

# TCEQ Spill Rules

## 30 TAC 327

CRG Texas Environmental Services, Inc.

Kevin Casler, RCAS, CAPM, LOSS  
John Hogue, P.G., CHMM, LPST-PM  
(713) 474-1570



# Spill Rules - Overview

- Spill Rules
- Applicability
  - Notification Requirements
  - Reportable Quantities (RQ)
  - Actions Required
  - Reporting

- TRRP
- UST / AST
- Preparedness

# Spill Rules - Overview

- Applicability
- Notification Requirements
- Reportable Quantities (RQ)
- Actions Required
- Reporting

- Drivers
- TRRP
  - UST / AST
  - Preparedness

# Applicability

- 30 TAC 327.1
  - “discharges or spills that result in a release to the environment within the territorial limits of the State of Texas, including the coastal waters of this state”
  - Exceptions
    - Crude oil, RRC, GLO (other rules apply)
    - Air only
    - Permitted discharges (required notifications)

# Notification Requirements (Texas)

- What is reportable? When must I report?
  - quantity  $\geq$  reportable quantity (RQ) in any 24-hour period
  - depending on substance, immediate to 24 hour notification
- Who to notify?
  - State Emergency Response Center
    - 1-800-832-8224
  - TCEQ Regional Office (during normal business hours)
  - National Response Center
    - 1-800-424-8802

# Notification Requirements (Federal)

- **Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)** - Certain hazardous substances (40 CFR 302.4) reported to the National Response Center (NRC) as soon as discovered
- **Emergency Planning and Community Right-to-Know Act (EPCRA)** extremely hazardous substance or a CERCLA hazardous substance, equal to or greater than its RQ, be reported if it results in exposure to people outside of the facility boundary.
- **Resource Conservation and Recovery Act (RCRA)** - hazardous waste can be reportable under CERCLA and EPCRA and should follow their notification requirements.
- **Clean Water Act (CWA)** - Spills that have polluted water can be reportable if the spill is a hazardous substance listed in 40 CFR 117 that meets or exceeds its RQ OR an oil spill into *certain listed waters*
- **Toxic Substances and Control Act (TSCA)** – spills containing polychlorinated biphenyls (PBCs) by concentration of 50 ppm or more ...

# Reportable Quantities (RQ)

- Hazardous substances –
  - Table 302.4 in 40 CFR §302.4
  - Spills or discharges into waters in the state
- Crude oil
  - On land -- 210 gallons (five barrels)
  - Into water -- quantity sufficient to create a sheen
- Other petroleum products and used oil
  - On land -- 25 gallons
  - On land from PST exempted facilities -- 210 gallons (five barrels)
  - Into water -- quantity sufficient to create a sheen
- Industrial solid waste or other substances -- 100 pounds

# Reportable Quantities

## (40 CFR 302.4 - Table 302.4)

Hazardous substance	CASRN	Statutory code†	RCRA waste No.	Final RQ pounds (Kg)
A2213	30558431	4	U394	5000 (2270)
Acenaphthene	83-32-9	2		100 (45.4)
Acenaphthylene	208-96-8	2		5000 (2270)
Acetaldehyde	75-07-0	1,3,4	U001	1000 (454)



# Actions Required

- Abate, contain, remove, manage (per Texas Risk Reduction Program [TRRP] / RG-411 Pet. Releases)
- Reporting
  - Initial notification
  - Written Report Within 30 days
  - 180 days / 180 day extension possible to complete
- Response action beyond 180 / 360 days - TRRP
- For UST/LPST (tanks)
  - Initial report of suspected releases within 24 hours of discovery
  - 30 days to investigate and confirm

# Reporting

- Details of the spill and supporting the adequacy of the response action
- Statement detailing that the response action is complete and a description of how the response action was conducted (narrative, photos, maps, data, etc.)
- If not completed, details of the on-going response actions, schedule for completion, request for extension, etc.

# Texas Risk Reduction Program (TRRP)

- 30 TAC 350
- Corrective action process ... protection of human health and the environment using a risk-based, tiered approach
- Affected Property Assessment (APAR)
- Response Action Plan (RAP)
- TCEQ-mandated report formats

# Texas Risk Reduction Program (TRRP)

- 30 TAC 350
- Corrective action **process** ... protection of human health and the environment using a risk-based, tiered approach
- Affected Property Assessment (APAR)
- Response Action Plan (RAP)
- TCEQ-mandated report formats

# UST / AST

- 30 TAC 334
- RG-411 *“Investigating and Reporting Releases from Petroleum Storage Tanks”*
  - Investigation, action levels, NAPL, system repair / removal, reporting schedule
- Contain and immediately clean up a spill, report within 24 hours, and begin corrective action
- Must immediately notify the agency if cleanup cannot be accomplished within 24 hours for spills < RQ / 25 gallons

# Preparedness

- Assess what you have ahead of time
- Know what rules apply to you
- Plan for a release
  - Determine which agency(s) require notification and what information is needed
  - Who is making the notifications?
  - Emergency response resources (TCEQ, EPA, USCG)
  - Training
  - Procedures
  - Practice / drills

# Questions / Contact Information

- CRG Texas Environmental Services, Inc.
  - Kevin Casler, RCAS, CAPM, LOSS
    - [kevin@crgtexas.com](mailto:kevin@crgtexas.com)
    - 713-517-7591
  - John Hogue, P.G., CHMM, LPST-PM
    - [john@crgtexas.com](mailto:john@crgtexas.com)
    - 713-818-2758

