U.S. Department of Homeland Security
United States Coast Guard

Commander
United States Coast Guard
Sector New York

212 Coast Guard Drive
Staten Island, NY 10305
Phone: (718) 354-4001

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MAY 23 2016

MEMORANDUM

From: M. H. Day, CAPT
CG Sector New York (s)

Reply to Attn of: LCDR Parker (718) 354-4346

To: J. A. Boudrow
USCG Co-Chair, Regional Response Team Region II
First Coast Guard District (drmp)

Subj: TRANSFER OF FEDERAL ON-SCENE COORDINATOR RESPONSIBILITY

Ref: (a) New York/New Jersey Area Contingency Plan, Annex A

1. In accordance with ref (a), Sector New York has officially transferred On-Scene Coordinator authority to United States Environmental Protection Agency (U.S. EPA) Region II for incident Consolidated Edison – Farragut Transformer #3, CPN: C17049 for the following reason(s):

   (a) The hazardous substance response has transitioned from the emergency phase to a non-time critical removal action.

   (b) The U.S. EPA is better suited to coordinate the next phase in response due to the projected long-term site remediation and facility construction so the Responsible Party can maintain and fully implement a Spill Prevention, Control, and Countermeasure ("SPCC") Plan for the facility, in accordance with Oil Pollution Prevention regulations found at 40 C.F.R. Part 112.

   (c) The discharge/release has decreased within the coastal zone with no sheen observed during the past 10 days that included significant wet weather and only unrecoverable sheen observed within enclosed boom areas.

   (d) Incident specific situations with this response dictate that a formal transfer of On-Scene Coordinator responsibility is appropriate.

2. U.S. EPA's assumption of On-Scene Coordinator responsibility for this incident is effective May 24, 2017 at 0800 (local).

3. Any further questions or issues concerning this response shall be directed to On Scene Coordinator Chris Jimenez, U.S. EPA at (908) 420-4484.

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Enclosure: Statement of Agreement to Transfer Federal OSC Responsibility

Copy: United States Environmental Protection Agency
New York State Department of Environmental Conservation
New York City Department of Environmental Protection

Statement of Agreement to Transfer Federal On-Scene Coordinator (OSC) Responsibility Between the U.S. Coast Guard (USCG) and U.S. Environmental Protection Agency (EPA) within Region 2 (excluding Caribbean)*

Pursuant to the Demarcation of the Inland/Coastal Zone Boundary for Region 2, this agreement documents that the (EPA/USCG) OSC hereby transfers responsibility to the (EPA/USCG) OSC to take response measures deemed necessary to protect the public health or welfare or environment from the below indicated threat or actual discharge or release:

at (location): 89 John Street, Brooklyn, NY

from (source): CONSOLIDATED EDISON #3 FARRAGUT TRANSFORMER

To take effect on or about (time): 0800 , (date): 24MAY2017

and otherwise identified as (case name or number) MEP Pollution - Discharge of Oil/ConEd #3 Farragut Transformer/ MISLE Case # 1078021

This transfer of responsibility is (check one):

☒ from USCG Sector New York (Sector) to EPA Region 2 (Region number)

—OR—

☐ from EPA Region _____ (Region number) to USCG _____ (Sector)

It is hereby agreed:

That this delegation of responsibility is limited solely to the aforementioned incident.

That this transfer of responsibility to the accepting OSC is COMPLETE and will include all associated investigation, cleanup or removal, disposal, public relations, enforcement, incidental paperwork, filing of required reports, and all other responsibilities of the OSC under the National Oil and Hazardous Substances Pollution Contingency Plan (NCP).

That this transfer will further remain in effect until such time as the accepting OSC has determined that there is no further danger to the public health or welfare.

That this agreement does not preclude continued mutual support between EPA and the USCG as deemed appropriate for this incident.

Michael H. T

M. H. Day, CAPT
Commander, USCG Sector New York
COAST GUARD Federal OSC

MAY 23 2016
DATE

Eric Mosher, Chief
Response & Prevention Branch Chief, EPA Region II
EPA OSC

5/24/2017
DATE

* This document provided as a means, not the sole means, to document exchange of OSC responsibility. If this form is unavailable or OSCs are unable to exchange signatures due to incident circumstances, other communications can be used to effect and document a transfer.