

## Department of the Interior Departmental Manual

---

**Effective Date:** 10/19/10

**Series:** Organization

**Part 112:** Policy, Management and Budget

**Chapter 30:** Office of Restoration and Damage Assessment

**Originating Office:** Office of Restoration and Damage Assessment

---

### 112 DM 30

**30.1 Office of Restoration and Damage Assessment.** The Office of Restoration and Damage Assessment (ORDA) is responsible for managing and administering the Department's Natural Resource Damage Assessment and Restoration (NRDAR) Program to restore natural resources under the Department's trusteeship that are injured as a result of oil spills in waters of the U.S. or hazardous substances releases into the environment. The Office manages the Department's Restoration Fund, develops guidance, policy and regulations to facilitate restoration and works in partnership with other affected State, tribal, and Federal natural resource trustee agencies to assess injured resources and then restore the public's loss and use of these resources.

### 3.2 Program Authorities.

- A. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, otherwise known as Superfund), as amended (42 U.S.C. §§ 9601, *et seq.*)
- B. Oil Pollution Act of 1990 (OPA) (33 U.S.C. §§ 2701, *et seq.*)
- C. Federal Water Pollution Control Act (FWPCA), as amended by the Clean Water Act (CWA) (33 U.S.C. §§ 1251, *et seq.*)
- D. National Oil and Hazardous Substances Pollution Contingency Plan (NCP), as amended (40 CFR Part 300)
- E. CERCLA Natural Resource Damage Assessments regulations (43 CFR Part 11), as amended
- F. OPA Natural Resource Damage Assessments regulations (15 CFR Part 990), as amended
- G. Executive Order 11514 – Protection and Enhancement of Environmental Quality
- H. Executive Order 11988 – Floodplain Management

10/19/10 #3877

New

- I. Executive Order 11990 – Protection of Wetlands
- J. Executive Order 12088 – Federal Compliance with Pollution Control Standards
- K. Executive Order 12580 – Superfund Implementation
- L. Executive Order 12777 – OPA Implementation
- M. Executive Order 12898 – Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations
- N. Executive Order 13007 – Indian Sacred Sites
- O. Executive Order 13016 – Amendment to Executive Order 12580
- P. Executive Order 13089 – Coral Reef Protection
- Q. Executive Order 13158 – Marine Protected Areas
- R. Executive Order 13175 – Consultation and Coordination with Indian Tribal Governments
- S. Executive Order 13186 – Responsibilities of Federal Agencies to Protect Migratory Birds
- T. Executive Order 13352 – Facilitation of Cooperative Conservation

30.3 **Functions.** The Office performs the following functions:

- A. Identifies and prioritizes Department-wide NRDAR Program needs and develops policy and guidance for approval by the Executive Board.
- B. Develops and manages the Department’s NRDAR Fund budget, manages financial operations to ensure fiscal accountability and produces financial reports.
- C. Calls meetings of the Work Group to develop annual funding priorities for NRDAR cases and recommends funding priorities the Executive Board for approval.
- D. Provides technical assistance in restoration planning, implementation and monitoring as requested by the Department’s Authorized Official for NRDAR cases.
- E. Evaluates the performance of Department-wide NRDAR activities including restoration of injured resources.

F. Coordinates the development and promulgation of the Department's CERCLA NRDA regulations and monitors developments in NRDAR law and practice that may affect these regulations.

G. Develops and maintains Department-wide NRDAR information management systems.

H. Provides periodic reports detailing the status and accomplishments of the NRDAR Program to the Executive Board.

I. Ensures consistency in implementation of NRDAR policies among Departmental bureaus and offices.

J. Provides NRDAR Program representation to elected officials, Federal and State agencies, Tribal governments, other public and private organizations and the general public.

K. Identifies and develops NRDAR training opportunities.

L. Identifies other NRDAR program needs and brings these needs to the attention of appropriate Departmental officials.

M. Provides input to the supervisors of Work Group members and other personnel funded by NRDAR program management funds for establishing standards and evaluating work performance pertaining to responsibilities in NRDAR Program management.

N. Manages the dispute resolution process in accordance with 521 DM 2.4.

O. Coordinates with the Solicitor and affected bureaus on Departmental settlement positions on bankruptcies.

#### 30.4 **Organization.**

A. Director. The office is headed by a Director who reports to the Deputy Assistant Secretary – Policy and International Affairs. The Director provides leadership and management for the Department's NRDAR Program and serves as the Department's principal contact for NRDAR policy and program issues (see attached organization chart). The Director's responsibilities also include:

(1) NRDAR Work Group. The Director chairs the NRDAR Program's Work Group which includes representatives from the Bureau of Indian Affairs, Bureau of Land Management, National Park Service, U.S. Fish and Wildlife Service, and the Office of Environmental Policy and Compliance.

(2) Executive Board. The Director serves as a non-voting member of the NRDAR Program's Executive Board which is responsible for overseeing policy direction and approving allocations of resources. The Executive Board is comprised of a representative at the Assistant

Director level for the Bureau of Indian Affairs, Bureau of Land Management, Bureau of Reclamation, U.S. Fish and Wildlife Service, and National Park Service; a Deputy Associate Solicitor; and the Director of the Office of Environmental Policy and Compliance.

B. Deputy Director.

(1) The Deputy Director reports to and assists the Director in all aspects of the Office activity.

(2) The Restoration Support Unit reports to and assists the Deputy Director in all aspects of natural resource restoration planning, implementation, and monitoring. It includes multi-disciplinary professionals and is located in Denver, Colorado.

C. Restoration Fund Manager. The Restoration Fund Manager reports to the Director and manages all aspects of the Department's Restoration Fund and develops annual Program budgets.

D. Assistant Director.

(1) The Assistant Director reports to and assists the Director in the operational aspects of the Office activities.

(2) The Operations Specialists report to the Assistant Director and provide assistance in all aspects of Program management. They are located in Philadelphia, PA, and Oakland, CA.

## Office of Restoration and Damage Assessment

