

STATE OF TEXAS
OIL AND HAZARDOUS SUBSTANCES POLLUTION
CONTINGENCY PLAN

Texas Water Quality Board
Hugh C. Yantis, Jr., Executive Director
August 1973

TABLE OF CONTENTS

	Page
I. Purpose	1
II. Scope	1
III. Definitions	1
A. Oil	1
B. Hazardous Substance	1
C. Pollution	1
D. Inland Waters	1
E. Coastal Waters	1
F. Minor Oil Spills	1
G. Medium Oil Spills	1
H. Major Oil Spills	2
I. Activity or Facility	2
J. Piston Film Herders	2
IV. Spill Discovery	2
V. Telephone Reports	3
VI. Oil Spills	5
A. Reporting	5
1. Minor Oil Spills	5
2. Medium and Major Oil Spills	6
B. Containment and Oil Removal	6
1. Responsibility	6
2. Containment	7
3. Oil Removal	7
4. Chemical Treating Agents	8
5. Equipment and Manpower	8
6. Cleanup of Beaches, etc.	8
7. Communications	8
8. Prevention of Oil Spills	9

	Page
VII. Hazardous Substances Spills	9
A. Discovery and Notification	9
B. Containment, Removal and/or Treatment	10
1. Hazardous Substances	10
2. Radioactive Materials	10
C. Prevention of Spills of Hazardous Substances	11
VIII. Contingency Plan Modifications	11
IX. Legal Action	11

APPENDICES

Texas Water Quality Board Field Offices
 Railroad Commission of Texas Field Offices
 Texas Parks and Wildlife Department Field Offices
 Texas State Department of Health Environmental Health Services Regional Offices
 Texas Air Control Board Regional Offices
 Oil Spill Control Associations
 Navigation Districts, Harbors or Ports
 Spill Prevention, Containment, Countermeasure Plan Guidelines
 Texas Water Quality Board Form 100 - Sewage or Hazardous Materials Accidental
 Discharge or Spill Report
 Texas Water Code, Section 21.091 - Accidental Discharges and Spills
 Rules of the Texas Water Quality Board Section 635. Accidental Discharges and Spills

STATE OF TEXAS
OIL AND HAZARDOUS SUBSTANCES POLLUTION
CONTINGENCY PLAN

I. Purpose

The purpose of this plan is to provide procedures for a coordinated response to spills or accidental discharges of oil or other hazardous substances into the waters or adjacent to the waters of the State of Texas by state agencies concerned with protection of the environment and the public health and welfare. It is also the purpose of this plan to outline methods by which such spills and accidental discharges will be reported to state agencies having regulatory responsibility over the activities and/or facilities involved in spills or accidental discharges.

II. Scope

This plan will be effective for all waters within the territorial limits of the State of Texas.

III. Definitions

- A. Oil - oil of any kind or in any form, including but not limited to petroleum, fuel oil, liquid hydrocarbons, sludge, oil refuse, carbon compound solvents, and oil mixed with wastes other than dredging spoil.
- B. Hazardous Substance - any substance other than oil, as defined, which, when spilled or accidentally discharged into the waters of the State of Texas, threatens the public health or welfare or causes pollution of the receiving waters.
- C. Pollution - the alteration of the physical, thermal, chemical or biological quality of, or the contamination of, any water in the State that renders the water harmful, detrimental, or injurious to humans, animal life, vegetation, or property or to public health, safety, or welfare, or impairs the usefulness or the public enjoyment of the water for any lawful or reasonable purpose.
- D. Inland Waters - generally those waters, including tidal inlets, upstream from coastal waters.
- E. Coastal Waters - generally coastal bays and those marine waters navigable by deep draft vessels.
- F. Minor Oil Spills - less than 24 barrels (1,000 gallons) in inland waters or less than 240 barrels (10,000 gallons) in coastal waters.
- G. Medium Oil Spills - from 24 barrels (1,000 gallons) to 240 barrels (10,000 gallons) in inland waters or from 240 barrels (10,000 gallons) to 2,400

barrels (100,000 gallons) in coastal waters.

- H. Major Oil Spills - more than 240 barrels (10,000 gallons) in inland waters or more than 2,400 barrels (100,000 gallons) in coastal waters.
- I. Activity or facility - includes any and all means of transport whether by pipeline, barge, ship or vessel, or other vehicle, as well as any stationary facility including, but not limited to, waste treatment facilities, tank farms, storage areas, sludge pits, and/or industrial solid waste sites.
- J. Piston Film Herders - oil spill collecting agents which, when applied to the surface of water at the periphery of spilled oil, spread as a monomolecular layer and drive the oil ahead, concentrating the oil and facilitating removal.

IV. Spill Discovery

Section 21.091 of the Texas Water Code and Section 635 of the Rules of the Texas Water Quality Board require that whenever an accidental discharge or spill occurs at, or from, any activity or facility which causes or may cause pollution, the individual operating, in charge of, or responsible for the activity or facility shall notify the office of the Texas Water Quality Board as soon as possible and not later than 24 hours after the occurrence.

Rule 635.3, Notice Through Another Agency, provides that, "In those situations, if notice is given in accordance with the applicable emergency or contingency plan, the individual responsible for giving notice need not additionally give notice to the office of the Board." In the past, the applicable contingency plan was the "State of Texas Basic Oil Spill Clean Up Plan."

Henceforth, reporting of spills and/or accidental discharges of oil or other hazardous substances which occur within the State of Texas shall be in accordance with this plan. Note: Nothing in this contingency plan absolves or excuses the party responsible for any spill or discharge from complying with applicable federal regulations concerning spills of oil or hazardous substances, or from the responsibility of reporting directly to the EPA or U. S. Coast Guard concerning such spills.

Except in the case of medium and major oil spills, where immediate telephone reports are required (see VI-A-2, page 6), upon discovery of any spill or accidental discharge of oil or other hazardous substance into or adjacent to the waters of the State of Texas, a telephone report shall be made as soon as possible and not later than 24 hours after the occurrence to any one of the following State of Texas agencies:

1. Texas Water Quality Board
2. Texas Railroad Commission

(for spills or accidental discharges of crude oil or natural gas closely associated with the production of crude oil or natural gas)

3. Texas Parks and Wildlife Department
(for spills or accidental discharges of any material which causes apparent adverse effect on fish or wildlife)

Upon receipt of telephone reports, the agency notified shall, as soon as possible, but not later than 24 hours, relay the information received to the Texas Water Quality Board central office. In turn, the Texas Water Quality Board will, depending on the significance of the spill or accidental discharge, notify other concerned State agencies as appropriate and either the federal Environmental Protection Agency or the U. S. Coast Guard, depending on the waters involved.

The Texas Water Quality Board has been designated by the Governor of Texas, in accordance with the provisions of the Water Pollution Control Act of 1972 (U. S.) and recent revisions to the National Oil and Hazardous Substances Pollution Contingency Plan, as the State of Texas agency to supervise state-authorized pollution removal operations. In addition, the Executive Director of the Texas Water Quality Board (or his representative) has been designated to represent the State of Texas on the Federal Regional Response Team created under authority of the federal contingency plan. Therefore, in all cases, reports of spills or accidental discharges shall be made to the Texas Water Quality Board either directly or through the Texas Railroad Commission or Texas Parks and Wildlife Department.

*what are
they
diff between
last st.*

The Office of the Governor shall also be alerted by the Texas Water Quality Board whenever there is a major oil spill or a significant spill of a hazardous substance.

V. Telephone Reports

Contents of telephone reports shall be as follows:

- A. where known, the name, address, and telephone number of the party in charge of, or responsible for, the activity or facility and of the party at the site of the spill or accidental discharge who is in charge of operations at the site;
- B. the exact location of the spill or discharge, including the name of the waters involved;
- C. the type of material spilled or discharged;
- D. an estimate of the quantity of material spilled or discharged;
- E. the extent of actual and potential water pollution; and

F. the steps being taken or proposed to contain and clean up the spilled or discharged material.

Persons within the concerned agencies to be notified are as follows:

Texas Water Quality Board

Kenneth C. Jurgens, Sr.	512/475-2786 or 452-3648
John B. Latchford, Jr.	512/475-2786 or 847-2571
Answering Service (nights and weekends)	512/475-2651

Texas Parks and Wildlife Department

Joe Mayhew	512/475-6113 or 441-3678
Robert L. Carlisle	512/475-4471 or 452-3749

Railroad Commission of Texas

Roy D. Payne	512/475-4639 or 452-7854
Jim Herring	512/475-4719 or 258-1794

Texas Department of Public Safety

Frank T. Cox	512/452-0331, ext. 295 or 892-0181
Jesse R. Ward	512/452-0331, ext. 295 or 452-2336

Texas State Department of Health

Wastewater Technology	512/454-3781, ext. 245, or 477-4666
Henry L. Dabney	

Sanitary Engineering	512/454-3781, ext. 264, or 453-2486
C. K. Foster	

Marine Resources	512/454-3781, ext. 267, or 345-0764
Dudley J. Johnson	

Texas Air Control Board

Emergency Action	512/454-6541 or 441-4164
Robert J. Mauel	

General Land Office

Wayne Oliver	512/475-4610
--------------	--------------

Office of the Governor of Texas

Joe Harris	512/475-2782 or 327-2056
Ward Goessling	512/475-2782 or 345-2764

Environmental Protection Agency - Region VI

Jerry Thornhill	214/749-3971
Wallace Cooper	214/749-3971
Emergency Response Number (24 hr. Number)	214/749-3840

United States Coast Guard

Sabine River Area COTP

Lt. Commander F. R. Peasley	713/971-2361
-----------------------------	--------------

Galveston Harbor Area COTP

Captain Sam R. Early	713/763-1635
----------------------	--------------

Houston Area COTP

Commander W. W. Waggett	713/672-6639
-------------------------	--------------

Corpus Christi Area COTP

Commander John E. DeCarteret	512/833-5511
------------------------------	--------------

Port Isabel Area COTP

Chief Warrant Officer L. G. Duke	512/943-2668
----------------------------------	--------------

VI. Oil Spills

A. Reporting

As indicated (see III. Definitions) oil spills are classified minor, medium or major spills, depending upon the volume of oil spilled and the waters which might be affected, i.e., inland or coastal waters. Procedures concerning reporting of oil spills are as follows:

1. Minor Oil Spills (see III Definitions, page 1)

- < 1000 gal inland waters*
< 10000 gal coastal waters
- a. Minor spills of crude oil, distillate, condensate and gas plant products closely associated with oil and gas production shall be immediately reported to the nearest Texas Railroad Commission District Office (see Appendix A, page 4). The Railroad Commission District Office, in turn, will report all such spills that reach surface waters of the State of Texas to the Railroad Commission Central Office in Austin. Spills in excess of 5 barrels, in sensitive areas involving surface waters will be reported as soon as possible by the Railroad Commission Central Office to the Texas Water Quality Board Central Office in Austin, Texas. The Railroad Commission will inform the Texas Water Quality Board of minor oil spills in excess of five barrels not in sensitive areas

by means of a copy of the Railroad Commission's monthly oil spill report.

- b. Minor spills of all other types of oil, i.e., oil or gas not closely associated with production, shall be immediately reported to the nearest Texas Water Quality Board District Office (see appendix A,1). The Texas Water Quality Board District Office will report all such spills to the Texas Water Quality Board Central Office in Austin on a completed spill report (form WQB-100, Appendix D) by mail at the end of the third business day following original receipt of notification.
 - c. The Texas Water Quality Board will inform its District Offices and other concerned state and federal agencies as appropriate.
2. Medium and Major Oil Spills (see III Definitions, page 1) *> 1000 gal inland*
> 10,000 gal coastal
- a. Medium and major spills of crude oil or liquid hydrocarbons closely associated with production of oil or gas shall be immediately reported to the nearest Texas Railroad Commission District Office and to the Texas Water Quality Board Central Office in Austin, Texas.
 - b. Medium and major spills of all other types of oil, i.e., not closely associated with production, shall be immediately reported to the Texas Water Quality Board Central Office in Austin, Texas.
 - c. The Texas Water Quality Board shall make immediate telephone contact with the Office of the Governor, the concerned Texas Water Quality Board District Office and all other concerned State of Texas agencies; the Environmental Protection Agency, Region VI; and/or the appropriate U. S. Coast Guard Captain of the Port.

B. Containment and Oil Removal

1. Responsibility - the party responsible for the activity or facility from which an oil spill occurs is responsible for the containment or cleanup of the spilled oil. In the case of a barge in the process of being moved by a tug, the operator of the tug is responsible for containment of any spilled oil. Removal or cleanup of the spilled oil is the responsibility of the registered owner of the barge and/or the owner of the oil being transported.

Where the origin of an oil spill is known, the responsible industry or source shall be officially contacted by the State of Texas agency in

charge, either the Texas Water Quality Board or Railroad Commission of Texas, and will be requested to initiate a maximum response toward oil pollution containment and removal. Assumption or responsibility by an insurance carrier will not be allowed to defer or impede removal of the pollutant.

Where the origin of an oil spill is unknown, containment and removal of the spilled oil is the responsibility of whoever is designated to undertake these tasks by either the U. S. Environmental Protection Agency or the U. S. Coast Guard. In the event neither of those agencies act to authorize oil removal operations, the State of Texas, through the Texas Water Quality Board as designated by the Governor of Texas and as authorized in 1972 by the Federal Water Pollution Control Act as amended and further, as provided in the National Oil and Hazardous Substances Pollution Contingency Plan, may authorize oil removal operations. In such cases the Texas Water Quality Board is also designated as the State of Texas agency to request reimbursement through the Environmental Protection Agency and/or the U. S. Coast Guard for reasonable costs incurred in state-authorized and supervised oil removal operations. Reimbursement, if approved by the U. S. Coast Guard, would come from the revolving fund administered by that Agency.

2. Containment - the initial thrust of cleanup action will be to halt the spread of spilled oil by floating booms or other similar devices.
3. Oil Removal - simultaneously with placement of containment devices, oil removal operations should be initiated using methods and/or equipment capable of removing the oil off the surface of the water and transferring it to a container for transport to a disposal site. In every case of oil removal operations, the removed oil pollutant must be disposed of in a manner or at a site acceptable to the Texas Water Quality Board District Office representative.

If burning is to be used as a removal or disposal method, clearance must be obtained from the Texas Air Control Board (see page 4 and Appendix A, 11 for telephone number.) Outdoor burning of spills should be done only as a last resort. If burning is necessary, the Texas Air Control Board should be informed regarding what is to be burned, the location and proximity to inhabited dwellings, the estimated duration of burning and the time at which burning will be conducted.

Oil removal and cleanup activities by the responsible industry or other source shall be to the satisfaction of the Texas Water Quality Board and/or Railroad Commission of Texas representative and cleanup activities shall not be considered as completed until approval by a representative

Of either agency, after consultation with the other, is given.

4. Chemical Treating Agents for Oil Spill Cleanup - the Texas Water Quality Board does not license or give prior blanket approval for the use of any chemical treating agent manufactured for the control or cleanup of spilled oil. ~~DISPERSANTS AND/OR SINKING AGENTS MAY NOT BE USED AT ANY POINT WITHOUT APPROVAL OF THE TEXAS WATER QUALITY BOARD OR TEXAS PARKS AND WILDLIFE DEPARTMENT REPRESENTATIVE ON THE SCENE.~~

Insofar as the use of "piston film" herders, the Texas Water Quality Board recognizes that the inherent value of these herders is in their prompt use in preventing the spread of spilled oil. Therefore, should the party responsible for a minor oil spill, or for the cleanup of a minor oil spill, elect to use a piston film herder without approval by a Texas Water Quality Board or Texas Parks and Wildlife Department local representative; he may do so but is not in any way relieved of legal responsibility for any adverse effects caused by the use of the piston film herder or the spilled oil.

5. Equipment and Manpower - the major source of equipment and manpower in the area affected by an oil spill is industry. Industry is prepared, and is continuing to improve its capability, to initiate cleanup action on any spill of oil or other hazardous substance. In the case of a minor oil spill, if deemed necessary by the responsible party, the nearest industry cooperative office (listed in Appendix B (1)) should be notified as early as practical. In the case of medium and major oil spills, the nearest industry cooperative should be notified as soon as possible.
6. Cleanup of Beaches, etc. - after an oil spill has been contained and oil has been removed from the affected waters to the greatest extent possible, further cleanup of beaches and other public property will be required. However, prior to cleanup in marshes or areas of submerged vegetation, persons responsible for cleanup activities shall consult with representatives of the Texas Parks and Wildlife Department and, where applicable, the General Land Office.

In the cleanup of boats and other private properties, the persons responsible for cleanup activities shall consult with the owners and arrange for permission to carry out necessary cleanup activities on those properties.

7. Communications - insofar as possible, appropriate persons, other than state or federal agencies, should be notified of the occurrence of an oil spill and its direction of movement so that individual protective efforts can be initiated by persons who might later be affected by spreading oil.

During and following the control of and removal of spilled oil, the Texas Water Quality Board and/or Railroad Commission of Texas will be responsible for keeping all concerned state agencies and others fully informed of the progress of the cleanup operations.

A final report on each major oil spill will be made by the Texas Water Quality Board to the Office of the Governor of Texas.

8. Prevention of Oil Spills - All operations in the State of Texas involving oil and gas exploration, production, transportation, and storage shall be in accordance with applicable rules and regulations of the Texas Railroad Commission and/or the Texas General Land Office. Additionally, storage of produced crude oil or gas in the State of Texas shall be pursuant to Texas Air Control Board Regulation V, Control of Air Pollution from Volatile Carbon Compounds. (Federal regulations concerning oil pollution prevention will be published in approximately October 1973.)

The storage of materials derived from petroleum, but not crude oil or gas closely associated with the production of crude oil or gas, as well as the storage of any other hazardous substance, shall be pursuant to specifications, rules and regulations of the Texas Water Quality Board where such specifications, rules, or regulations have been published and pursuant to Texas Air Control Board Regulation V, Control of Air Pollution from Volatile Carbon Compounds. Texas Water Quality Board Rules are presently being developed which will be concerned with design and equipping of petroleum product handling and loading docks and other facilities as well as facilities for storage and handling of other hazardous pollution substances, both inland and in the coastal zone.

VII. Hazardous Substances Spills

A. Discovery and Notification

Spills and/or accidental discharges of hazardous substances, upon discovery, shall be reported to the Texas Water Quality Board as soon as possible and not later than 24 hours via the following procedure:

1. Upon discovery of any amount of spilled or accidentally discharged hazardous substance, a telephone report shall be made to the Texas Water Quality Board District Office responsible for the county in which the spill occurred (see Appendix A, 1). Telephone reports shall contain as much of the information listed (see V. Telephone Reports) as possible. In the event it is not possible to contact the Texas Water Quality Board District Office, a report shall be made by telephone to

the Texas Water Quality Board Central Office in Austin, Texas (see IV. Spill Discovery, page 2).

2. Upon receipt of telephone notification by the Texas Water Quality Board District Office, if in the judgment of that office the spill or accidental discharge will cause a significant health hazard or have a major impact upon the receiving waters, the concerned District Office will make an immediate telephone report to the Texas Water Quality Board Central Office. Otherwise, in the case of spills of minor significance, the District Office will submit a routine spill report (form WQB-100, Appendix D) by mail at the end of the third business day following original receipt of notification.
3. Upon notification of a significant spill or accidental discharge of a hazardous substance, the Texas Water Quality Board Central Office will immediately initiate notification of other concerned state and federal agencies (see V. Telephone Reports, page 3). As previously stated, this will not absolve or excuse the party responsible for any spill or discharge from complying with applicable federal regulations concerning spills of oil or hazardous substances, or from the responsibility of reporting such spills or discharges directly to the Environmental Protection Agency or U. S. Coast Guard.

B. Containment, Removal and/or Treatment

1. Hazardous Substances

- a. The party or entity responsible for the activity, facility, or vehicle from which a spill of a hazardous substance occurs is responsible for containment, removal and/or treatment of the polluting substance.
- b. The responsible party shall take immediate action to contain, remove, or nullify the effects of the pollutant substance.
- c. Useful information regarding chemicals and methods by which spilled substances can be handled is available from the Chemical Transportation Emergency Center, telephone number 800/424-9300. It is the responsibility of the spiller to obtain such information and, where possible, to put the information to use as soon as possible but only after consultation with a representative of the Texas Water Quality Board.

2. Radioactive Materials

In the event of a spill or accidental discharge of any radioactive materials, the individual operating, in charge of, or responsible for the activity or

facility from which the spill or accidental discharge occurs shall notify the Texas State Department of Health in accordance with the procedures and requirements established by the department (see Appendix E, 2).

C. Prevention of Spills of Hazardous Substances

Every effort must be made by the party responsible for the storage, handling, or transportation of hazardous polluting substances to provide for spill prevention, containment of accidental spills and a countermeasure plan to be used in the event of an accidental spill or discharge. Failure to provide for such a plan may, upon consideration of the circumstances under which a spill or accidental discharge occurs, be deemed as negligence and be the basis for appropriate legal action pursuant to the provisions of the Texas Water Code. Guidelines for a Spill Prevention, Containment, and Countermeasure Plan are attached as Appendix C.

VIII. Contingency Plan Modifications

The State of Texas Oil and Hazardous Substances Pollution Contingency Plan is deliberately intended not to include all that is known about the availability of materials, supplies, or equipment to be used in pollution containment or removal operations. Such details are already listed in the pollution contingency plans of the Environmental Protection Agency (Region VI) and the United States Eighth Coast Guard District. However, it is anticipated that the State of Texas plan will be revised and enlarged from time to time as necessary.

IX. Legal Action

Nothing in this contingency plan precludes the State of Texas, any subdivision thereof, or any person or other entity from initiating legal action for injunctions, fines, or damages.

APPENDICES

TEXAS WATER QUALITY BOARD FIELD OFFICES

District 1

James A. Wilson, Supervisor
804 Bryan Street
Amarillo, Texas 79109

806/374-7152 or 355-7369

District 2

Raymond L. Mittel, Supervisor
2161 50th Street, Suite 105
Lubbock, Texas 79405

806/762-3847 or 795-9496

District 3

Joe Morgan, Supervisor
3221 Franklin
Waco, Texas 76710

817/753-3688 or 932-6323

District 4

Charles D. Gill, Supervisor
203 James Collins Boulevard
Duncanville, Texas 75116

214/298-6171 or 298-5029

District 5

Jimmy W. Starkey, Supervisor
Route 3, Box 24B (2207 Laird Hill Road)
Kilgore, Texas 75662

214/984-8923 or 984-6777

District 6

Clarence W. Moritz, Supervisor
Sabine River Authority Building
P.O. Box 157 (Junction Hwy. 90 & IH 10)
Orange, Texas 77630

713/883-2973 or 983-2805

District 7

Merton J. Coloton, Supervisor
2318 Center Street
Deer Park, Texas 77536

713/479-5981 or 471-6141

District 8

Robert Carter, Supervisor
D-202 Petroleum Center
900 NE Loop 410
San Antonio, Texas 78209

512/824-9549 or 826-1831

District 9

Kenneth W. Krueger, Supervisor
110 North Pierce
San Angelo, Texas 76901

915/944-2854 or 949-3204

District 10

Billy Boggs, Supervisor
602 South Cedar Street
Pecos, Texas 79772

915/445-3615 or 447-2298

District 11

John Sturgis, Supervisor
420 South Missouri Avenue
Weslaco, Texas 78596

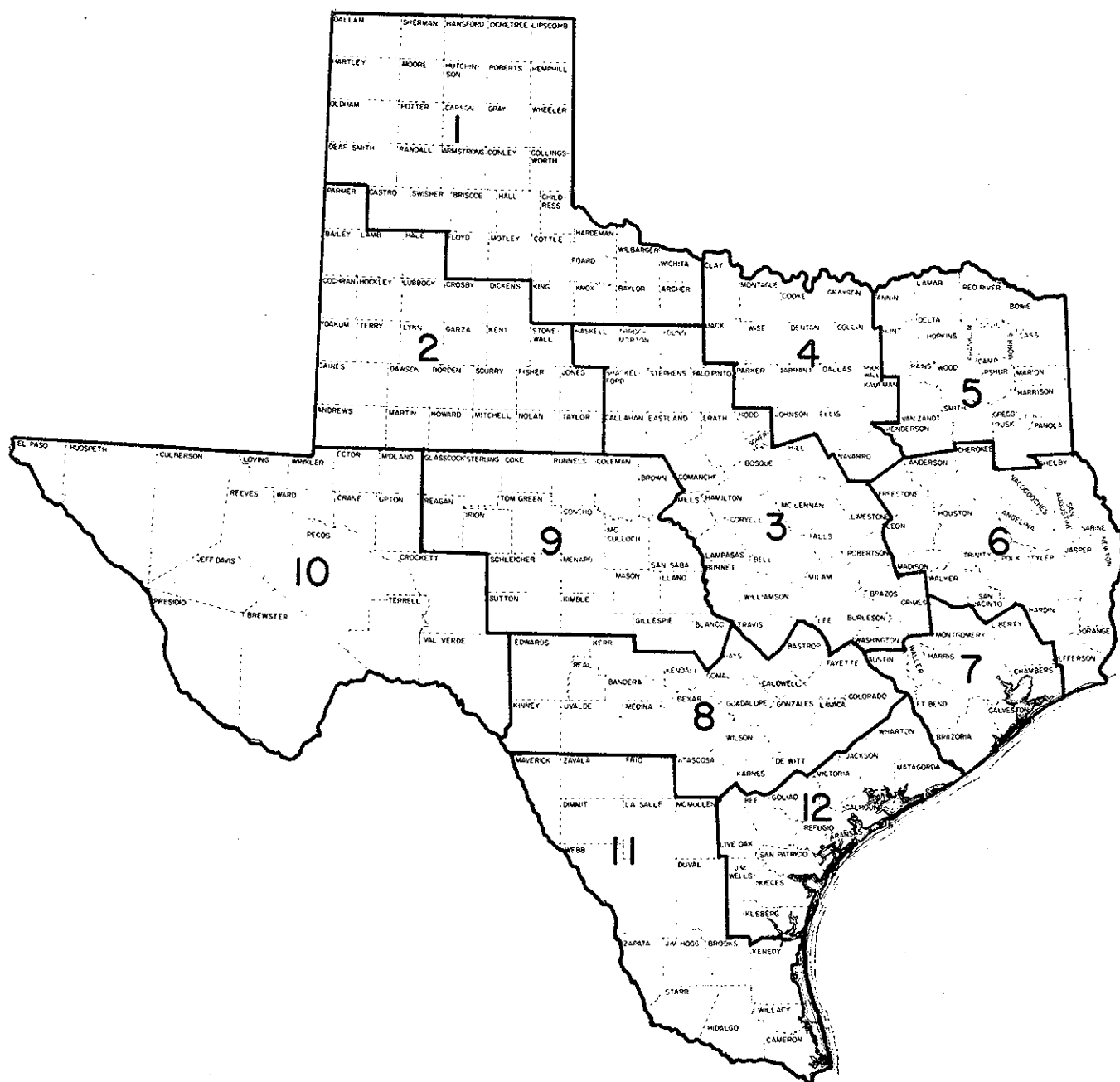
512/968-3165 or 968-7946

District 12

Henry P. Kutchinski, Supervisor
1201 North Chaparral Street
Corpus Christi, Texas 78401

512/882-2548 or 643-3819

TEXAS WATER QUALITY BOARD
FIELD OPERATIONS DIVISION
DISTRICT OFFICES



RAILROAD COMMISSION OF TEXAS FIELD OFFICES*

Districts 1 & 2

Robert E. Beatty, Jr., District Director
Eugene W. Day, Jr., Asst. District Director
812 Milam Building
San Antonio, Texas 78205

512/226-1371

District 3

Robert A. Taylor, District Director
Willis Steed, Asst. District Director
2000 K Governors Circle
Houston, Texas 77018

713/688-3461

District 4

Thomas G. Post, District Director
Bernard C. Eikel, Asst. District Director
Box 1821 Wilson Building
Corpus Christi, Texas 78403

512/882-2539

District 5 & 6

James E. Smith, District Director
Jimmy H. Morrow, Asst. District Director
Box 1170
Harris & Broadway
Kilgore, Texas 75662

214/984-3026

District 7B

Earl C. Burns, District Director
Mike Wills, Asst. District Director
P.O. Box 1681
316 First State Bank Building
Abilene, Texas 79604

915/677-3545

District 7C

M. W. Marshall, District Director
Leroy Parker, Asst. District Director
P.O. Box 2141
Continental Fidelity Life Insurance Building
San Angelo, Texas 76901

915/653-6776

District 8

Bill E. Watson, District Director
Archie P. Farr, Asst. District Director
Box 1110
105 West Wall - Oil & Gas Building
Midland, Texas 79701

915/684-5581

District 8A

Will Edd Parker, District Director
Selby E. Bryant, Asst. District Director
P.O. Box 536
2109 Avenue Q
Lubbock, Texas 79401

806/762-0426

District 9

Winston D. Tyler, District Director
Jules Delaune, Asst. District Director
520 Hamilton Building
Wichita Falls, Texas 76301

817/723-2153

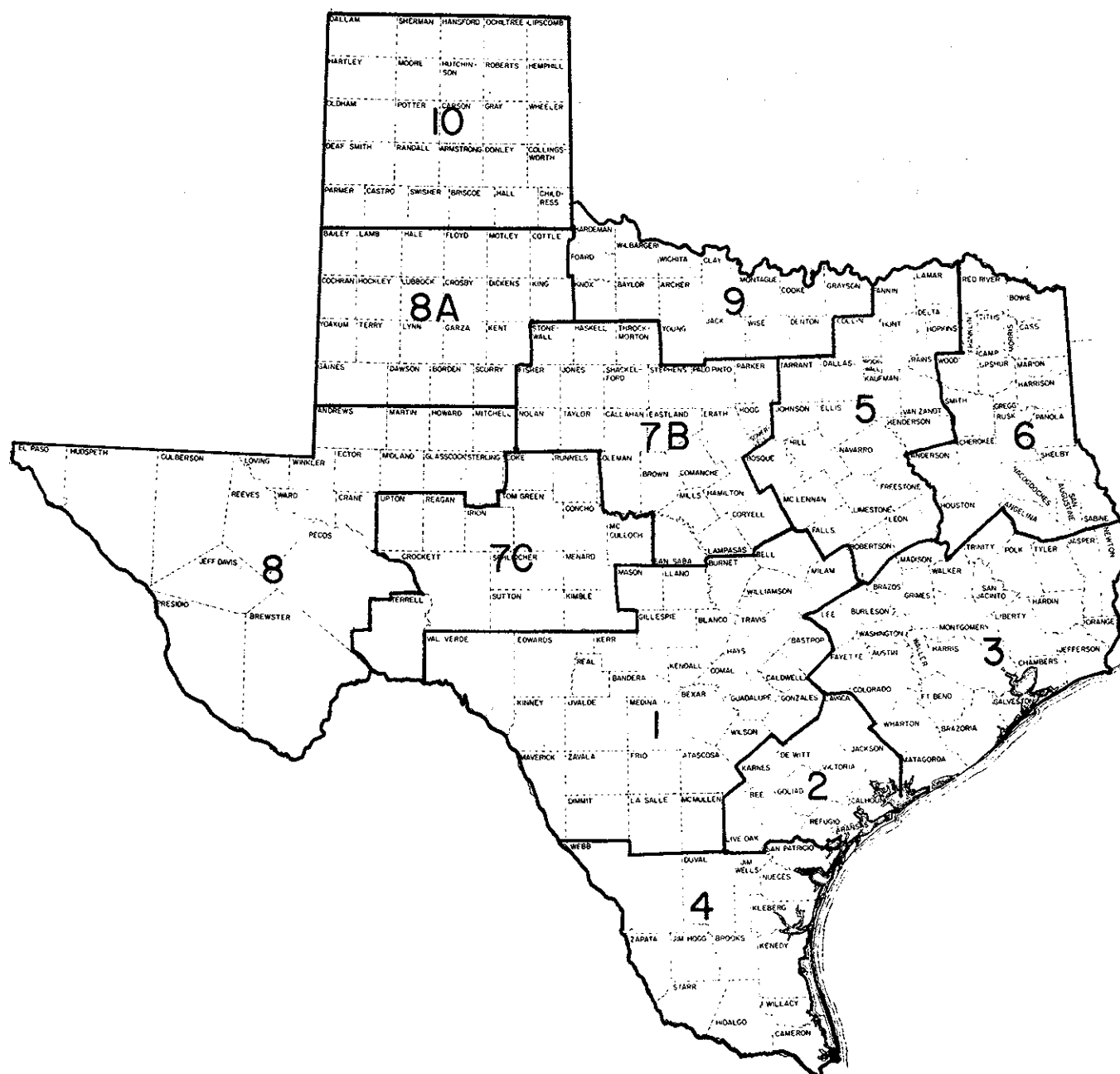
District 10

John B. Rogers, District Director
Clarence Stumpf, Asst. District Director
Box 941
Municipal Building
Pampa, Texas 79056

806/665-1653

*All telephone numbers listed are 24-hour numbers

RAILROAD COMMISSION OF TEXAS
OIL AND GAS DIVISION
DISTRICT OFFICES



TEXAS PARKS AND WILDLIFE DEPARTMENT

Region I

Ricky E. Rodrique
Drawer 1590
San Angelo, Texas 76901

915/653-3301 or 949-1268

Region II

Thomas E. Chandler
Box 4186
Waco, Texas 78705

817/799-2446 or 799-5827

Region III

Michael O. Green
Route 10, Box 532
Tyler, Texas 75701

214/566-2162 or 566-2260

Region IV

Charles E. Belaire
1018 Todville
Seabrook, Texas 77586

713/474-2811 or 471-1823

Kenneth N. Knudson
1018 Todville
Seabrook, Texas 77586

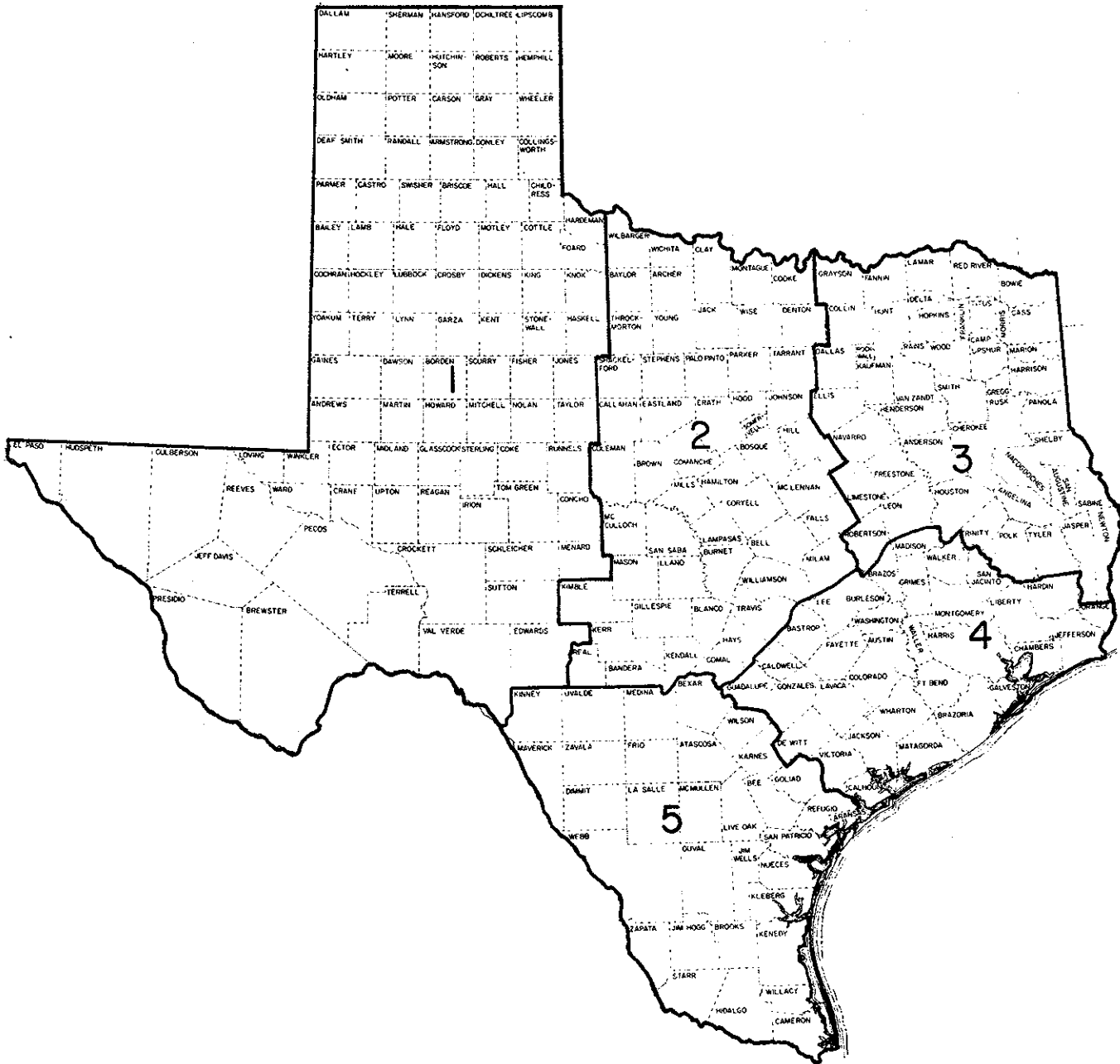
713/475-2811 or 471-2612

Region V

Roy W. Spears
715 S. Bronte
Rockport, Texas 78382

512/729-2328 or 758-3496

TEXAS PARKS & WILDLIFE DEPARTMENT
REGIONAL MAP



TEXAS STATE DEPARTMENT OF HEALTH
ENVIRONMENTAL HEALTH SERVICES
REGIONAL OFFICES

Region I

Ned V. Brookes, P.E.
3406 55th Street
Lubbock, Texas 79413

806/705-1046

Region II

Ronald Freeman, P.E.
1800 University Drive, Room 114
Fort Worth, Texas 76107

817/336-9241
Ext. 28

Public Health Region 3

A. Haneman, Jr., P.E.
P.O. Box 10736
El Paso, Texas 79905

915/779-3531

Region IV

Stanley Thompson, P.E.
P.O. Box 668
Rosenberg, Texas 77471

713/232-9081

Region VI

R. H. Weiss, P.E.
P.O. Box 408
Kerrville, Texas 78028

512/257-3188

Public Health Region 7

W. T. Ballard, P.E.
P.O. Box 2003
Tyler, Texas 75701

214/877-3111

Public Health Region 10

W. R. Johnston, P.E.
P.O. Box 592
Harlingen, Texas 78550

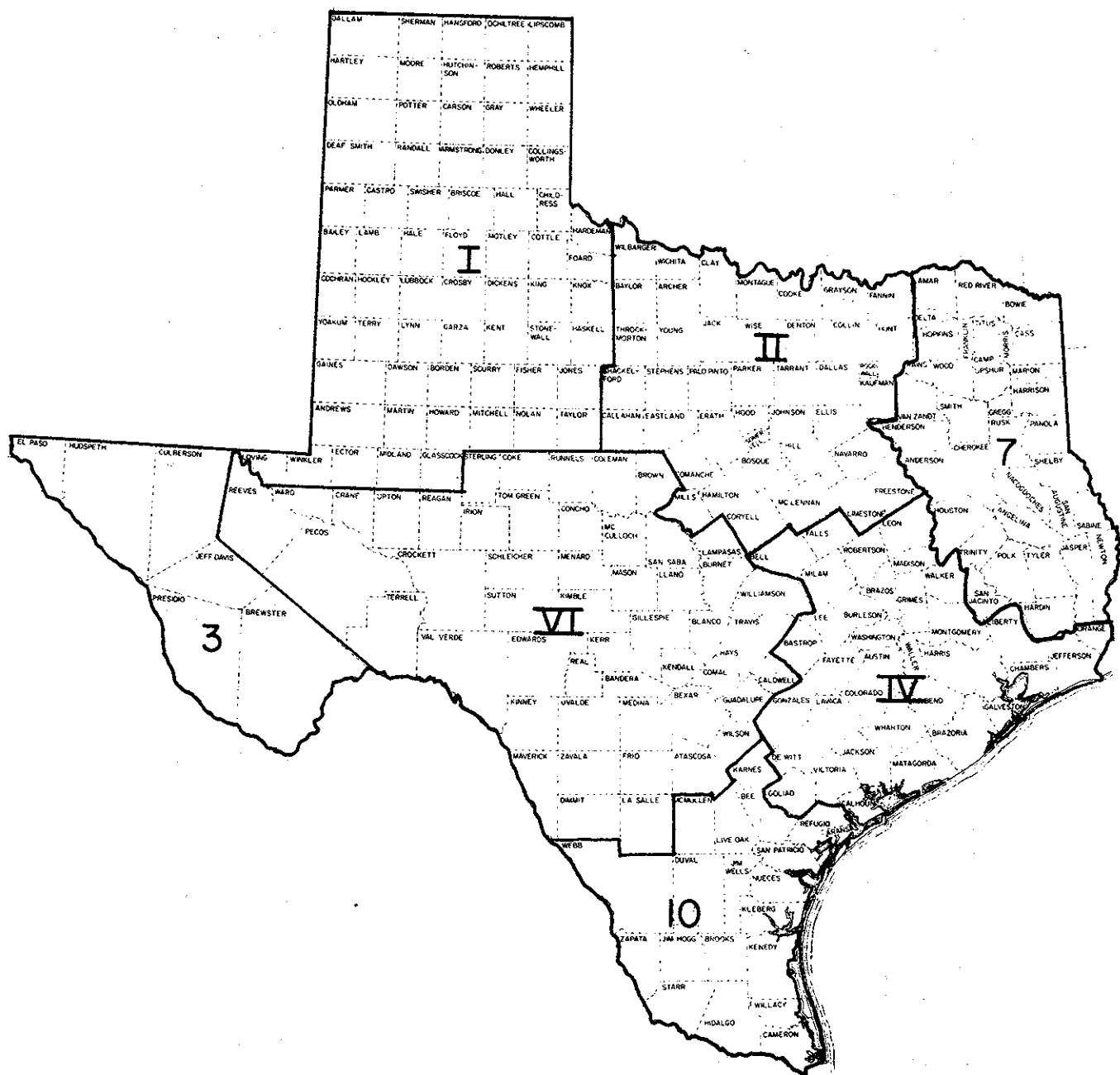
512/423-0130

La Marque Field Office

Don M. Brown, R.S.
P.O. Box 218
La Marque, Texas 77568

713/938-1891

TEXAS STATE DEPARTMENT OF HEALTH
ENVIRONMENTAL HEALTH SERVICES
REGIONAL OFFICES



TEXAS AIR CONTROL BOARD
REGIONAL OFFICES

Region I

George L. King, Jr.
Regional Supervisor
104 Pine
Alexander Building, Room 3
Abilene, Texas 79601

915/673-4768 or 698-1665

Region II

Vick Newsom
Regional Supervisor
1906 Fourth Street, Suite 1
Lubbock, Texas 79415

806/744-0090 or 795-5644

Region III

Eugene Fulton
Regional Supervisor
1512 Lake Air Drive, Suite 114
Waco, Texas 76710

817/772-9240 or 662-3726
772-9241

Region IV

Robert J. Guzman
Regional Supervisor
P.O. Box 2193
Harlingen Chest Hospital
Harlingen, Texas 78550

512/425-6010 or 423-0163

Region V

Lloyd Stewart
Regional Supervisor
1305 Shoreline Blvd., Suite 124
Corpus Christi, Texas 78401

512/883-2961 or 883-3009

Region VI

Charles Gregory Short
Regional Supervisor
808 Tower Street
Odessa, Texas 79760

915/337-1547 or 563-2628

Region VII

Carl E. Johnson
Acting Regional Supervisor
1307 Sandy Lane
Baytown, Texas 77520

713/427-9454 or 783-5789
427-9455

Region VIII

Melvin Lewis
Regional Supervisor
3915-A Highway 377
(Benbrook Hwy.)
Fort Worth, Texas 76116

817/732-5531 or 244-6368
732-5532

Region IX

James R. Menke
Regional Supervisor
1747 Mick Williams Drive
San Antonio, Texas 78209

512/828-1406 or 822-5588

Region X

Howard Baker
Regional Supervisor
80 Interstate 10 North
Dick Fulbright Building
Suite 210
Beaumont, Texas 77704

713/832-3441 or 786-1660
832-3442

Region XI

Ralph Woody Russell
Regional Supervisor
P.O. Box 10736
5308 El Paso Drive
El Paso, Texas 79996

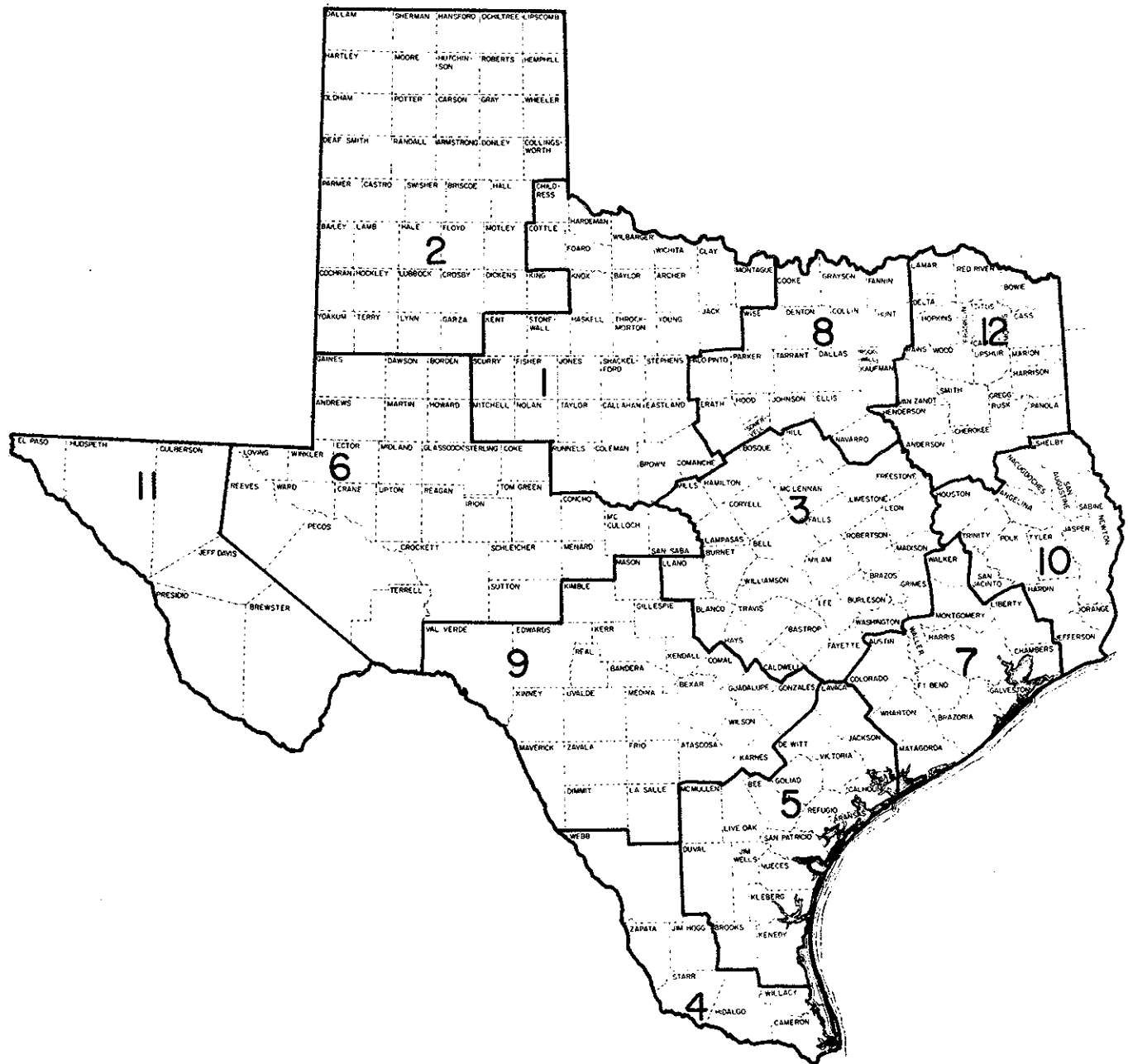
915/779-5838 or 584-8608

Region XII

Richard Leard, P.E.
Regional Supervisor
P.O. Box 2003
East Texas Chest Hospital
Tyler, Texas 75701

214/877-3111 or 592-6418

TEXAS AIR CONTROL BOARD
REGIONAL OFFICES



X

Oil Spill Control Associations - in the coastal areas of the State of Texas there are a number of oil spill control associations which may be of immediate assistance in mobilization of containment and oil removal equipment and materials as well as manpower. Their participation in emergencies may depend, in part, upon the location of an oil spill and upon contractual arrangement. Coastal areas where such organizations exist are as follows:

1. Orange-Beaumont-Port Arthur Area
Neches River Oil Control Committee
R. G. Sanders, Chairman 713/833-9411
2. Galveston Bay Area
Texas City Oil Spillage Contingency Program
D. M. Holbrook (Texas City Wharfmaster) 713/945-5011

Galveston-Trinity Producers Oil Spill
Control Cooperative
B. E. Tucker 713/626-4110 or 626-0230
- ✓ 3. Houston Ship Channel Area
Clean Channel Association
Robb Y. Rankin, Chairman 713/928-2401
Gordon J. Reno, Vice-Chairman *Chas Walls* 713/479-2311
4. Lavaca-Matagorda Bay Area
Lavaca-Matagorda Bay Oil Cooperative
L. A. Denton 512/882-8251
- ✓ 5. Corpus Christi Bay Area
Corpus Christi Area Oil Spill Control Association
Harry L. Franklin, General Manager 512/882-2656 or 991-5292
Harry Evans, Superintendent 512/882-2656 or 853-7831
Leroy Van Atten 512/882-2656 or 852-5183
6. Baffin Bay-Upper Laguna Madre Area
Baffin-Laguna Oil Control Cooperative
H. J. Flatt, Chairman 512/884-4571 or 991-9023
R. C. McMahan, Vice-Chairman 512/882-8831 or 854-7456

Navigation Districts, Harbors or Ports - Also in the coastal areas, it may be prudent to notify the manager or director of the concerned navigation district, harbor or port, of any spills of oil or other hazardous polluting substances. Persons to notify are as follows:

Beaumont Navigation District John W. Newton, Chairman	713/832-2323 or 835-7742
Port of Beaumont Navigation District of Jefferson County R. A. Coale, President John Groh, Port Director	713/832-0254 713/835-5367
Brazos River Harbor Navigation District E. L. Boston, Chairman Richard B. Swenson	713/233-2667 713/233-2667
Calhoun County Navigation District D. L. Buchanan	512/987-2813
Calhoun County Navigation District - Westside Walt Pilgram Jr., Chairman	512/785-2677 or 785-2676
Chambers-Liberty County Navigation District Vernon F. Poole, Chairman	713/267-3541 or 336-3686
Galveston County Navigation District No. 1 George C. Boller, Chairman	713/762-2988 or 763-2506
Harris County-Houston Ship Channel Navigation District Fentress Bracewell, Chairman	713/225-0671 or 223-5361
Matagorda County Navigation District No. 1 (Palacios) Ralph P. Newsom, Chairman	512/972-2567 or 972-2838
Matagorda County Navigation District No. 2 (Matagorda) Steve Parsutt, Chairman	713/245-5831 or 863-7882
Nueces County Navigation District No. 1 R. E. Sallee, Chairman	512/882-5633 or 884-6661
Orange County Navigation-Port District W. J. Butler, President	713/883-4363 or 883-8441
Port of Port Arthur Navigation District Capt. W. F. Fredeman, President	713/983-2011 or 962-8536
Port Isabel-San Benito Navigation District Stanley McKown, Chairman	512/943-2638 or 399-1872

Refugio County Navigation District No. 1

C. S. Boone, Chairman

512/526-2127 or 526-2911

San Patricio County Navigation District No. 1

E. B. Yeager, Commissioner

512/758-8092 or 758-3604

Victoria County Navigation District

Frank S. Buhler, Chairman

512/573-9191

Willacy County Navigation District

Frank Bell, III, Chairman

512/689-3332 or 262-1387

Brownsville Navigation District

Al Cisneros, Port Director

512/542-4351 or 546-6865

Ersel Lantz, Director of Engineering

512/542-4351 or 542-8764

X

GUIDELINES
SPILL PREVENTION, CONTAINMENT, AND
COUNTERMEASURE PLAN

The SPCC Plan should be a carefully thought-out plan which is technically sound, has the full approval of top management, and is well understood by operating personnel. If the plan calls for additional facilities or procedures not yet fully operational, these items should be discussed in separate paragraphs, preceded and followed by two asterisks; and the details of installation and operational startup should be explained separately in the Implementation Schedule.

The completed SPCC plan should follow the sequence outlined below, and include a discussion of the facility's compliance with the suggested recommendation.

1. Spill History and Notification Procedures.
 - a. Recent history of spills of oil or hazardous materials should be briefly described, particularly as they relate to current practices, or equipment or process changes which mitigate against recurrence.
 - b. In the event of a spill, the procedure should be described for notifying:
 - a) responsible facility management
 - b) private mutual aid groups
 - c) local and State authorities
 - d) EPA (and/or Coast Guard)
 - e) Outside contractors (for clean up, removal, restoration)

2. Spill Control

Recommendations for spill control are listed below.

- a. Whenever acids are maintained in bulk storage, an adequate supply of neutralizing material, such as caustic, lime, or shell, should be available on the plant property. The neutralizing agent should be stored as closely as practical to the acid storage area and in sufficient quantity to neutralize the contents of the largest capacity of acid contained in any one storage tank.
- b. A supply of personal protective safety equipment, such as rubberized coveralls, rubber boots, safety goggles, gas masks, and rubber gloves should be maintained for immediate use in convenient spill control locations.
- c. When lighter-than-water chemicals are handled and stored within the plant, an adequate length of flotation spill containment boom should be available with suitable means to position the boom strategically and thus confine the spilled material.

- d. When oil and/or non-miscible lighter-than-water chemicals are handled and stored within the plant, an adequate amount of absorbent material should be close at hand for treatment.
 - e. Each handler, transporter, or storer should ascertain the chemical treatment agents that have been approved by the State authorities, and an adequate supply of such agents should be stored at the plant for the treatment of chemical spills.
3. Plant Drainage

The following recommendations relative to plant drainage are also made:

- a. Drainage from diked storage areas should be valve-restrained to prevent a spill or other excessive leakage of a product into the drainage discharge or in-plant effluent treatment system.
 - b. Valves used for the drainage of diked areas should, as far as practical, be of manual, open-and-close design. The condition of the retained storm water should be determined before drainage, especially if such drainage of impounded waters goes into water courses and not into wastewater treating plants.
 - c. All plant drainage systems, if possible, should flow into ponds, lagoons, or catchment basins designed to retain materials less dense than water. Consideration should also be given to a possible chemical reaction, if spilled chemicals are commingled.
 - d. If plant drainage is not engineered as above, the final discharge of all in-plant drainage ditches should be equipped with a diversion system that could, in the event of an uncontrolled spill, be returned to the plant for treatment, the objective being to work toward a closed-cycle system.
 - e. Where drainage waters are chemically treated in more than one treatment unit, natural hydraulic flow should be used. If pump transfer is needed, two "lift" pumps should be provided, and at least one of the pumps should be permanently installed.
4. Marine Loading/Unloading

Relative to marine loading/unloading facilities, the requirements and regulations of the Department of Transportation should be met. The following recommendations should be emphasized:

- a. On at least an annual basis, all flexible hose lines should be subjected to hydrostatic testing. Inferior or discarded hoses should be removed from the dock area. Consideration should also be given to using hose lines

with an outer strain relief braid or using metal-constructed, articulated-joint transfer lines.

- b. When conditions permit, all ships and barges loading or unloading materials lighter-than-water should be effectively boomed in the area of material transfer. When tide and current conditions warrant such protection, "stand-offs" should be used to gain the fullest containment efficiency of the floating boom.
- c. Transfer pumps and flange connections should not be positioned directly above the water. When practical, such facilities should be positioned on shore and be confined within a suitable containment curb that will effectively contain material drips and spills.
- d. All dock-mounted pumps and pipeline connections should have catch trays positioned under the potential leak area, and such trays should be emptied and cleaned following each material transfer.
- e. Pressure-drop alarm and shut-off systems on the lines leading from the ship or barge should be provided so that losses from a line break will be held to a minimum.
- f. Adequate mooring lines forward and aft and crossed-spring lines should be secured to all ships to ensure a minimum of movement during loading-unloading operations.
- g. As far as practical, wooden decked docks with gaps between decking should be avoided as spills can drip between the decking. Preferably, full concrete or seawall-type marine loading-unloading facilities should be used. Such dock areas should be equipped with perimeter containment curbs complete with valve-type drains that can be opened to discharge rainwater and be kept closed to contain spills.
- h. Access to and from ships or barges should be such that the crews of the ships and/or barges have no occasion to pass in or around the loading/unloading control area; fenced areas should guide persons safely away from the loading/unloading facility.
- i. All terminal flange connections on marine dock facilities should be blanked or capped when not in service.
- j. All pump controls on marine docks should be secured in the closed position or electrically isolated when not in service.
- k. The practice of loading or unloading a barge or ship when such a barge or ship is tied outboard of another ship should be avoided. The fueling or bunkering of a ship with the fueling barge tied outboard of the other

should be avoided. When practical, the fueling ship and the fueling barge should be secured directly to the dock facility, using the marine terminal onshore line connections to transfer fuel or hazardous polluting substances.

- l. A direct line of communication, separate from other in-plant or outside telephone lines, should be provided between the marine loading/unloading facility and the immediate tank farm area.
 - m. "Slop" tanks should be provided at all marine loading/unloading facilities to safely contain the products of flexible hose line draining and, when practical, to contain polluted bilge water discharged from visiting ships and barges. Such tanks should be installed in a fire - and explosion-proof manner with adequate systems to prevent mixing of dangerously incompatible materials.
 - n. For the prevention of spills during flexible hose line connection and disconnection, butterfly valves should be installed immediately adjacent to the terminal flange connection: The valves will permit manual opening and closing of the hose line to retain products that cannot be drained from the line after product transfer.
5. Tank Car and Tank Truck Loading/Unloading

Relative to tank car and tank truck loading/unloading procedures, the requirements and regulations of the Department of Transportation should be met. The following recommendations should be emphasized:

- a. A system of containment curbs should be used for tank truck unloading areas, using ramps to provide truck access into the confines of the containment curb. The curb enclosure should be designed to hold at least the maximum capacity of any single tank truck loaded or unloaded in the plant.
- b. A trenching system should encompass each railroad tank car unloading area. The trench should be designed to carry away any spill to a catchment basin or holding pond, at least equal in capacity to the capacity of the largest tank car loaded or unloaded in the plant.
- c. As a fail-safe precaution, an interlocked warning light or physical barrier system, or warning signs, should be provided in loading/unloading areas to prevent vehicular departure before complete disconnect of flexible or fixed transfer lines.
- d. Prior to filling and departure of any tank car or tank truck, the lowermost drain and all outlets of such vehicles should be closely examined for leakage, and if necessary, tightened, adjusted, or replaced to prevent liquid leakage while in transit.

6. Bulk Storage Tanks

Relative to bulk storage tanks, the following recommendations are made:

- a. No tank should be used for the storage of oil or hazardous polluting substances, unless its material and construction are compatible with the material stored.
- b. All bulk storage tank installations should be planned so that a secondary means of containment is provided for the entire contents of the largest single tank. Dikes, containment curbs, and pits are commonly employed for this purpose, but they may not always be appropriate. An alternative system would consist of a complete drainage trench enclosure arranged so that the flow could terminate and be safely confined in an in-plant catchment basin or holding pond. Drainage into a storm drain or an effluent discharge that empties into an open water course, lake, or pond is acceptable, only after thorough analysis of the material ensures compliance with applicable water quality standards.
- c. Buried storage tanks represent a potential for undetected spills. A buried installation, when required, should be wrapped and coated to retard corrosive action. In addition, the earth should be subjected to electrolytic testing to determine if the tank should be further shielded by a cathodic protection system. Such buried tanks should at least be subjected to regular hydrostatic testing. In lieu of the above, arrangements should be made to expose the outer shell of the tank for external examination at least every five years. A means of conducting regular internal examinations of the tank at five-year intervals should be provided (down-hole television, etc.).
- d. Partially buried tanks for the storage of oil or hazardous materials should be avoided, unless the buried section of the shell is adequately coated, since partial burial in damp earth can cause rapid corrosion of metallic surfaces, especially at the earth/air interface.
- e. Above-ground tanks, depending on design (floating roof, etc.), should be subjected to integrity testing, either by hydrostatic testing, visual inspection, or by a system of non-destructive shell thickness testing. When the latter system of integrity testing is used, comparison records of shell thickness reduction should be maintained.
- f. The foundation and/or supports of all bulk storage tanks should be subjected to at least annual examination by a person with the technical competence to assess the condition of the foundation and/or supports.
- g. To control leakage through defective integral heating coils, the following factors should be considered and applied:

- (1) The past life span of internal steam coils should be determined, and a regular system of maintenance and replacement that does not exceed the anticipated life span should be established.
 - (2) To reduce failure from corrosive action, prolong life, and reduce replacement costs, the temperature and environment have to be carefully considered when selecting heating coil materials.
 - (3) The steam return or exhaust lines from integral heating coils which discharge into an open-water course should be monitored for contamination, or passed through a settling tank, or skimmer, etc.
 - (4) The feasibility of installing an external heating system should also be considered.
- h. Each bulk storage tank should be externally examined at least once a month. Each inspection should include an examination of seams, rivets, nozzle connections, valves, and pipelines directly connected to the tank.
- i. New and old tank installations should, as far as practical, be fail-safe engineered or updated into a fail-safe engineered installation. Consideration should be given to providing the following devices:
- (1) High liquid-level bell or horn alarms with an audio signal at a constantly manned operating or listening station; in smaller plants an audible air vent may suffice;
 - (2) Low liquid-level alarms with an audio signal at a constantly manned operating or listening station; such alarms should have a nonbypassing reset device that can be readjusted to a given operating level following tank fill or liquid removal;
 - (3) High liquid-level pump cutoff devices set to stop flow at a predetermined tank-content level;
 - (4) Direct audible or code signal communication between the tank gager and the pumping station;
 - (5) At least one fast response system for determining the liquid level of each bulk storage tank such as digital computers, telepulse, or direct vision gauges.
- j. "Normal" plant effluent should be constantly monitored by a proven monitoring system, and any deviation from normal should be engineered to

activate a visible readout recorder with an audible alarm that can be heard at a constantly manned operating or listening station. If practical, the monitoring device should be designed to operate a bypass to release the effluent discharge into a holding pond;

- k. Visible product leaks from tank seams and rivets should be promptly corrected.
 - l. Tanks should not be used with the knowledge that the "head" or "top" is in a corroded-through condition. Action should be taken to drain such tanks and repair the defective member as promptly as possible.
 - m. When practical, each bulk storage tank should be lettered (code or otherwise) or color-coded to indicate its chemical content, the Manufacturing Chemists Association or Department of Transportation coding being preferred, and the coding should duplicate those used for chemical transportation identification.
 - n. The use of wooden tanks should be confined to water storage and should be avoided for liquid chemical storage.
7. Solid Material Storage Pile and Drum Lots
- a. Piles of solid materials should be covered so as to prevent leaching by rain-water or snow, and so located that flood conditions will not dissolve or wash material into the waterways.
 - b. Solid material piles should be placed on impervious sheeting if ground water leaching could be a problem.
 - c. Metal and fiber containers should be loaded, stored, and unloaded so as to minimize possibility of container damage.
 - d. Metal and fiber containers should be stored in a covered area, off the ground in a manner which will preclude damage to the container and subsequent leakage. The area itself should be provided for drainage to a treatment facility in an analogous manner to diked storage tank areas.
 - e. If some containers contain corrosive substances, these should be stored so that leakage of these substances will not corrode through adjacent containers.
8. Pump and In-Plant Process and Transfer Pipelines
- Recommendations for pump and in-plant process and transfer pipelines are as follows:
- a. Each product pipeline should be clearly marked by lettering (coded or otherwise), color banding, or complete color coding to indicate the product transferred therein. The coding should conform with company policy or standard

plant practice which, in turn, should conform with state or federal requirements.

- b. Each oil or hazardous material product-fill line which enters a tank below the liquid level should have a one-way flow check valve located as closely as possible to the bulk storage tank. In addition to confining the product to the tank, in the event of valve or pipeline failure, the check valve should permit overhaul of the main shut-off valve and should aid in preventing shock loading of the pipeline and valves from a "slug" of the tank content caused by backflow into an empty fill line. As far as practical, the product flow in suction lines should be controlled by use of a positive displacement pump.
- c. Buried pipelines should be avoided. However, buried installations should have a protective wrapping and coating and should be cathodically protected if soil conditions warrant. A section of the line should be exposed and inspected annually. This action should be recycled until the entire line has been exposed and examined on a regularly established frequency. An alternative would be the more frequent use of exposable pipe corridors or galleries.
- d. When a pipeline is not in service, the terminal connection at the transfer point should be capped or blank-flanged, and marked as to origin.
- e. Wood to metal should be avoided as a pipeline support since it is apt to retain moisture and cause pipeline corrosion which, when coupled with the abrasive action caused by the pulsating action of the line, could cause line failure with resulting leakage. Supports should be designed with only a minimum point of surface contact that allow for the pulsating movement (expansion and contraction) of the line (i.e., rollers).
- f. All above-ground valves and pipelines should be subjected to a regular monthly inspection at which time the general condition of items, such as flange joints, valve glands and bodies, catch trays, pipeline supports, locking of valves, and metal surfaces, should be assessed.
- g. Elevated pipelines should be subjected to constant review to ensure that the height of vehicular traffic granted plant entry does not exceed the lowermost height of the elevated line; gate check-in and in-plant travel routes warrant attention in this respect.
- h. As far as practical, all pumps should be located as close as possible to the storage tank.
- i. Flapper-type drain valves should not be used to drain diked areas. Such drain valves should be of manual open and close design, and they should

be kept in the closed position when not in service. The drain lines from diked areas should drain directly or indirectly into treatment or holding tanks or ponds or catchment basins.

9. Security

Relative to security, the following recommendations are made:

- a. All plants handling, processing, and storing oil or hazardous materials should be fully fenced, and entrance gates should be locked and/or guarded when the plant is not in production or is unattended.
- b. The master flow and drain valves and any other valves that will permit direct outward flow of the tank's content should be securely locked in the closed position when not in use.
- c. The starter control on all oil and hazardous material pumps should be secured or electrically isolated in the "off" position when the pumps are in a nonoperating status.
- d. The terminal loading/unloading connections of oil and all hazardous material product pipelines should be securely capped or blank-flanged when not in service. This security practice should also apply to pipelines that are emptied of liquid content either by draining or by inert gas pressure.

**OIL, SEWAGE OR HAZARDOUS MATERIALS
ACCIDENTAL DISCHARGE OR SPILL REPORT**

Date _____

Time _____

Reported By _____ Report Received By _____

Receiving Waters _____

Location of Spill _____

_____ County _____

Extent of Pollution _____

Material Spilled _____ Amount _____ Recovered _____

PARTY RESPONSIBLE FOR SPILL: (Waste Control Order No. _____ Page _____)

Firm or Municipality _____

Individual (Name) _____ Phone No. _____

Address _____

CAUSE OF SPILL _____

PARTY RESPONSIBLE FOR CLEAN-UP:

Name _____ Phone No. _____

Address _____

TYPE OF CLEAN-UP _____

OTHER REMARKS _____

PERSONS AND AGENCIES NOTIFIED:

Executive Office _____ District Office No. _____

RRC _____ TP & WD _____ TSDH _____

Coast Guard _____ EPA _____

TEXAS WATER QUALITY ACT
SUBCHAPTER C. POWERS AND DUTIES

Section 3.30. ACCIDENTAL DISCHARGES AND SPILLS

a. As used in this section:

(1) "accidental discharge" means an act or omission through which waste or other substances are inadvertently discharged into water in the State;

(2) "spill" means an act or omission through which waste or other substances are deposited where, unless controlled or removed, they will drain, seep, run or otherwise enter water in the State; and

(3) "other substances" means substances which may be useful or valuable and therefore are not ordinarily considered to be waste, but which will cause pollution if discharged into water in the State.

b. Whenever an accidental discharge or spill occurs at or from any activity or facility which causes or may cause pollution, the individual operating, in charge of, or responsible for the activity or facility shall notify the office of the Board as soon as possible and not later than 24 hours after the occurrence.

c. Activities which are inherently or potentially capable of causing or resulting in the spillage or accidental discharge of waste or other substances, and which pose serious or significant pollutional threats, are subject to such reasonable rules or orders establishing safety and preventive measures which may be required shall be commensurate with the potential harm which could result from the escape of the waste or other substances.

d. The provisions in this section are cumulative of the other provisions in this Act relating to waste discharges. Nothing in this section exempts any person from complying with or being subject to any other provision of this Act.

RULES OF THE TEXAS WATER QUALITY BOARD

Section 635. ACCIDENTAL DISCHARGES AND SPILLS

RULE 635.1 DEFINITIONS: As used in this section:

- a. "Accidental discharge" means an act or omission through which defined waste or other substances are inadvertently discharged into water in the State.
- b. "Spill" means an act or omission through which defined waste or other substances are deposited where, unless controlled or removed, they will drain, seep, run or otherwise enter water in the State.
- c. "Other substances" means substances which may be useful or valuable and therefore are not ordinarily considered to be waste, but which will cause pollution if discharged into water in the State.

RULE 635.2 CORRECTIVE MEASURES REQUIRED: Whenever a spill or accidental discharge occurs which causes or may cause pollution, the person owning, operating, in charge of, or responsible for the activity or facility from which the spill or accidental discharge occurs shall immediately initiate and prosecute to completion appropriate and necessary steps to contain and clean up the waste or other substances.

RULE 635.3 NOTICE THROUGH ANOTHER AGENCY:

- a. GENERAL: From time to time, the Board and other agencies and departments of the State may establish joint emergency and contingency plans for the State covering spills and accidental discharges of certain materials or of certain types which come within the scope of this Section 635, and under which plan notice is required or authorized to be given to an agency other than the Texas Water Quality Board. In those situations, if notice is given in accordance with the applicable emergency or contingency plan, the individual responsible for giving notice need not additionally give notice to the office of the Board; otherwise, notice to the office of the Board shall be given as prescribed in Rule 635.4.
- b. RADIOACTIVE MATERIALS: In the event of a spill or accidental discharge of any radioactive materials, the individual operating, in charge of, or responsible for the activity or facility from which the spill or accidental discharge occurs shall notify the Texas State Department of Health in accordance with the procedures and requirements established by that department.

RULE 635.4 NOTICE TO BOARD:

- a. TIME: Except as provided in Rule 635.3 a., the individual operating, in charge of, or responsible for the activity or facility from which the spill or accidental

discharge occurs shall notify the central office of the Board as soon as possible and not later than 24 hours after the occurrence.

b. **MANNER OF GIVING NOTICE:** The notice shall be given in person or by telephone. If it is not possible to contact the central office of the Board in person or by telephone, the notice shall be sent by telegraph.

c. **CONTENTS OF THE NOTICE:** The notice shall contain:

(1) the name, address, and telephone number of the party in charge of or responsible for the activity or facility and of the party at the site of the spill or accidental discharge who is in charge of operations at the site:

(2) the location of the occurrence;

(3) the type of waste or other substances involved in the accidental discharge or spill;

(4) the quantity of the waste or other substances spilled or accidentally discharged;

(5) the extent of actual and potential water pollution; and

(6) the steps that are being taken or are proposed to contain and clean up the spill or accidental discharge.

RULE 635.5 ACTION BY THE AGENCY: The Executive Director or agency personnel acting under his direction will consult with the owner or persons responsible for the facility or activity involved in the spill or accidental discharge on proper methods to prevent any further water quality degradation and to clean up the affected area in the most expedient manner.

