



DANA THOMPSON TANKS & SOIL

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

TANK TIMES

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If you haven't read "2009, the New Paradigm," it is available online with other issues of the "Tank Times" at www.danatanks.com

The Naphthalene Dilemma

In January, 2009 a dramatic reduction in the allowable Risk Based Concentration (RBC) for naphthalene has led to significant increases in the complexity and costs on many cleanup projects. This new cleanup criterion, and the absence of a useable risk modeling tool, has led to more cleanup by excavation. It has also resulted in frequent use of heretofore rarely required soil gas sampling. While some cleanup projects have not been affected by the change in naphthalene RBCs there have been many more which would easily have closed under the earlier criteria but have required much additional work and expense.

In the past, initial site assessment results and site specific data could in most cases be relied upon to establish an accurate scope of cleanup work. Under the current cleanup criteria, unless the representative sample contains diesel concentrations below 2,500 ppm (parts per million or mg/kg), we cannot be certain that excavation will not be required until the representative sample has been analyzed for naphthalene. Furthermore, since naphthalene concentrations do not correspond directly with diesel concentrations we can never be certain that we have removed all soil necessary to meet DEQ requirements until we have the naphthalene results from our post-excavation sample.

We are often asked why we are providing a bid without having first run a sample for naphthalene. The reason is straight-forward; an initial site assessment is conducted only to determine if there is evidence of a leak. The naphthalene analysis is not included but can be performed at an additional cost. In situations where property owners or purchasers do not authorize a naphthalene analysis, DTT&S will offer a contract proposal which includes two alternative scopes of work, depending on the outcome of the naphthalene analysis performed on a representative sample of contaminated soil.

Dana To Address PMAR

Portland Metro Association of Realtors has invited Dana to provide a presentation addressing changes to H.O.T. cleanup requirements at their September 24 Owner and Manager Forum at the Multnomah Athletic Club. Dana's presentation will be part of the program titled "New Twists on Old Environmental Issues" starting at 9:00 a.m..

Certifying a Previous Decommissioning

We are often asked to certify tanks which are thought to have been previously decommissioned based on documentation, anecdotal information or our field observations. Such tanks can be certified under the DEQ's Heating Oil Tank Voluntary Registration or Cleanup programs if we are certain the tank has been properly decommissioned. To do this we must access both ends of the tank to confirm the tank is completely filled. We also probe to the bottom of the tank to make certain that the oil was pumped and the tank was cleaned before fill material was introduced. With clean soil samples this work and the certification documents can be provided for an additional charge of \$350 plus the \$75.00 filing fee. When only a very small amount of fill material is required to complete decommissioning we often will provide that material at no additional charge. Unfortunately, we often find that the tank was not cleaned before decommissioning and the contaminated fill material must be removed and replaced for certification.

An Upside to Naphthalene?

The change in H.O.T. cleanup project requirements due to the reduced Risk Based Concentration (RBC) for naphthalene has caused a great deal of woe for property owners, but there is a potential upside. We all know that insurance companies would rather collect premiums than pay claims, but most insurance companies will meet their obligations when a covered third party liability is present.

The Oregon DEQ's concern about naphthalene in soil is related to the volatilization and intrusion of harmful vapors to indoor airspace. The DEQ's "Risk Based Decision Making" guidance document states that the risk associated with this exposure pathway must be addressed for any residential dwelling within forty feet of the cleanup area. In most of our cleanup situations, there are other homes in close proximity, so the soil removal costs and /or a significant portion of costs associated with soil gas sampling and risk analysis are necessary to remedy the potential third party liability presented by the risk that harmful vapors will intrude into a neighboring property's indoor airspace. We urge every client to review their homeowner's insurance policy and speak with their agent to determine if part or all of the H.O.T. cleanup costs are covered.

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