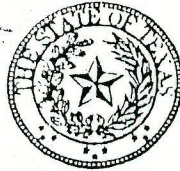


John Hall, Chairman  
Reed, Commissioner  
Garner, Commissioner



## TEXAS WATER COMMISSION

PROTECTING TEXANS' HEALTH AND SAFETY BY PREVENTING AND REDUCING POLLUTION

August 25, 1992

Ms. Linda Bridges  
Verde Environmental, Inc.  
7309 Schneider  
Houston, Texas 77093

RE: Acceptability Of *Micro-Blaze* As A Bioremediation Agent and *Micro-Blaze Out* As A Microbial-Based Dispersant

Dear Ms. Bridges:

In accordance with Section 26.264(e) of the *Texas Water Code*, *Micro-Blaze* will be listed as a bioremediation agent and *Micro-Blaze Out* will be listed as a bioremediation agent and dispersant. Technical product data will be kept on file within the Emergency Response Team of the Texas Water Commission.

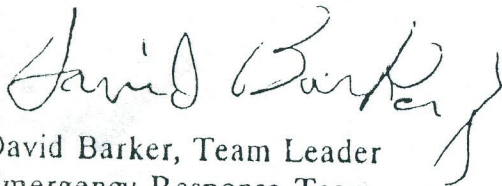
*Micro-Blaze* and *Micro-Blaze Out* are acceptable bioremediation products that can be used for the removal of hydrocarbon spills on land or water (including the removal of hydrocarbons from highways, parking lots, and gas stations) throughout the State in all programs subject to Texas Water Commission jurisdiction. The use of *Micro-Blaze* or *Micro-Blaze Out* is subject to the specific regulations of each program. These regulations generally require site-specific or incident-specific evaluation to assure that the use of bioremediation technology will be efficient and effective. Should you or a prospective client need information about the specific regulations pertinent to a particular project, the Commission's staff will be happy to provide that information.

A permit is not required for the effective use of either of the aforementioned formulations in responding to hydrocarbon spills which require an emergency response. "Emergency response" is generally understood to occur within a matter of hours; a day or two at most, depending on the situation. In non-emergency situations, the normal regulatory requirements and procedures would apply, depending on the program which pertains to the activity in which *Micro-Blaze* and/or *Micro-Blaze Out* is used.

Potential users of products such as yours should note that TWC rules allow that certain actions may be taken without a permit in an emergency situation. The agency will accept reasonable judgment as to what constitutes an emergency. TWC acknowledges that in situations where there is an emergency, the response may require allowing the spilled material treated with your products to go down storm drains, gutters, and ditches without sampling. TWC expects that the person applying your product will make a reasonable technical judgment about whether the application will positively affect the response and cleanup. In non-emergency cleanups, normal TWC permitting procedures will apply so that waters in the State are protected.

The Commission is happy to take advantage, under appropriate conditions, of bioremediation and other innovative technology to provide for cost-effective cleanups. If you or any of your clients have a question about the possible use of *Micro-Blaze* or *Micro-Blaze Out*, please contact Don Fawn, of my staff, at (512)908-2515 or the appropriate program manager if your product is not being used for an emergency response.

Sincerely,

A handwritten signature in cursive script that reads "David Barker". The signature is written in dark ink and is positioned above the typed name and title.

David Barker, Team Leader  
Emergency Response Team  
Emergency Response and Assessment Section  
Pollution Cleanup Division

DB/DF/df