Desk Statement

In coordination with TCEQ, the EPA issued an Administrative Order to the Intercontinental Terminals Company (ITC) under its authority of the Clean Water Act. The Order requires ITC to take immediate action to address imminent and substantial threats possibly posed by discharging materials from the facility to the nearby Bayou that could potentially contain Per- and Polyfluoroalkyl Substances (PFAS) . The Order also requires ITC to control air emissions at the incident and in surrounding communities. ITC will also be required to take any additional response actions as deemed necessary by the Federal On-Scene Coordinator.

Talking Points

- Using a federal enforcement order, the EPA is requiring ITC to address chemical releases into both air and water.
- The Order further helps federal, state and local emergency responders ensure the effective cleanup to protect human health and the environment by ITC.
- TCEQ also directed ITC to provide a response plan to address fire and vapor suppression, as well as how to safely dewater secondary containment to minimize environmental concerns and run off from the site.
- This Order requires ITC to conduct activities identified by the EPA for the current discharge and to mitigate any possible discharges that pose an imminent and substantial threat to the public or threaten nearby waters.
- EPA has instructed ITC to ensure the remaining material in the tanks is appropriately removed by any means necessary as to prevent a release of hazardous substances, pollutants or contaminants, or a discharge of oil or hazardous substances.
- EPA has instructed ITC to remove the spilled material, including oil, hazardous substances, and fire fighting foam from the facility ditch and downstream waters such as Tucker and Buffalo Bayous, and the Houston Ship Channel. Install the necessary barriers to prevent these materials, that potentially could contain PFAS from migrating further downstream;
- EPA has instructed ITC to prevent the release of air emissions that will exceed concentrations harmful to human health and the surrounding environment;
- EPA has instructed ITC to continue air monitoring activities to determine if a release of a hazardous substance that could be harmful to human health has occurred. If any release is detected, immediately notify the appropriate federal, state, and local agencies, so appropriate measures can be taken to protect the surrounding communities;
- Administrative Order uses EPA's authority under Sections 311(c), (e) and (m) of the Clean Water Act.