

**EPA OSWER TRIBAL FORUM
December 2008**

OIL SPILL SCENERIO*

**Arlen, TX
Wolf Oil Company Well Head #1941 (unmanned)**

At 6:35 am on December 2nd, the # 4 produced water tank ruptured releasing approximately 20,000 gallons of oil and produced (brine) water into the surrounding area. The spill overwhelmed the earthen berm and flowed off facility to a drainage ditch that empties to a tributary (Roustabout Run) of the San Jacinto River.

The spill was reported to 911 around 8:00am by Wolf Oil employee about to inspect the facility. The employee estimated that the spill consists of 5,000 gallons of crude oil.

The facility is located 300 yards from native burial mounds and Roustabout Run flows in front of the entrance to the mounds. Several tribal members own waterfront property on the run. A drinking water intake for Houston and several nearby Indian neighborhoods is located a half mile downstream.

Assumptions: Tribe has no response resources or training. State has a good relationship with tribe however they have deferred to EPA for the emergency response clean-up on tribal lands.

What ifs ?

The U.S. Fish and Wildlife Service list a freshwater trout and a plant species as endangered inhabitants of the run. People fish for sustenance on the river.

The force of the spill caused a 1,000 gallon portable chemical (ammonia, PCBs, pesticide, other VOCs) tank to fall over spilling most of its contents into water.

Questions :

Who do you call (after 911)?

Who has authority?

Facility-

Tribe-

State-

Federal Government- (RRT)

What laws come into play? CERCLA? RCRA? EPCRA?

Who cleans up the spill? Who pays for cleanup?

What claims can be made for damages to the cultural site? Loss of habitat?
Loss of food source?

* this is a fictional scenario

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