

DEPARTMENTAL MANUAL



TRANSMITTAL SHEET

PART 207 DM 6 521 DM 1-3	SUBJECT DELEGATION/ ENVIRONMENTAL QUALITY PROGRAMS Natural Resource Damage Assessment and Restoration	RELEASE NUMBER 3221 Through 3224
FOR FURTHER INFORMATION CONTACT Office of Assistant Secretary — Policy, Management and Budget		DATE SEP 14 1998

EXPLANATION OF MATERIAL TRANSMITTED:

This Departmental Manual Release creates a new delegation, 207 DM 6, and a new policy section, 521 DM 1-3, to delegate authorities and prescribe Departmental policy and procedures for Natural Resource Damage Assessment and Restoration (NRDAR) activities pursuant to the Secretary's responsibilities as trustee for natural resources under CERCLA, CWA, and OPA.

The new delegation of authority established in 207 DM 6 and the procedures in 521 DM 2.2J(4) create a mechanism for designation of Authorized Officials (AOs) for specific NRDAR activities. A separate designation memorandum will provide for re-designation of AO authority for five specific NRDAR activities, four of which were previously delegated authority in DM chapters, and one in a site specific Memorandum of Agreement (MOA) listed below:

- 242 DM 4 - Fox River and Green Bay
- 242 DM 5 - Upper Arkansas River/California Gulch
- 242 DM 6 - Grand Calumet River/Indiana Harbor Canal
- 242 DM 8 - Whitewood/Creek and Downstream Waters
- MOA of June 11, 1992, Bunker Hill Superfund Site

This delegation of authority (207 DM 6) supersedes any previous delegations of authority to serve as AO for the conduct of natural resource damage assessment.


Assistant Secretary of the Interior

FILING INSTRUCTIONS:

Remove:

242 DM 4, 5, 6, and 8
(4 sheets)

Insert:

207 DM 6
(1 sheet)

521 DM 1-3
(8 sheets)

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Department of the Interior Departmental Manual

Effective Date: 9/14/98
Series: Delegation
Part 207: Limited Delegations
Chapter 6: Natural Resource Damage Assessment and Restoration

Originating Office: Office of the Assistant Secretary - Policy, Management and Budget

207 DM 6

6.1 Purpose. This Chapter delegates authority to Department officials to carry out responsibilities related to Natural Resource Damage Assessment and Restoration (NRDAR) activities, subject to the provisions of DM Part 521.

6.2 Authority. Delegations made in this Chapter are based on authorities provided by Section 2 of Reorganization Plan No. 3 of 1950 (64 Stat. 1262) and under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. §§ 9601 et seq.; the Oil Pollution Act of 1990 (OPA), 33 U.S.C. §§ 2701 et seq.; the Federal Water Pollution Control Act (FWPCA/CWA), 33 U.S.C. §§ 1251 et seq.; Section 1(c) of Executive Order 12580, as amended by Executive Order 12777; the National Contingency Plan, 40 CFR 300; and Interior and Related Agencies Appropriation Act, 1992 (P.L. 102-154), as amended.

6.3 Delegation.

A. Assistant Secretaries. NRDAR authorities of the Secretary of the Interior are delegated to all Assistant Secretaries. The Assistant Secretary - Policy, Management and Budget is delegated sole authority to promulgate natural resource damage assessment regulations and provide program management.

B. Heads of Bureaus. The authority granted to Assistant Secretaries in 6.3A of this Part to act on behalf of the Secretary as the authorized official in conducting NRDAR activities is delegated to the Director, U.S. Fish and Wildlife Service; the Director, National Park Service; the Deputy Commissioner of Indian Affairs; the Director, Bureau of Land Management; the Director, Minerals Management Service and the Commissioner, Bureau of Reclamation. This authority includes authority for NRDAR activities which cross functional lines or which are the responsibility of another bureau. Bureau Directors will designate representatives to the Executive Board (defined in 521 DM 2.2H) to act on their behalf.

C. Redefinition. The authority granted in 6.3B of this Part may be redelegated, but no lower than to the regional directors or equivalents. In those instances where the delegate has

been designated as the Authorized Official pursuant to 521 DM 2.2J(4), this authority includes authority for programs which cross functional lines or which are the responsibility of another bureau. The authority granted for program management is redelegated to the NRDAR Program Manager.

D. Limitation. Authority granted in 6.3A, B, and C of this Part is subject to the provisions of DM Part 521.