational changes, operational concerns, and efforts to improve state and local coordination; and

(11) Ensure maximum participation in the national exercise program [(N-PREP)] for announced and unannounced exercises.

(h) Whenever there is insufficient national policy guidance on a matter before the ARRT, a technical matter requiring solution, a question concerning interpretation of the NCP, or a disagreement on discretionary actions among ARRT members that cannot be resolved [by joint agreement of the co-chairs] at the regional level, it may be referred to the NRT, described in §300.110, for advice. For matters that cannot be resolved by the co-chairs, any ARRT agency may refer the matter to their NRT counterpart.

Section 2, Incident-Specific RRT.

(a) The role of an incident-specific RRT is determined by the operational requirements of the response to a specific discharge or release. Appropriate levels of activation and/or notification of the incident-specific RRT, including participation by state and local governments, shall be determined by the designated RRT chair for the incident, based on the Unified Plan. The incident-specific RRT supports the designated OSC/RPM. The designated OSC/RPM directs response efforts and coordinates all other efforts at the scene of a discharge or release.

(b) When the ARRT is activated for response actions, the chair shall be the member agency providing the federal OSC/RPM.

(c) The ARRT may be activated by the chair as an incident-specific response team when a discharge or release:

(1) Exceeds the response capability available to the OSC/RPM in the place where it occurs;

(2) Transects state boundaries;

(3) May pose a substantial threat to the public health or welfare of the United States or the

ALASKA REGIONAL RESPONSE TEAM (ARRT) CHARTER

environment, or to regionally significant amounts of property; or

(4) Is a worst case discharge, as described in §300.324. The Unified Plan shall specify detailed criteria for activation of the ARRT.

(d) The ARRT may be activated during any discharge or release upon a request from the OSC/RPM, or from any ARRT representative, to the chair of the ARRT. Requests for ARRT activation shall later be confirmed in writing. Each representative, or an appropriate alternate, should be notified immediately when the ARRT is activated.

(e) During prolonged removal or remedial action, the ARRT may not need to be activated or may need to be activated only in a limited sense, or may need to have available only those member agencies of the ARRT who are directly affected or who can provide direct response assistance.

(f) On incident-specific teams, participation by the ARRT member agencies should relate to the technical nature of the incident and its geographic location. When the ARRT is activated for a discharge or release, agency representatives shall meet at the call of the chair and may:

(1) Monitor and evaluate reports from the OSC/RPM, advise the OSC/RPM on the duration and extent of response, and recommend to the OSC/RPM specific actions to respond to the discharge or release;

(2) Request other federal, state, or local governments, or private agencies, to provide resources under their existing authorities to respond to a discharge or release or to monitor response operations;

(3) Help the OSC/RPM prepare information releases for the public and for communication with the NRT;

(4) If the circumstances warrant, make recommendations to the regional or district head of the agency providing the OSC/RPM that a different OSC/RPM should be designated; and

(5) Submit pollution reports to the NRC and/or NRT as significant developments occur.

(g) At the regional level, a Regional Response Center (RRC) may provide facilities and personnel for communications, information storage, and other requirements for coordinating response. The location of each RRC should be provided in the Unified Plan.

(h) When the ARRT is activated, affected states may participate in all ARRT deliberations. State government representatives participating in the ARRT have the same status as any federal member of the ARRT.

(i) Federally recognized tribes may serve on the incident-specific RRT when matters under consideration affect their respective tribe's natural resource interests. These representatives should be the same as those serving on the standing RRT.

(j) The ARRT can be deactivated when the incident-specific ARRT chair determines that the OSC/RPM no longer requires ARRT assistance.

(k) Notification of the ARRT may be appropriate when full activation is not necessary.

ALASKA REGIONAL RESPONSE TEAM (ARRT) CHARTER

However, in some instances ARRT members should be kept posted of significant developments.

(l) Provide status updates regarding responses to the District 17 Chairs of the Joint Response Team (JRT) for international bilateral agreements with Canada or Russia and the District 17 representative to the multilateral Arctic Council oil spill agreement, especially if the incident is expected to grow beyond regional capabilities.

Section 3, 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. The ARRT will consist of the member entities and working groups established by the ARRT to address and resolve specific issues.

Section 2, Composition. The ARRT is comprised of a membership identified in the National Contingency Plan, Title 40 CFR 300.115.

Section 3, Representation. The ARRT membership parallels that of the NRT, as described in 40 CFR 300.110 and includes, state and local representation.

(a) To represent a wide range of public resource management and protection interests the ARRT will have one representative for each of the following groups:

1. U.S. Coast Guard, Co-chair
2. U.S. Environmental Protection Agency, Co-chair
3. State of Alaska
4. U.S. Department of Agriculture
5. U.S. Department of Commerce
6. U.S. Department of Defense
7. U.S. Department of Energy
8. Federal Emergency Management Agency
9. General Services Administration
10. U.S. Department of Health and Human Services
11. U.S. Department of the Interior
12. U.S. Department of Justice
13. U.S. Department of Labor
14. U.S. Department of Transportation

(b) Tribal membership: Federally recognized tribes may arrange for representation with the ARRT. See *ARRT Guidelines for Coordination & Consultation With Federally-Recognized Tribes* for further information.

(c) State/Local membership: States are encouraged to participate actively in all RRT activities. Each state governor is requested to assign an office or agency to represent the state on the appropriate RRT; to designate representatives to work with the RRT in developing the Regional Contingency Plan; to plan for, make available, and coordinate state resources; and to serve as the contact point for coordination of response with local government agencies, whether or not represented on the RRT. The state's ARRT representative should keep the State Emergency Response Commission (SERC),

ALASKA REGIONAL RESPONSE TEAM (ARRT) CHARTER

described in §300.205(d), apprised of ARRT activities and coordinate ARRT activities with the SERC. Local governments are invited to participate in ARRT activities as provided by state law or as arranged by the state's representative.

Section 5. Participating Entities. Each participating entity should designate one member and at least one alternate member to the ARRT. All member entities may also provide additional representatives as observers to meetings of the ARRT.

(a) Member entities whose regional subdivisions do not correspond to the standard federal regions may designate additional representatives to the standing ARRT to ensure appropriate coverage of the standard federal region.

(b) In order for the ARRT to best support OSCs, it is recommended that member entities should not double task ARRT members with OSC responsibilities if possible.

(c) ARRT member entities should designate representatives and alternates from their organizations as resource personnel for ARRT activities, including ARRT work planning, and membership on incident-specific teams in support of the OSCs/RPMs.

Section 6. Appointment and Term of Office. Each member entity representative of the ARRT will be designated by their respective agency for an indefinite period of time. These designations shall be made in writing.

Section 7. Resignation. A member may resign at any time by written notice to the co-chair(s). The resigning member's entity should designate a suitable replacement.

Section 8. Participation. Although not every ARRT activity requires every agency to participate, all members are welcome to participate in every scheduled ARRT meeting, incident-specific activation, notification, and exercise. In addition, participation in workgroups is expected as needed. If a representative fails to effectively participate in the work of the ARRT, the co-chair(s) should discuss the issue with the representative and their member agency and take appropriate action.

Section 9. ARRT Alternate Member Representative. An ARRT member entity may appoint a regular alternate representative to represent their affiliation at regular ARRT meetings. Unless limited by the appointing agency, alternate members are considered as fully-invested representatives of their agency.

Section 10. ARRT Chair. Title 40 Code of Federal Regulations Part 115(c) designates representatives of the Environmental Protection Agency (EPA) and U.S. Coast Guard (USCG) as Co-chairs of the ARRT, except when the ARRT is activated. When the ARRT is activated, for response actions, the chair will be the member agency providing the federal OSC.

Section 11. ARRT Coordinator. The specific duties of the ARRT Coordinators change over time and will be defined in a separate document as agreed to by the agencies providing the coordinators.

Article V MEETINGS

Section 1. Frequency. ARRT work requirements often outstrip resources available. This

ALASKA REGIONAL RESPONSE TEAM (ARRT) CHARTER

requires sensitivity to the demands and fiscal limitations of ARRT member agencies and their representatives and active management of expectations, throughput, and scheduling. Ideally, the ARRT will meet at least three times a year, approximately in the winter (e.g., last week of January), spring (e.g. third week of May), and fall (e.g., last week of September). To the maximum extent practicable, ARRT meetings should be scheduled to coincide with subarea committee meetings (scheduled by the OSCs) to enable and encourage reciprocal attendance. The date, time, and place shall be agreed upon, in consultation with ARRT members, at least three months in advance, listed in the biennial work plan, and posted by the co-coordinators to the ARRT web page or other venue as determined by the co-chairs. The ARRT co-chairs may convene special sessions as needed for specific issues. Any ARRT member may ask the co-chairs to convene a meeting.

Section 2, Location. The ARRT will rotate meeting locations among Anchorage, Juneau and possibly other Alaskan cities based on needs of the region, availability of funds, and logistics complexity.

Section 3, Format. ARRT meetings shall be open to the public. When Security Sensitive 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.

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 and other attendees, noting ARRT absentees along with subjects covered, points of discussion, decision, assignments, action items, and any other pertinent information. The meeting summary shall be reviewed by the co-chair(s) prior to distribution to the ARRT members and must be redacted of any Sensitive Security Information in accordance with Title 49 Code of Federal Regulations Part 1520. A copy of the meeting summary shall be circulated to the ARRT members within one month of the meeting. Within 30 days of receipt of the initial meeting summary, ARRT members shall review and may provide comments to the ARRT Coordinators. These comments will either be used to amend or append the meeting summary and are subject to discussion, if necessary, at the next ARRT meeting.

All meeting summaries and other records or documents of the ARRT 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.

Section 5, Annual Leadership Summit. To the extent practicable based on demand and availability of resources, the ARRT Leadership Team (co-chairs, co-coordinators, and State ADEC reps) should meet annually to strategize ARRT priorities, plans, and projects.

Article VI WORK PLAN AND WORK FLOW

Section 1, Work Plan. The ARRT should be guided by a biennial work plan that has been generated by the ARRT Coordinators with input and assistance from interested ARRT member agencies/entities and presented as a draft to the entire ARRT for discussion.

Section 2, Work Plan Amendments. Amendments to the work plan should be made annually or as needed.

ALASKA REGIONAL RESPONSE TEAM (ARRT) CHARTER

Section 3, Work Plan Contents. The biennial work plan will focus on ARRT activities including, but not limited to, scheduled meetings, major exercises, preparedness products, policy creation/revision, training, and lessons learned.

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

Article VII WORKGROUPS

Section 1, Establishment. The ARRT may establish workgroups for specific issues as needed. Workgroups may be chartered. Workgroup categories include:

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

Section 2, Membership. Composition of committees and workgroups should include representatives of ARRT agencies/entities with jurisdiction and/or expertise pertaining to the focus of the committee/workgroup.

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

Section 4, Other Participants. Committee/workgroup members may invite participation by other agency and/or stakeholder entities that may have subject matter expertise and/or interests in committee/workgroup activities to provide advice and input to the committee/workgroup.

Section 5, Meetings. Each committee/workgroup, once established, shall meet as needed to fulfill its goals.

Article VIII ARRT ADMINISTRATIVE PROCEDURES FOR MEETINGS

Section 1, Agenda. The ARRT co-coordinator(s) will draft an agenda with input from ARRT members for approval by the ARRT co-chairs. An agenda will be made publicly available at least 14 calendar days prior to each meeting. Each agenda will detail the meeting time, meeting place, and agenda items. Press releases prior to the meetings are favored and an agenda will specify teleconference capabilities with details for open meetings. Agendas shall also be posted to the ARRT public website as early as practicable.

Section 2, Rules. The following is a non-inclusive list of procedural meeting rules to be followed by Alaska ARRT:

Rule 1, 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. When a group of persons have the same comment or would address the

ALASKA REGIONAL RESPONSE TEAM (ARRT) CHARTER

ARRT, the co-chair(s) shall ask that group to choose a spokesperson to address the ARRT.

Rule 2, Closed Sessions: ARRT Co-chair(s) may call a special closed session of the ARRT. Closed sessions may be called for the purpose of discussing SSI, specific security issues, or litigation issues involving the ARRT. A record of a closed session shall be kept by the co-chair(s), and the co-chair(s) may cause a redacted record of the session to be made available to the public.

Rule 3, Presiding Officer(s): The ARRT co-chair(s) are the presiding officers of the ARRT. Recognizing the often competing virtues of inclusiveness and efficiency, the right of the presiding officers to decide, discuss, or table an issue shall not be abridged.

Rule 4, Alternate Co-chair(s): The co-chair(s) will each designate an alternate co-chair to act as the presiding officer in their absence.

Rule 5, Limiting Power: Activities performed by the ARRT and its workgroups under this charter will be consistent with applicable federal and state laws and respective regulations, and will be subject to the availability of duly appropriated funds.

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 private 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.

Attested By:



Mark L. Everett Date
U.S. Coast Guard District 17
Co-Chair, Alaska RRT



Chris Field Date
EPA Region 10
Co-Chair, Alaska RRT



Kristin Ryan Date
State of Alaska
Department of Environmental Conservation
Director, Spill Prevention & Response Division