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EPA REGULATIONS

The statement (direct quote) below was received from Mr. Donald Smith of REGION VI of EPA's Superfund Division, Response and Prevention Branch on January 11, 2001. This statement is quite clear that for oil spills on soil, concrete or asphalt (or other surfaces that do not involve U. S. Navigable Water) the Spiller is free to use OIL SPILL EATER II to clean up the spill.

O. A. (George Lively)

"The United States Environmental Protection Agency's policies for the use of dispersants, bioremediation and chemical agents for responding to spills of petroleum or vegetable oils are outlined in Title 40 Code of Federal Regulations Part 300.900 which is entitled the National Contingency Plan. The use of these products relative to federal authorities is regulated to spills that threaten to or have spilled into or upon the waters of the United States. The definition of the waters of the United States can be found in Title 40 Code of Federal Regulations Part 110.2. Generally speaking, the waters of the US include, but are not limited to lakes, rivers, streams, creeks, city storm sewers and drainage ditches. If a discharge threatens or has discharged as described in the aforementioned scenario, then the use of chemical or biological 'agents must have the permission of a Federal On Scene Coordinator. If the discharge does not meet these parameters as previously described then the permission of the Federal On Scene Coordinator is not required.

How ever since OSE II is on the EPA NCP list it can be approved for use on U.S. Navigable waters just as the EPA Region VI approved the use of OSE II, on the Osage Indian Reservation spill.