To: Parent, Suzanne[Parent.Suzanne@epa.gov]
From: Ajl, Diane
Sent: Wed 3/26/2014 3:06:14 PM
Subject: FW: SPCC Question regarding WV Spill

Hi there –

Fyi –

Thx.

From: Armstrong, Joan
Sent: Wednesday, March 26, 2014 10:53 AM
To: Melvin, Karen; Rodrigues, Cecil
Cc: Ajl, Diane
Subject: SPCC Question regarding WV Spill
Importance: High

FYI, See email string. HQ received request/question through Region 6. HQ handled this. They did let me know that they were handling it on Friday.

Joan Armstrong

Oil & Prevention Branch

Hazardous Site Cleanup Division

U.S. Environmental Protection Agency

1650 Arch Street, Mail Code 3HS61

Philadelphia, PA 19103

(215)814-3155 (direct line)

(215)814-3005 (fax)

From: Howard, MarkW
Sent: Wednesday, March 26, 2014 10:49 AM
To: Armstrong, Joan
Cc: Matthiessen, Craig; Ruhl, Christopher; Jennings, Kim
Subject: FW: SPCC Question
Importance: High

Joan, please find attached a response to a question R6 forwarded to HQ for a response regarding the SPCC rule and the WV incident. The response was reviewed by OGC and OEM management. Feel free to call with any questions.

From: Howard, MarkW
Sent: Wednesday, March 26, 2014 10:44 AM
To: Ex. 6 - Personal Privacy
Cc: Ruhl, Christopher; Perry, Chris; Matthiessen, Craig; Bove, James
Subject: RE: SPCC Question

I am replying to your email on behalf of our EPA Region 6 office. The chemical discharged into the Elk River in West Virginia is not considered an oil and therefore the container (tank) storing this chemical is not subject to the Spill Prevention Control and Countermeasure (SPCC) rule requirements (40 CFR part 112). As a result, this container is not required to meet the SPCC rule's secondary containment requirements. However, EPA is evaluating how existing programs and authorities, such as SPCC, the Emergency Planning and Community Right-to-Know Act (EPCRA), Safe Drinking Water Act (SDWA) and others can be used to protect human health and the environment from chemical storage container discharges.

From: Ruhl, Christopher
Sent: Wednesday, March 19, 2014 4:27 PM
To: Howard, MarkW
Cc: Ex. 6 - Personal Privacy Perry, Chris
Subject: Fw: SPCC Question

Albert- I am not familiar with the details of the incident that you are referring to. I am forwarding your

question to my HQ counterpart who may have some information related to your request,

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From: Albert Condello Ex. 6 - Personal Privacy
Sent: Wednesday, March 19, 2014 4:22:09 PM
To: Ruhl, Christopher
Cc: Perry, Chris
Subject: SPCC Question

Hello Chris -

I am working on a Case Study for my Ph. D in Safety Sciences from Indiana University of PA. If all goes well with my dissertation, I will be graduating in Dec. 2016.

For SAFE 805 - Strategies in Risk Control (Dr. Slagley) has ask for us to study the Freedom Industries Chemical Spill in Charleston, W. Va.

The product Crude MCHM - (4-Methyl Cyclohexane Methanol) was manufactured by Eastman Chemical and 10,000 gallons spilled into the Elk River in January 9, 2014.

I was curious as to why this derivative hydrocarbon would not be required to have secondary containment? I have attached what I have done so far.

Would appreciate knowing why this terminal operator that had 17 above storage tanks so near to a body of water which the town relied on for their source of drinking water would not have the protection offered by the SPCC regulations?

Going forward, will the SPCC be revised to address this loophole?

Regards,

Albert V. Condello III ASP CHMM
University of Houston Downtown
College of Sciences and Technology
One Main Street, Suite N-714
Houston, TX 77002-1001

Office Ph 713-221-8016
Cell Ex. 6 - Personal Privacy

Subject: Re: FW: Jan 8 2013 ESG Meeting.pdf
To: Ex. 6 - Personal Privacy
CC: Perry.Chris@epamail.epa.gov
From: Ruhl.Christopher@epamail.epa.gov
Date: Fri, 4 Jan 2013 12:46:13 -0600

Albert feel free to give me a call and we can discuss.

Chris Ruhl
USEPA Region 6
Oil Team Leader
Federal On-Scene Coordinator
(214) 665-7356 office

Chris Perry---01/03/2013 09:58:54 AM---Hey Prof Al, I cc'd my team leader on this because he is much more savvy on the response side than I

From: Chris Perry/R6/USEPA/US
To: Albert Condello Ex. 6 - Personal Privacy
Cc: Christopher Ruhl/R6/USEPA/US@EPA
Date: 01/03/2013 09:58 AM
Subject: Re: FW: Jan 8 2013 ESG Meeting.pdf