



2008 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

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.



Release



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.

Facility



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.



Navigable Waters



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.



Oil



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

<http://www.epa.gov/ceppo/pubs/title3.pdf>

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**
 - ★ **Ohio EPA Director**
 - ▶ **Emergency Response Unit**
800-282-9378
 - ★ **Local Emergency Planning Committee (LEPC)**



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)
- ★ 3750.06 (E)
 - ★ This section does not apply to any release of an (EHS, HS, oil) from a facility that results in exposure to persons solely within the site or sites on which the facility is located



Non-Reportable

- ★ 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!



Cleanup Equipment, Methods and Terminology



Why Terminology is Important

Correct terminology is the key to knowledge and is the main aspect of professional communication.

A professional response and coordination of all impacted parties is severely hampered without the consistent and correct use of terminology.



Adsorbent vs. Adsorbent

- ★ **Absorbents** are materials that pick up and retain liquid distributed throughout its' molecular structure causing the solid to swell (50 percent or more). The absorbent must be at least 70 percent insoluble in excess fluid.
- ★ **Adsorbents** are insoluble materials that are coated by a liquid on its' surface, including pores and capillaries, without the solid swelling more than 50 percent in excess liquid



Absorbent Pads

★ “Spill Pads” (not just for spills)

★ “Diapers”



Absorbents



Absorbent Boom

★ “Pigs”



“Kitty Litter”

- ★ “Dry Granular Absorbent”
- ★ “Oil Dri[®]”
- ★ “Clay Absorbent”



Containment Boom

★ “Slick Boom” “Hard Boom” “Slick Bar”



“Political Boom”

- ★ Containment or absorbent boom placed within a waterway for the sole purpose of making someone “happy” that “something” is being done!
- ★ Used when there is no technical hope that any oil will be contained or recovered.

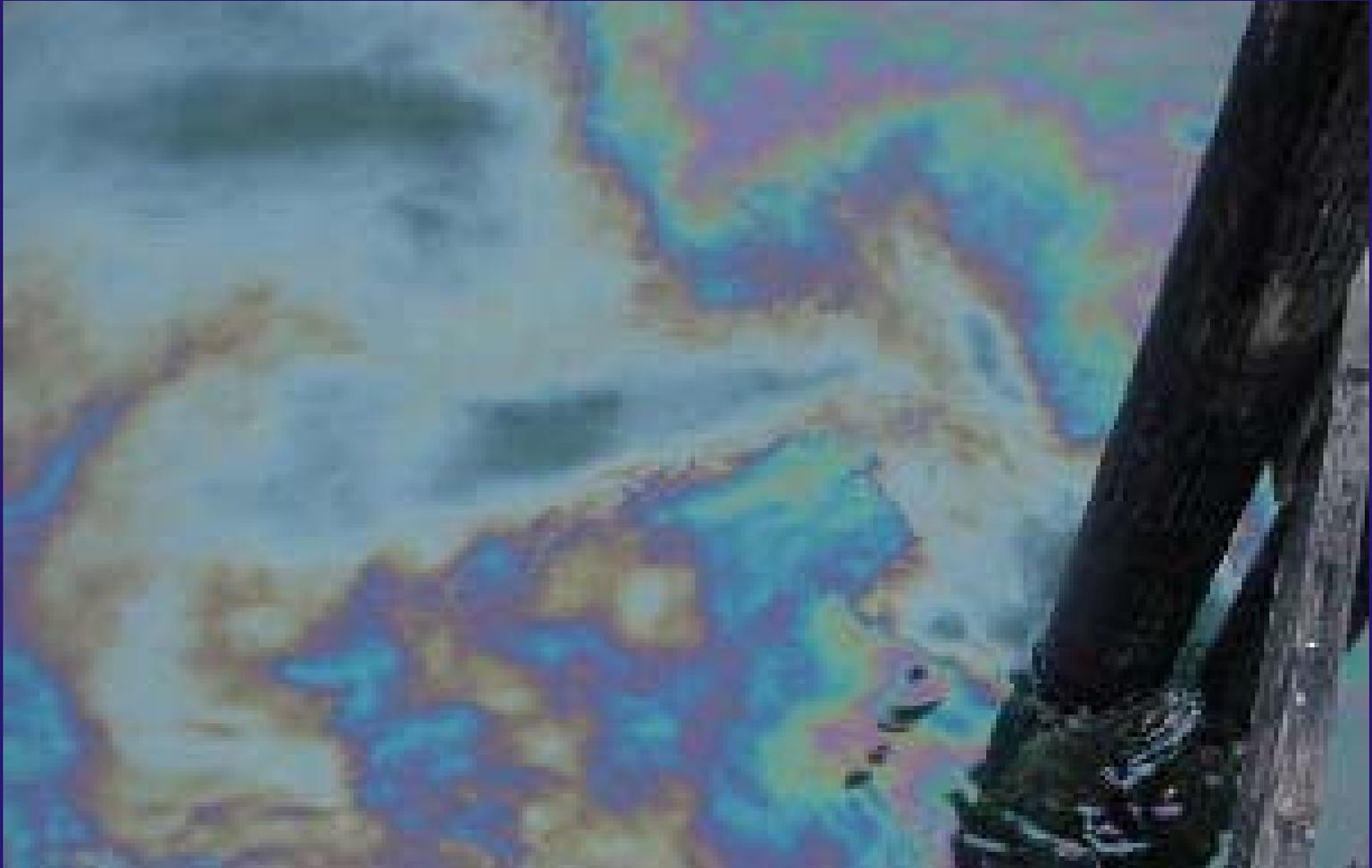


“Gross” & “Free Product”

- ★ “In the bulk, or the undivided whole; all parts taken together”
- ★ Large quantity, before weathering, emulsification, other cleanup



“SHEEN”



Moose?



Oooohhhh, Mousse?

(Emulsified Oil Can resulting in increase volume of oil by a factor of 3)



“Culbert”

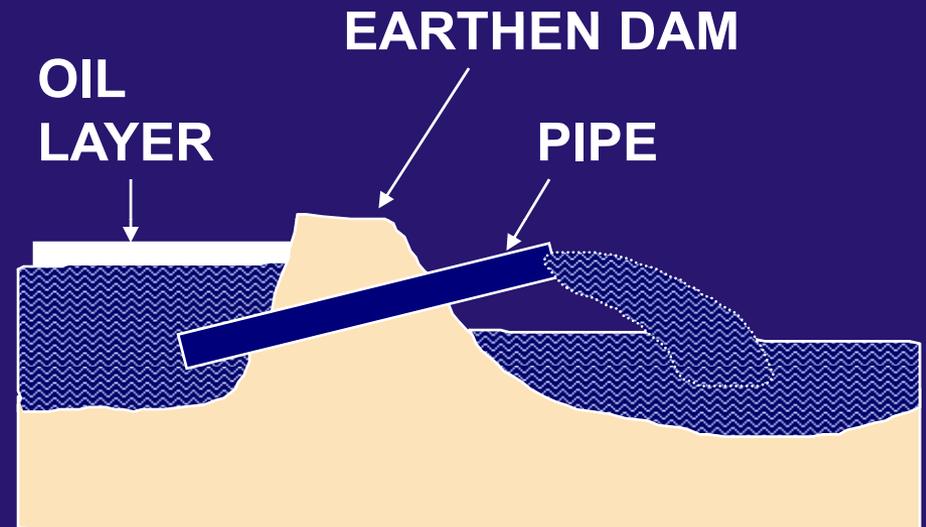
Culvert: A sewer or drain crossing under a road or embankment.



“Cipher Dams”

★ Siphon Dam

★ Underflow Dam



This is a DAMN!!!



“Bisqueen”

Poly Sheeting

- ★ **Visqueen- A 4 mil or 6 mil plastic sheeting. Polyethylene film vapor barrier. It usually comes in clear (opaque) or black.**
- ★ **A trade name owned by British Visqueen, UK (British Polythene Industries (BPI), the largest producer of polythene film products in the United Kingdom and in Europe.**



It's a "Sewer"

- ★ Storm Sewer: large pipes that transport storm water runoff from streets to natural bodies of water, to avoid street flooding.
- ★ Sanitary Sewer: type of underground carriage system for transporting sewage. Sewage is domestic, municipal, or industrial liquid waste products.
- ★ Knowing the type of sewer is critical so you know where the spilled material will go.



“Crick”

- ★ A painful cramp or muscle spasm, as in the back or neck
- ★ Same as “*Creek*”



“Biodegradable”

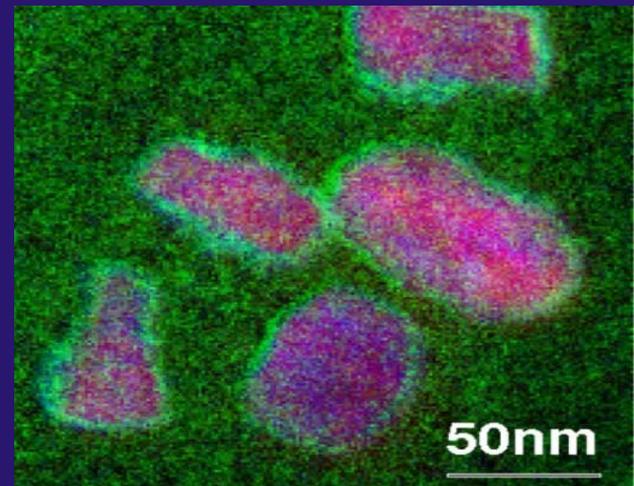
- ★ Capable of being decomposed by biological agents, especially bacteria
- ★ Not to be confused with surface washing agents, whose use is regulated by EPA and others.



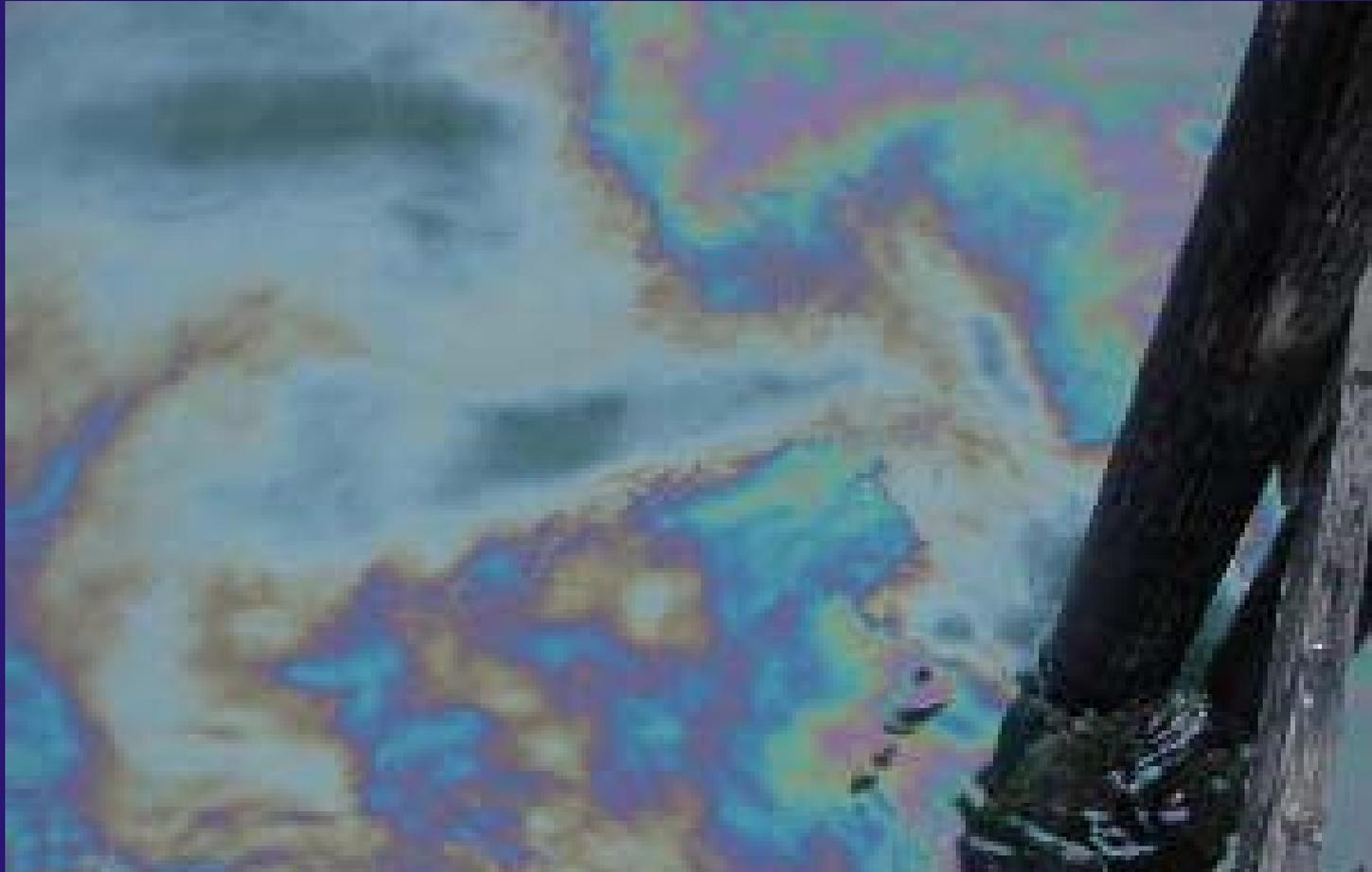
“Here Come the Bugs”

★ Bioremediation : Bacteria

Single-celled or non-cellular spherical or spiral or rod-shaped organisms lacking chlorophyll that reproduce by fission; important as pathogens and for biochemical properties; taxonomy is difficult; often considered plants



“It’s a SHEEN!”...or is it?



Pollen

Pollen from plants (like pine & cottonwood) can be found in late spring and in summer floating on and in water.



Pollen in and on water

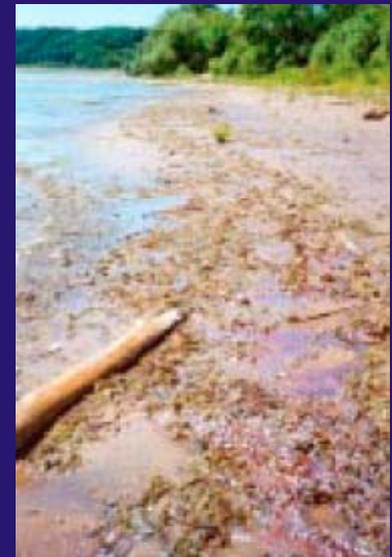


Pollen washing ashore

Algae “Allergy”



Bacteria



Some Myths

“EPA ERT will clean it up”

“Aren't **YOU**
going to clean
this mess up”

“I'm good, but
not **THAT**
good”



“The FD will clean it up”



**“You must be 40 hour
HAZWOPER trained to clean up
a spill”**



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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