

APPENDIX K

**APPLICATION PROCEDURE FOR AN
EMERGENCY PERMIT
FOR THE TREATMENT, STORAGE, OR DISPOSAL
OF HAZARDOUS OIL AND GAS WASTE**

**APPLICATION PROCEDURE FOR AN EMERGENCY PERMIT
FOR THE TREATMENT, STORAGE, OR DISPOSAL
OF HAZARDOUS OIL AND GAS WASTE**

Rule 98, subsection (m), prohibits the on-site treatment, storage, and disposal of hazardous oil and gas waste. However, in instances where a discharge, either of hazardous oil and gas waste or of a substance that creates a hazardous oil and gas waste, poses a danger to life or property, an emergency permit may be issued by the RRC. An emergency permit that takes precedence over the general prohibition when an emergency permit is granted under the conditions discussed below.

Emergency Permit Requirements

An emergency permit may be oral or written. When an oral emergency permit is obtained, a written permit must be issued within five days of issuance of the oral permit. An emergency permit:

- is limited to a term of 90 days;
- must clearly specify the manner and location of authorized treatment, storage, and disposal activities;
- may be terminated by the RRC without notice if the RRC determines that termination is appropriate to protect human health and the environment;
- shall incorporate, to the extent possible and not inconsistent with the emergency situation, all applicable requirements of 40 Code of Federal Regulations Parts 264, 266, and 270; and

In addition an emergency permit must be accompanied by a public notice published in a daily or local newspaper of general circulation in the area affected by the activity and broadcast over local radio stations. The public notice shall include:

- the name and address of the office granting the emergency authorization;
- the name and location at which the permitted activities will take place;
- a brief description of the hazardous oil and gas wastes involved;
- a brief description of the actions authorized and reasons for authorization of such actions; and
- the duration of the emergency permit.

To obtain an oral emergency permit call either the appropriate RRC district office or the RRC Hazardous Waste Program in Austin. Written applications for emergency permits should be mailed to:

Railroad Commission of Texas
Oil and Gas Division
Hazardous Waste Program
P.O. Box 12967
Austin, Texas 78711-2967

Phone: 512-463-3840