

Department of the Interior Departmental Manual

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Series: Delegation

Part 207: Limited Delegations

Chapter 6: Natural Resource Damage Assessment and Restoration

Originating Office: Office of Restoration and Damage Assessment

207 DM 6

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

6.2 **Authorities.** Delegations made in this Chapter are based on the following authorities:

A. Section 2 of Reorganization Plan No. 3 of 1950 (64 Stat. 1262).

B. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended (42 U.S.C. §§ 9601 et seq.).

C. Oil Pollution Act of 1990 (OPA), (33 U.S.C. §§ 2701-2761).

D. Federal Water Pollution Control Act (FWPCA) (also known as the Clean Water Act (CWA)) as amended, (33 U.S.C. §§ 1251 et seq.).

E. Section 1(c) of Executive Order 12580, as amended by Executive Order 12777.

F. National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR Part 300.

G. Interior and Related Agencies Appropriation Act, 1992 (P.L. 102-154), as amended.

6.3 Delegation.

A. Assistant Secretaries. The NRDAR authorities of the Secretary of the Interior are delegated to all Assistant Secretaries.

B. Assistant Secretary – Policy, Management and Budget is delegated authority to promulgate natural resource damage assessment and restoration regulations and provide program administration and management.

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(1) The authority of the Assistant Secretary – Policy, Management and Budget is redelegated to the Deputy Assistant Secretary – Policy and Environmental Management.

(2) Program administration and management authority is further delegated to the Director, Office of Restoration and Damage Assessment.

6.4 Authority to Act as the Authorized Official. Authority delegated to Assistant Secretaries to act on behalf of the Secretary as the Authorized Official in conducting NRDAR activities includes authority for NRDAR activities that cross functional lines or that are the responsibility of another Bureau. Such authority is delegated to:

- A. Deputy Assistant Secretary – Policy and Environmental Management.
- B. Director, U.S. Fish and Wildlife Service.
- C. Director, National Park Service.
- D. Director, Bureau of Indian Affairs.
- E. Director, Bureau of Land Management.
- F. Commissioner, Bureau of Reclamation.

6.5 Re-Delegation.

A. The authority granted in paragraph 6.4 above may be re-delegated to Executive-level officials (e.g., Regional Directors, State Directors, Program Directors, etc.) or other senior staff who can exercise the full authority of an Authorized Official for the NRDAR claim or matter for which they are designated to act pursuant to 521 DM 2.3.

B. Designation of senior staff is only intended for special circumstances. If the proposed Authorized Official designee is senior staff and not an Executive-level official, the delegation must have the continued approval of the Director, Office of Restoration and Damage Assessment and the Bureau Head (identified in paragraph 6.4 above) to ensure that the designee is fully empowered to make time-sensitive litigation, fiscal, and Department-level decisions that includes authority for programs that cross functional lines or that are the responsibility of another Bureau as specified in 521 DM 2.3.

6.6 Limitation. All authorities delegated in this chapter are subject to the provisions in 521 DM.