



"The most trusted name in residential oil tank services."

TANK TIMES

DEQ Action Against Laboratory Raises Concerns and Also Questions

Wy'East Environmental Sciences, Inc. is owned and operated by Cornelius "Corny" Chan, a Phd chemist who is considered by many to be the best petroleum analyst in the business. Prior to his merger and eventual buyout of Wy'East, Corny owned and operated BTEX Analytical. Dana Thompson Tanks & Soil has worked with Corny for over ten years.

In early August, Wy'East took steps to become NELAP certified. In the course of the required audit, some concerns regarding procedures and processes were identified. Wy'East has, in effect, been shut down and Wy'East customers were forced to begin using the services of other laboratories. As might be expected, this was identified by some as an opportunity to cast aspersions on Wy'East and on Heating Oil Tank (H.O.T.) Service Providers who had been using Wy'East. In at least one case, misinformation was broadly distributed by email.

On the first day of September, the Oregon DEQ HOT program issued a letter to Service Providers. The DEQ HOT Program determined the concerns about the laboratory data are not of a magnitude which would cause them to reopen contractor certified cleanup files which have already been reviewed and registered by the program. Certain projects which have not yet been registered will require additional work by the certifying contractor. Below is a summary of the HOT Program's letter to Service Providers:

Voluntary Registration Certifications of decommissioning projects where no reportable release has been identified are not affected.

Soil Matrix Cleanup projects will be reviewed on a case by case basis.

Generic Remedy Alternative 1 cleanup projects where Wy'East analyses of the representative samples show petroleum impact to soil at or below 1,500 parts per million are not affected.

Risk Based Cleanup projects where a soil-gas or sub-slab vapor sampling and risk assessment have been conducted are not affected.

The DEQ HOT Program identified nine DTT&S projects which have been certified and submitted, but have not

been registered. Our office identified up to six projects which have been certified but not yet submitted to the DEQ Hot Program. All of those projects will require some additional work before the certifications can be registered. DTT&S will communicate with each of the affected property owners and advise them of our intention to stand behind our certification and satisfy Oregon DEQ HOT Program requirements. This followup work will be scheduled in such a way that we are able to maintain our high level of responsiveness and customer service on all HOT projects.

Finally, as is clear from their letter, the Oregon DEQ appear to be unconcerned about any risk to human health or the environment on projects previously certified using Wy'East data. In support of that position, DTT&S has, and generated a body of data from analyses performed on soils from the same sample jars by both Wy'East and other laboratories. Our data showed nearly identical results, and we are told another contractor has generated similar data.

As always, if you have any questions or concerns regarding heating oil tanks or environmental cleanup, call Dana Thompson Tanks & Soil.

Tank Removal Is The New Standard

When the HOT program began in 2000, one of the main objectives was to reduce the cost of residential cleanup projects. By allowing contractors to use risk based cleanup concepts, most tank cleanup projects could be completed without removing the tank or soil. These old oil tanks aren't getting any younger, and over the last couple of years we have observed a dramatic increase in the number of HOT cleanups which involved significant, or even catastrophic releases of fuel oil. At the same time, increased awareness of exposure to harmful vapors has led the DEQ HOT program to take a more aggressive and protective approach to HOT cleanup requirements. While these developments have driven cleanup costs much higher, they have also led to increased risk for HOT contractors and homeowners who contract to leave a tank and impacted soil in place. We have determined that a conservative and protective stance on HOT cleanup projects is the best way to protect all parties. When a tank and at least some soil is removed we can be sure that risk has been assessed properly and there are no surprises lurking under ground.

www.danatanks.com