



**Summary of TCEQ Interoffice Memorandum Titled  
Coordination of Remediation Activities Related to Emergency Response and Historical Releases  
Dated May 27, 2003**

The Texas Commission on Environmental Quality (TCEQ) issued an Interoffice Memorandum (IOM), dated May 27, 2003, that clarified the criteria for how spill oversight authority will be coordinated between the Region Offices and the Corrective Action Section (CAS) of the Remediation Division in Austin, Texas. The IOM is far reaching in that it addresses not only current releases, but also discusses how historic releases should be dealt with. The IOM was effective as of June 6, 2003 and was generated to assist Responsible Persons (RPs) in responding to current and historic releases due to the lack of consistency in how spills were being handled in the different regional offices under the TRRP rule.

Significant changes and clarifications contained in the IOM are:

- Establishes cleanup and report criteria for current releases that can be cleaned up under the 180 day spill rule contained in 30 TAC §327.5.
- Establishes a cleanup standard using Chapter 327 PCLs for current releases that meet specific criteria, without implementing the TRRP rule and its associated reporting requirements (e.g., APAR, SIN, RAP, RACR, etc.).
- The Chapter 327 PCLs appear to be equivalent to TRRP Tier 1 Residential PCLs for a 30-acre source, which are the most conservative cleanup standards under the TRRP rule.
- Any response action that requires greater than 180 days (from initial notification) to remediate will automatically be defaulted into the TRRP rule with all its reporting requirements and oversight will be delegated to the CAS.
- If an RP chooses to utilize the TRRP rule cleanup standards in Chapter 350, a current release with “soil only” impact may be eligible for reduced APAR reporting under the TRRP rule by using the worksheet provided as Attachment 2 to the IOM.
- A requirement for historic releases to be reported to the TCEQ within 24 hours of discovery is provided in the IOM. The CAS will provide oversight for all historic releases. The IOM also provides reporting protocol for historic releases.
- There are no reporting requirements for current non-reportable releases that are cleaned up to background or pre-existing conditions. However, the RP is required to maintain the records in a reviewable format. If Chapter 327 PCLs or TRRP rule standards are utilized, to remediate current non-reportable releases, reports must be submitted to the Region Office for review. If necessary, the Region Office will refer the site to the CAS for review.

See the following table for additional detail. For more information, or assistance, call (281) 470-2948 or (972) 680-8555.



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Table with 2 columns: Subject and Summary. Rows include: Region Office Oversight, Corrective Action Section Oversight, Reporting Under Chapter 327, and Reporting Under TRRP.



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Table with 2 columns: Subject and Summary. Rows include: Historic Releases and Non-Reportable Releases.

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