



2006 Compliance Assistance Conference



Spill Reporting (When Things Go Wrong)

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Session Overview

- ★ Ohio Spill Reporting
 - ★ Ohio Revised Code 3750
 - ★ Ohio Administrative Code 3750-25
- ★ Federal Reporting
- ★ How can I prepare for a spill?
- ★ Where can I get help?
- ★ Q&A



Ohio EPA Laws and Regulations for Reporting

- ★ Ohio Revised Code (ORC) 3750
- ★ Ohio Administrative Code (OAC) 3750-25



Ohio Revised/Administrative Code

- ★ ORC Section 3750.06(D)
 - ★ Verbal Notification
 - ★ Written Notice

- ★ OAC Rule 3750-25-25(A)
 - ★ Verbal Notification Requirements
 - ★ Written Notice Requirements



Relevant Definitions

- ★ The definitions that follow are taken from the Code of Federal Regulations (CFR), Ohio Revised Code (ORC) and Ohio Administrative Code (OAC).



Release



Release

Means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing of into the environment.

This includes, without limitation, the abandonment or discarding of barrels, containers, and other closed receptacles that contained any oil, hazardous chemical, hazardous substance or extremely hazardous substance.



Facility



Facility

Means all buildings, equipment, structures and other stationary items that are located on a single site or on contiguous or adjacent sites and that are owned or operated by the same person or by any person who controls, is controlled by, or is under common control with such person. For the purposes of §3750.06 of the ORC, the term also includes motor vehicles, rolling stock and aircraft.

Navigable Waters



Navigable Waters

Means all interstate waters, intrastate lakes, rivers and streams which are utilized by interstate travelers for recreational or other purposes and intrastate lakes, rivers and streams from which fish or shellfish are taken and sold in interstate commerce.



Oil



Oil

Means oil of any kind or in any form including, without limitation, petroleum, fuel oil, sludge, oil refuse and oil mixed with wastes other than dredged spoil. This definition includes animal and vegetable oils.



What is a Reportable Release in Ohio?

Important Note:

Just because a spill or release is considered non-reportable under state and federal law, does not mean it should go unreported to your company and/or supervisor. Nor does it mean the incident does not require clean-up action.



ORC 6111

★ ORC 6111.04

- ★ It is illegal to discharge to waters of the state without a valid permit.
- ★ A responsible party must take abatement actions to correct the release.
- ★ Unless you have a valid permit, there are no reporting requirements in ORC 6111.



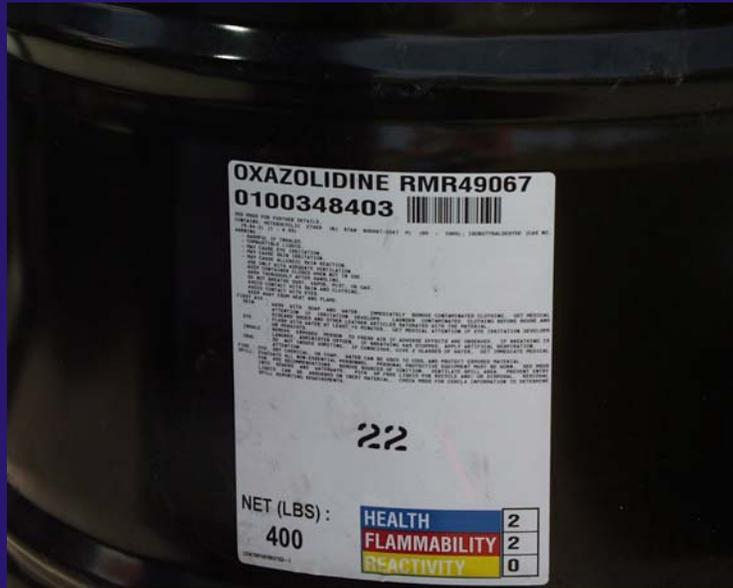
Oil Reporting



- ★ Oil on water, any visible sheen
- ★ Oil into environment, greater than 25 gallons
- ★ Crude oil from extraction storage facility, 210 gallons



Chemical Reporting



- ★ When chemical release exceeds the Reportable Quantity (RQ)
- ★ Quantities found on USEPA's Lists of Lists
 - ★ Extremely Hazardous Substances (EHS)
 - ★ CERCLA Hazardous Substances (HS)

“List of Lists” Example

NAME	CAS/ 313 Category Codes	Section 302 (EHS) TPQ	Section 304 EHS RQ	CERCLA RQ	Section 313	RCRA CODE	CAA 112(r) TQ
Hydrogen chloride (gas only)	7647-01-0	500	5,000	5,000	X		5,000



Reporting Criteria

- ★ Verbal Notifications
- ★ Written Notification
(30 day reporting)



Verbal Notifications

- ★ Within 30 minutes of discovery of release
 - ★ Local Fire Department
 - ★ Local Emergency Planning Committee (LEPC)
 - ★ Ohio EPA Director
 - ▶ Emergency Response Unit
 - # 800-282-9378



What To Report (Verbal)

- (1) The location of the release;
- (2) The chemical name or identity of any substance involved in the release and whether the substance is an extremely hazardous substance;
- (3) An estimate of the quantity of any substance released into the environment;
- (4) The time and duration of the release;
- (5) The environmental medium or media into which the substance was released;



What To Report (Verbal)

- (6) Any known or anticipated acute or chronic health risks associated with the release and, if known to the informant, advice regarding medical attention necessary for individuals exposed to the substance released;
- (7) Proper precautions to take as a result of the release, including evacuation and other proposed response actions, unless that information is readily available to the community emergency coordinator pursuant to the plan of the district prepared under §3750.04 ORC;
- (8) The name and telephone number of the person or persons to be contacted for further information.

Written Notification

- ★ Within 30 days of the release, a report must be sent to:
 - ★ LEPC
 - ★ State Emergency Response Commission (SERC) c/o Ohio EPA



What To Report (Written)

- ★ When
- ★ Location
- ★ Product released
- ★ Environmental impact
- ★ Monitoring & duration
- ★ Mitigation & containment actions
- ★ Prevention measures
- ★ Health risks
- ★ Permit numbers
- ★ Chronology
- ★ Documentation
- ★ Causes
- ★ Economic impact (optional)



Non-Reportable

- ★ Release of the chemical is confined solely within the facility
 - ★ (OSHA versus Environmental)
- ★ Consider the consequences of non-reporting
- ★ If the release is reported, then determined to be non-reportable, a 30 day follow up report is recommended.



Federal Reporting



- ★ Oil
 - ★ Visible sheen to navigable waterway
- ★ Chemical
 - ★ Exceed Reportable Quantity (RQ)
- ★ National Response Center (NRC)
 - ★ 800-424-8802

How Can I Prepare For a Spill?



Planning

- ★ Have a spill plan
 - ★ Include company emergency contacts
 - ▶ Have backups
 - ★ Contact list of outside agencies for spill notifications
 - ★ Know your resources (internal / external)
 - ★ Work with your local responders
 - ★ Pre-plan with your fire department

- ★ Spill Prevention / Spill Minimization



Who's In Charge



Know Who's Responding



Incident Command Unified Command



Documentation



Universal Ultra AR-AFFF Foam

MATERIAL SAFETY DATA SHEET

Emergency # (800) 424-9300

4251 Seminole Trail

Charlottesville, VA 22911 (434) 973-4361

Date: July, 2002

Section 1. CHEMICAL PRODUCT/COMPANY IDENTIFICATION

Material Identification

Product: Universal Ultra AR-AFFF Foam Extinguisher Charge

Synonyms: Alcohol Resistant Aqueous Film Forming Foam

CAS No: Mixture - No single CAS # applicable

Company Identification

Badger Fire Protection
4251 Seminole Trail
Charlottesville, VA 22911 (434) 973-4361

Section 2. COMPOSITION / INFORMATION ON INGREDIENTS

Components	CAS Number
Water	7732-18-5
(2-Methoxymethylethoxy)Propanol	34590-94-8
Proprietary mixture of synthetic detergents	No single CAS # available
Fluoroalkyl Surfactant	Confidential
Polysaccharide	11138-66-2

Section 3. HAZARDS IDENTIFICATION

Potential Health Effects

Inhalation
Not a hazard in normal industrial use.

Skin Contact
Contact with liquid may cause moderate irritation or dermatitis due to removal of oils from the skin.

Eye Contact
Product is an eye irritant.

Ingestion
No data available.

Additional Health Effects
Existing eye or skin sensitivity may be aggravated by exposure.

Carcinogenicity Information
No data available.

Section 4. FIRST AID MEASURES

Inhalation
No specific treatment is necessary since this material is not likely to be hazardous by inhalation. If exposed to excessive levels of airborne mists, remove to fresh air. Seek medical attention if effects occur.

Skin Contact
In case of skin contact, immediately flush skin with copious amounts of water for at least 15 minutes. Launder clothing before re-use. If irritation occurs, obtain medical attention.

Eye Contact
In case of eye contact, immediately flush eyes with copious amounts of water for 15-30 minutes. Retract eyelids often to ensure thorough rinsing. Contact a physician if irritation persists.

Ingestion
If swallowed, give victim plenty of milk or water to drink. Do not induce vomiting. Never administer anything by mouth to an unconscious person. Seek medical attention.

★ MSDS

★ Shipping papers

★ Manufacturer contacts



Know Your Drainage

- ★ Downstream watershed
- ★ Sanitary system
 - ★ Work with the local utilities



Know Your Drainage



- ★ Discharge points
- ★ Wildlife and sensitive areas
- ★ Containment locations

One last time.... Plan ahead!



Where Can I Get Help?

★ Ohio EPA

- ★ <http://www.epa.state.oh.us/>

- ★ Right-To-Know (Spill Reporting)

 - ▶ <http://www.epa.state.oh.us/dapc/serc/>

- ★ Ohio EPA District Offices

★ USEPA

- ★ <http://www.epa.gov/>



Questions?

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