

Interoffice Communication

To Distribution
From Mary Ann Chance
Date February 5, 1981
Subject HAZARDOUS WASTE CONTAINMENT ACT OF 1980

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This "Hazardous Waste Containment Act of 1980" was passed and is effective as of December 11, 1980. We have two major reporting responsibilities under this Act which are of major importance to Conoco.

1. Effective as of December 11, 1980, notification is required immediately whenever there is any unpermitted release of a reportable quantity of a hazardous substance into any media--air, water, land, or releases which may enter groundwater.

A "release" is defined to mean any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment.

Reportable quantities would equal existing reportable quantities under Section 311 of the CWA and one (1) pound for all other hazardous substances.

Notification is to be made immediately to the National Response Center at 800-424-8802.

"Hazardous substances" would include those substances listed in:

- a. RCRA, Section 3001 or those wastes meeting the characteristics described therein--flammability, corrosivity, toxicity, or reactivity.
- b. Clean Water Act, Section 311(b) (2) (A).
- c. Clean Water Act, Section 307 (a).
- d. Clean Air Act, Section 112
- e. Toxic Substances Control Act, Section 7.

A comprehensive list under Section 101 of the Hazardous Waste Containment Act will be published in the Federal

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Register later. The term "Hazardous Substances" does not include petroleum (including crude oil or any fraction not otherwise listed,) natural gas, natural gas liquids, liquefied natural gas or synthetic gas useable for fuel (or mixtures or natural gas and such synthetic gas).

Therefore, a reportable incident to NRC would include:

- 1) a report under the CWA of a release of a reportable quantity of oil to navigable waters and adjoining shorelines, and 2) a release of a reportable quantity of any hazardous substance on the comprehensive list of Section 101 into any media--water, land, air, or groundwater.
2. By June 9, 1981, Conoco must report to EPA all closed or abandoned hazardous waste disposal sites presently owned or previously owned at which hazardous wastes are or have been treated, stored, or disposed of. Reports must cover all facilities which are not permitted or which do not presently have interim status under RCRA. This listing must include wastes stored and any "known suspected or likely" releases associated with such wastes. No cutoff date is established beyond which a company would be excused from reporting past practices.

Rules will be promulgated concerning recordkeeping and financial responsibilities which will be additional to similar requirements under RCRA. As further regulations or guidelines are published by EPA pertaining to this Act, we will distribute this information to you.

A copy of the Act is included in the January 14, 1981, revision packet to the three-volume Conoco Environmental Laws and Regulations Manuals.

Mary Ann

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Environmental Administrator
Environmental Conservation

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