Message

From: Adams.Adam@epa.gov [Adams.Adam@epa.gov]
Sent: 6/13/2019 7:37:39 PM
To: Durant, Jennah [Durant.Jennah@epa.gov]
CC: Smalley, Bryant [smalley.bryant@epa.gov]
Subject: Re: Media inquiry--ITC wastewater

Under the CERCLA off-site rule, ITC asked EPA for a determination if SWSY was on the list of acceptable facilities. EPA reviewed and consulted with TCEQ and determined SWSY was on the list of acceptable facilities. A facility being on the acceptable list is separate from a facility being permitted to receive waste. TCEQ later clarified that SWSY did not have a current permit to receive wastes. According to SWSY, no ITC waste waters were discharged from SWSY.

Sent from my iPhone

On Jun 13, 2019, at 2:18 PM, Durant, Jennah <Durant.Jennah@epa.gov> wrote:

> I checked with TCEQ on this inquiry and they said the reporter has contacted them about this issue as well. Here is their response:
>
> Treatment and disposal of the incident water is not authorized under the TPDES permit Southwest Shipyard holds nor did TCEQ approve Southwest Shipyards to treat and dispose of the incident water.
>
> Here is a draft EPA response. Let me know what you think or if you have edits:
> The Unified Command initially approved ITC to send wastewater to the Southwest Shipyards under the CERCLA's rules for off-site disposal of hazardous waste. TCEQ later clarified this was not covered under the facility's National Pollutant Discharge Elimination System permit, and the wastewater was returned to ITC. No wastewater from the ITC response was processed at Southwest Shipyards.
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> **From:** Smalley, Bryant
> **Sent:** Tuesday, June 11, 2019 7:36 PM
> **To:** Durant, Jennah <Durant.Jennah@epa.gov>
> **Cc:** Carroll, Craig <Carroll.Craig@epa.gov>; Crossland, Ronnie <Crossland.Ronnie@epa.gov>; Adams, Adam <Adams.Adam@epa.gov>
> **Subject:** RE: Media inquiry--ITC wastewater
>
> Jennah – will you be in tomorrow? Let us know what time works and Adam and I will give you a call.
>
> Bryant
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>
> **From:** Crossland, Ronnie
> **Sent:** Tuesday, June 11, 2019 2:58 PM
> **To:** Durant, Jennah <Durant.Jennah@epa.gov>; Smith, Monica <smith.monica@epa.gov>
> **Cc:** Smalley, Bryant <smalley.bryant@epa.gov>; Carroll, Craig <Carroll.Craig@epa.gov>
> **Subject:** RE: Media inquiry--ITC wastewater
>
> Jennah,
>
> I am copying Bryant Smalley on this email. He or the State of Texas are the more appropriate contacts.
>
> Thanks

Ronnie

From: Durant, Jennah
Sent: Tuesday, June 11, 2019 2:03 PM
To: Crossland, Ronnie <Crossland.Ronnie@epa.gov>; Smith, Monica <smith.monica@epa.gov>
Subject: Media inquiry--ITC wastewater

Hi Ronnie and Monica—

A reporter sent the inquiry below on ITC wastewater. Can you help with this?

Jennah
x2287

I'm trying to figure out how it came to be that ITC sent a barge loaded with wastewater from the incident to Southwest Shipyard. It is my understanding that EPA, in conjunction with TCEQ, initially determined the Shipyard was approved or accepted to receive the wastewater. Later on, TCEQ confirmed the Shipyard did not have the appropriate permit to accept the barge. Could you please provide information as to what happened?