

SPILL MANAGEMENT AND REPORTING POLICY

I. CONTAINMENT AND CLEANUP

All releases or spills of hazardous or deleterious substances or other wastes, regardless of size, must be properly and expeditiously managed, contained, and removed to protect public health and the environment. This policy is written to provide guidance on when and how to report spills. This policy is intended to assist in the implementation of the following Montana laws and the administrative rules adopted thereunder: Comprehensive Environmental Cleanup and Responsibility Act (§75-10-701, *et seq.*, MCA); Hazardous Waste Act (§75-10-401, *et seq.*, MCA); Solid Waste Management Act (§75-10-201, *et seq.*, MCA); Underground Storage Tank Act (§75-11-501, *et seq.*, MCA); and the Water Quality Act (§75-5-101, *et seq.*, MCA).

II. NOTIFICATION REQUIREMENTS

Petroleum releases from regulated aboveground storage tanks (AST), underground storage tanks (UST) or petroleum storage tanks (PST) must be reported to DEQ within 24 hours of being detected as required by ARM 17.56, Subchapter 5. DEQ must be notified of releases of greater than 25 gallons of petroleum from an AST, UST or PST. Petroleum releases less than 25 gallons in volume must be contained and cleaned up within 24 hours. If cleanup cannot be completed within 24 hours, owners and operators must report the release to DEQ. DEQ maintains a leak line for reporting releases from an AST, UST or PST at 800-457-0568. Outside normal business hours, releases must be reported to the DES Duty Officer 24-hour phone number at (406) 324-4777. Releases must be reported to a live person - voice mails are not adequate notification.

All other releases and spills should be reported immediately to the state's Disaster and Emergency Services (DES) Duty Officer 24-hour phone number: (406) 324-4777. In addition to the following reporting requirements, notification(s) may be required by permits issued by state, federal or local government agencies. **Notification to the National Response Center (NRC) may also be required. NRC can be reached at 800-424-8802. DES or DEQ are not responsible for notifying the NRC.**

A. The following types of spills **must** be reported:

- Releases or spills of hazardous substances in amounts that meet or exceed the reportable quantities in *40 CFR Part 302*.
- Spills, overfills, and suspected releases from underground storage tanks and petroleum storage tanks. *ARM 17.56.501, et seq.*
- Releases or spills of any materials that would lower the quality of groundwater below water quality standards. *ARM 17.30.1045.*

B. The following types of spills **should** be reported:

- Spills that enter or may enter state water or a drainage that leads directly to surface water;
- Spills that cause sludge or emulsion beneath the surface of the water, stream banks or shorelines;
- Spills that cause a film, "sheen," or change the color of the water, stream banks or shorelines; or
- Spills of twenty-five (25) gallons or more of any petroleum product such as: crude oil, gasoline, diesel fuel, aviation fuel, asphalt, road oil, kerosene, fuel oil; produced water, injection water, salt water or combination thereof; and derivatives of mineral, animal, or vegetable oils.

For additional information:

Montana Department of Environmental Quality
Enforcement Program
Phone (406) 444-0379