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December 26, 1979

any...
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MAJ
BCS
HNO
~~CEL~~

AC 512 863-5465

→ *CEL - Pls discuss at
5th meeting to determine any
action plans if needed.*

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Mr. J. R. McGee
Plant Manager
Celanese Chemical Company, Inc.
11807 Port Road
Seabrook, Texas 77586

Gentlemen:

Your facilities have recently received from Bob Maurer Guideline 7 to the Environmental Maintenance Policy and Guidelines Manual. Guideline 7 addresses reporting procedures to environmental agencies for such things as air pollution upsets, oil and hazardous substance spills and excursions from your wastewater discharge permits.

Spills of oil and hazardous substances are required by the Clean Water Act to be reported "immediately" to the Coast Guard. Criminal penalties exist for failing to report "immediately". The purpose of this letter is to alert you to this immediacy requirement and to recommend to you that in your implementation of Guideline 7 that your plant procedures take into full account the statutory and regulatory requirements that the Coast Guard be notified immediately of the spill of oil or hazardous substance.

*Read
AP-3.7*

PLAINTIFF'S EXHIBIT

CEL-1017

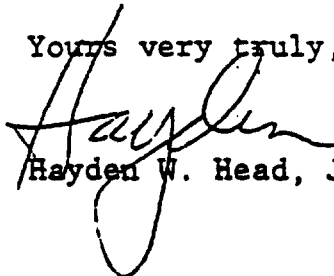
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My recommendation is the same for upsets at your facilities which violate Texas Air Control Board rules and regulations or conditions of permits issued to construct or operate manufacturing units. This recommendation, however, is not based upon a statutory requirement that you report all such upsets "immediately". The words of the Texas Air Control Board Rules and Regulations are that upsets should be reported "as soon as possible". The distinction is slight. Additionally, many upsets are visible or are odorous. Visible or odorous emissions will likely be reported to the agency and it is important that each facility report to the agency before the agency receives a citizen's complaint or detects the problem itself. First, if you have reported, it shows your awareness and concern for environmental protection. Secondly, if you have reported promptly, the agency will be able to maintain a good face to the public when it is able to advise a complaining party that it is aware of the problem. The agencies do not like to be embarrassed.

I would also like to recommend that particular attention be paid to the asbestos regulations. Both the Texas Air Control Board and the Environmental Protection Agency attach a great deal of significance to them and compliance with the regulations is critical.

Yours very truly,



Hayden W. Head, Jr.

HWHJr/cjm

cc: Mr. Homer C. Wilson
Mr. John A. Bousquet
Mr. Dave O. Dawson
Mr. Blanchard L. Pritchard
Mr. Bruce A. Melaas
Mr. Robert H. Maurer

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