

Jon Niermann, *Chairman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 25, 2024

Ms. Yvette Arellano, Executive Director
Fenceline Watch
Via email: fencelinewatch@gmail.com

Re: Community Request to Discontinue Use of Corexit

Dear Ms. Arellano:


Thank you for your correspondence to Texas Commission on Environmental Quality (TCEQ) dated September 3, 2024, regarding a request to discontinue use of Corexit 9500A and 9527A. TCEQ and its emergency response contractors do not use Corexit 9500A or 9527A in spill response actions that fall within TCEQ's jurisdiction.

The Texas Emergency Management Plan designates TCEQ as the State's lead agency for Emergency Support Function (ESF) #10 (Oil and Hazardous Materials Response). As the lead agency for ESF #10, TCEQ coordinates spill response by determining which state agency has jurisdiction for the spill and by ensuring that appropriate response measures are being taken. Responses that occur in coastal waters within the State of Texas boundaries fall under the jurisdiction of the Texas General Land Office (GLO), as stated in Texas Administrative Code Title 31 Part 1 Chapter 19.31 and Natural Resource Code Title 2, Subtitle C, Chapter 40.004(a).

TCEQ actively represents the State of Texas on Regional Response Team (RRT) 6 along with GLO, the Texas Division of Emergency Management, and the Railroad Commission (RRC) of Texas. RRT 6 is the federal component of the National Response System for the states of Texas, Louisiana, Oklahoma, Arkansas, and New Mexico. RRT 6 membership includes representatives from each of the five states and 14 Federal agencies. RRT 6 meets twice a year.

A precautionary approach is used by RRT 6 to determine the necessity of dispersant use during oil spills in accordance with 30 Code of Federal Regulations 300 Subpart J. TCEQ RRT 6 representative(s) will ensure that the information and concerns provided in your letter are forwarded to the RRT 6 Co-Chairs (U.S. Environmental Protection Agency Region 6 and U.S. Coast Guard Eighth District) for consideration to be placed on the agenda of the next scheduled RRT 6 Committee meeting. We will also ensure the information and concerns are forwarded to the Area Committee and appropriate jurisdictions for consideration.

Sincerely,


Kelly Cook, Deputy Director
Critical Infrastructure Division
Texas Commission on Environmental Quality