

Appendix 5E

TNRCC Spill Prevention and Control Regulatory Requirements

Table 5E-1. TNRCC Spill Prevention and Control Regulatory Requirements

Regulatory Requirement	Longhorn ER Document Cross Reference	Comments on Compliance Status
<p>Chapter 327. Spill Prevention and Control 327.3 Notification Requirements a) Reportable discharge or spill b) Initial notification. Upon the determination that a reportable discharge or spill has occurred, the responsible person shall notify the agency as soon as possible but not later than 24 hours after the discovery of the spill or discharge.</p>	<p>Facility Response Plan (FRP) Vol. I, Sec. 3.2.5.2 FRP Vol. II, Sec. 3.3 County Notification Lists Initial Response Actions Checklist Emergency Response Plan (ERP) page 15</p>	<p>In compliance</p>
<p>(c) Method of notification. The responsible person shall notify the agency in any reasonable manner including by telephone, in person, or by any other method approved by the agency. The responsible person shall notify one of the following: (1) the State Emergency Response Center at 1-800-832-8224; (2) during normal business hours only, the regional office for the agency region in which the discharge or spill occurred; or (3) the agency at the agency 2-hour spill reporting number.</p>	<p>FRP Vol. II, Sec. 3.3</p>	<p>In compliance</p>
<p>(d) Information required in initial notification. (1) the name, address and telephone number of the person making the telephone report;</p>	<p>FRP Vol. I, Fig. 3.2-2</p>	<p>In compliance</p>
<p>(2) the date, time, and location of the spill or discharge;</p>	<p>FRP Vol. I, Fig. 3.2-2</p>	<p>In compliance</p>
<p>(3) a specific description or identification of the oil, petroleum product, hazardous substances or other substances discharged or spilled;</p>	<p>FRP Vol. I, Fig. 3.2-2</p>	<p>In compliance</p>
<p>(4) an estimate of the quantity discharged or spilled;</p>	<p>FRP Vol. I, Fig. 3.2-2</p>	<p>In compliance</p>
<p>(5) the duration of the incident;</p>	<p>FRP Vol. I, Fig. 3.2-2</p>	<p>In compliance</p>
<p>(6) the name of the surface water or a description of the waters in the state affected or threatened by the discharge or spill;</p>	<p>FRP Vol. I, Fig. 3.2-2</p>	<p>In compliance</p>
<p>(7) the source of the discharge or spill;</p>	<p>FRP Vol. I, Fig. 3.2-2</p>	<p>In compliance</p>
<p>(8) a description of the extent of actual or potential water pollution or harmful impacts to the environment and an identification of any environmentally sensitive areas or natural resources at risk;</p>	<p>FRP Vol. I, Fig. 3.2-2</p>	<p>In compliance</p>
<p>(9) if different from paragraph (1) of this subsection, the names, addresses, and telephone numbers of the responsible person and the contact person at the location of the discharge or spill;</p>	<p>FRP Vol. II, Table 3.2.1 FRP Vol. II, Sec. 4.2.1 FRP Vol. II, Sec. 4.3.1 County Notification Lists</p>	<p>In compliance</p>
<p>(10) a description of any actions that have been taken, are being taken, and will be taken to contain and respond to the discharge or spill;</p>	<p>FRP Vol. I, Fig. 3.2-2</p>	<p>In compliance</p>
<p>(11) any known or anticipated health risks;</p>	<p>FRP Vol. I, Fig. 3.2-2</p>	<p>In compliance</p>
<p>(12) the identity of any government representatives, including local authorities or third parties, responding to the discharge or spill; and</p>	<p>FRP Vol. I, Fig. 3.2-2</p>	<p>In compliance</p>
<p>(13) any other information that may be significant to the response action.</p>	<p>FRP Vol. I, Fig. 3.2-2</p>	<p>In compliance</p>

Table 5E-1. (Continued)

Regulatory Requirement	Longhorn ER Document Cross Reference	Comments on Compliance Status
(e) Update notification. The responsible person shall notify the agency as soon as possible whenever necessary to provide information that would trigger a change in the response to the spill or discharge.	FRP Vol. I, Sec. 3.2.5	In compliance
(f) Correction of records.	FRP Vol. I, Sec. 3.2.5	In compliance
(g) Notification of local governmental authorities.	FRP Vol. I, Sec. 3.2.5	In compliance
(h) Notification to property owner and residents. As soon as possible, but no later than two weeks after discovery of the spill or discharge, the responsible person shall reasonably attempt to notify the owner (if identifiable) or occupant of the property upon which the discharge or spill occurred as well as the occupants of any property that the responsible person reasonably believes is adversely affected.	FRP Vol. I, Sec. 3.2.5.2	In compliance
327.5 Actions Required (a) The responsible person shall immediately abate and contain the spill or discharge and cooperate fully with the executive director and the local incident command system. The responsible person shall also begin reasonable response actions which may include, but are not limited to, the following actions: (1) arrival of the responsible person or response personnel hired by the responsible person at the site of the discharge or spill;	FRP Vol. I, Sec. 2 FRP Vol. II, Sec. 4	In compliance
(2) initiating efforts to stop the discharge or spill;	FRP Vol. I, Sec. 3.2.4	In compliance
(3) minimizing the impact to the public health and the environment;	FRP Vol. I, Sec. 3.2.4	In compliance
(4) neutralizing the effects of the incident;	FRP Vol. I, Sec. 3.4	In compliance
(5) removing the discharged or spilled substances; and	FRP Vol. I, Sec. 3.4	In compliance
(6) managing the wastes.	FRP Vol. I, Sec. 3.4	In compliance
(b) Upon request of the local government responders or the executive director, the responsible person shall provide a verbal or written description, or both, of the planned response actions and all actions taken before the local governmental responders or the executive director arrive. The information will serve as a basis for the executive director to determine the need for: (1) further response actions by the responsible person;	ERP page 28 FRP Vol. II, Sec. 4 Initial Response Actions Checklist	In compliance
(2) initiating state funded actions for which the responsible person may be held liable to the maximum extent allowed by law; and	Not Longhorn responsibility	N/A
(3) Subsequent reports to the response actions.	ERP page 28	In compliance
(c) the responsible person shall submit written information, such as a letter, describing the details of the discharge or spill and supporting the adequacy of the response action, to the appropriate TNRCC regional manager within 30 working days of the discovery of the reportable discharge or spill. The documentation shall contain one of the following items:	ERP page 28 FRP Vol. I, Sec. 3.2.5.2	In compliance

Table 5E-1. (Continued)

Regulatory Requirement	Longhorn ER Document Cross Reference	Comments on Compliance Status
(1) A statement that the discharge or spill response action has been completed and a description of how the response action was conducted.	ERP page 28	In compliance
(2) A request for an extension of time to complete the response action, along with the reasons for the request.	ERP page 28	In compliance
(3) A statement that the discharge or spill response action has not been completed nor is it expected to be completed within the maximum allowable six month extension.	ERP page 28	In compliance

Note: All references to Volume II (Sugarland Response Zone) apply equally to Volume III (Hobbs Response Zone).