CLEAN WATER ACT

2-86. Facility Response Plans

1. **AUTHORITY.** Pursuant to Section 311(j)(5) of the Clean Water Act as amended by the Oil Pollution Act of 1990:

   a. To approve means to ensure the availability of private personnel and equipment to implement facility response plans for non-transportation-related onshore facilities.

   b. To review and approve such plans for non-transportation-related onshore facilities under Section 4202(b)(4) of the OPA.

   c. To authorize non-transportation-related onshore facilities to operate without approved response plans for non-transportation-related facilities under Section 311(j)(5)(F) of

2. **TO WHOM DELEGATED.** Chief, Emergency Management Branch.

3. **LIMITATIONS.** None.

4. **REDELEGATION AUTHORITY.**

   a. This authority may be redelegated to the section chief level, or equivalent, and no further.

   b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. **ADDITIONAL REFERENCES.** None.

Betsy Smidinger

Betsy Smidinger, Director
Superfund and Emergency Management Division

9/6/19
Date