

DEPARTMENT OF ENVIRONMENTAL PROTECTION
FLORIDA





62-770 F.A.C. Review

- Presented by Bureau of Emergency Response
- Div. Law Enforcement



Exceptions to the Rule

- Petroleum Product significantly contaminated with other substances
- Liquefied petroleum gas, ASTM grade #5 and 6 residual oils, bunker C residual oils, IFO used for marine bunkering with a viscosity ≥ 30 , asphalt oils, and petrochemical feedstocks.
- Petroleum product discharges < 25 gals onto a pervious surface



Reporting (62.770.250)

- 25 Gallons or more onto a pervious surface
- Call the SWP (800) 320-0519 as soon as possible within 24 hrs. of the discovery of the discharge.
 - Discharger's responsibility or
 - Owner/ Operator's if the discharger is unknown or if the discovery was the result of a previously unreported discharge
- All product that threatens or enters water of the state shall be reported to the SWP and NRC (800) 424-8802 within 1 hour of discharge regardless of the volume.



Reporting (Cont'd)

- **Discharge report form** due within **24hrs**.
- **Free product recovery form** due within **10 days** after initiation of product recovery.
- Links to forms:
<http://www.dep.state.fl.us/law/BER/References.html>



BER Response

- BER will follow most spill through to the No further assessment point.
- Automatic referrals:
 - If spill volume is 500 gals or larger
 - Impact to groundwater
 - Unable to clean to 10 ppm standard
 - Bioremediation approval



Free Product Removal (3days)

- Free Product: Petroleum or Petroleum Product in excess of .01 foot/.25 inches in thickness, at thickest point, floating on surface water or groundwater.
- Passive and active method of removal allowed w/o DEP permission.
 - Ex. Absorbent pads, Skimmer w/pump, bailing or vacuuming
- Recovery deemed complete when free product has been removed to maximum extent practicable.
- Within 10 days after initiation of product recovery, that RP shall provide written notification to BER.



Interim Source Removal

- Removal of free product, contaminated groundwater or contaminated soil, or the removal of contaminated soil to the extent that leaching to groundwater has occurred or incurring.



Soil Removal

- Soil should be secured in a manner to prevent human exposure, further contamination and excavation shall be secured to prevent entry by public.
- Excavated soil shouldn't be stored or stockpiled for more than 30 days.
- Containerized contaminated soil in water tight drums can be stored on-site for 90 days.



Bioremediation

- May be used **ONLY** where traditional source removal techniques **ARE NOT** possible.
- Must obtain an Alternate Procedure Approval Order from the BPSS in Tallahassee.



Field Screening

- OVA/FID or equivalent (<10 ppm)
 - Gasoline and Kerosene Analytical Groups
 - It is no longer a stand alone for determining if a site is cleaned up only laboratory analyses are acceptable
 - Exemption: Immediate removals (emergency response incidents, i.e. traffic accidents in which soil is removed within **3 days** of the incident) where there is a release \leq 100gals will not require a confirmatory sample.



Field Screen Cont'd

- Visual Observation to determine whether soil is contaminated is an acceptable method of screening for used oil.
- Confirmation samples must be taken.



Laboratory Confirmation To Be or Not To Be

■ Confirmation Sample needed when:

- Discharge exceeds 100 gallons
- Source removal takes longer than 3 days
- OVA results exceeds 10 ppm
- Something discharged other than Gasoline/Kerosene Group

■ No Confirmation Sample needed when:

- Discharge is \leq 100 gallons w/no groundwater impact.
- Source removal within 3 day
- OVA results less than 10 ppm
- Discharge product is in the Gasoline/Kerosene Group



Sample Consideration

- **Confirmatory Samples**
 - Must be a grab sample
 - Must be collected in the area with the highest corrected field screening reading.
 - If all areas read <10 ppm then collect from the most representative of the release.
 - For large spill areas one confirmation sample for every 20 field soil screening samples or 5%



Sample Consideration

- Confirmation Samples Cont'd
 - At a minimum a sample from the wall and the bottom must always be taken for waste oils



Sample Consideration

- Table B (Gasoline and Kerosene Analytical Group)
- Table C (For Used Oil and identified products not listed in the Gasoline or Kerosene Analytical Group and products which the specific identity is unknown)



Source Removal Report (SRR)

- Due within 60 days of completion of product removal and proper disposal.
- Two copies of report must be submitted by the RP or designee to BER for review.
- 62-770.300(5)(b) F.A.C. state what should be included in the report.



Other additions to the SRR

- Documentation confirming proper disposal and treatment of **ALL** contaminated materials
- GPS Coordinates and/or measurements for locating spill site in future
- Color photographs (labeled)
- OVA instrument calibration log
- Complete copy of laboratory analytical report w/ chain of custody.
- Groundwater sample log as applicable
- Detailed scaled map w/ graphical rep. of scale used and North arrow identified



Other additions to the SRR

cont'd

- Table indicating identification, depth, and unfiltered, filtered and corrected results of OVA screening.
- Type of instrument used (FID or PID)
- A soil analytical summary table that includes ID, depth, net OVA soil screening, and lab results of samples collected with residential and leachability soil cleanup target levels for contaminant of concern



Other additions to the SRR

cont'd

- Benzo(a) pyrene conversion table for each soil sample where at least one of the carcinogenic PAHs were detected \geq to method detection limit
- Groundwater analytical summary table that includes ID, GW analytical results for each sample collected
- Temporary well construction details
- MSDS if discharge is from unused oil
- Documentation to confirm OVA QA/QC procedures were followed



Source Removal Report Problems

- Maps not to scale
- OVA charts with no indication of samples being tested again
- OVA chart not matching the scaled map of the excavation
- No free product removal forms
- Manifests not signed by the receiving facility



No Further Assessment

- BER has 60 days to review the SRR
- NFA will be issued when BER has determined that the site is properly cleaned and documented.
- If BER determines that more work needs to be done at the site then BER will send a letter requesting more information **once**. If BER still determines that more needs to be done the BER will send a letter stating the site is being referred to the Bureau of Petroleum Storage Systems or the Bureau of Waste Cleanup.



62.770 Highlights for BER

- Report ASAP to the State Warning Point
- Discharge Report Form (within 24hrs.)
- Excavate as soon as possible (preferably within 72 hours; if you exceed 60 days drop a temp well)
- Free Product Removal Form (within 10 days)
- OVA readings <10 ppm, filtration difference
- Don't forget Confirmation Laboratory Samples
 - At least one from the bottom on small spill area
 - A minimum of 4 or 5% on large spill area w/at least one collected from the bottom of the excavation



Highlights Cont'd

- Source Removal Report due with 60 days of completion of cleanup and disposal
- Make sure all attachments are with the source removal report
- Make sure manifests are signed by all parties
- Make sure that all repeats of high OVA readings are indicated



Websites

- http://www.dep.state.fl.us/waste/categories/pcp/pages/pg_documents.htm
- http://www.dep.state.fl.us/waste/quick_topics/publications/pss/pcp/BaPConversionTable091305.xls
- <http://www.dep.state.fl.us/labs/qa/sops.htm>
- [http://www.dep.state.fl.us/waste/quick_topics/publications/wc/FinalGuidanceDocumentsFlowCharts_April2005/TechnicalReport2FinalFeb2005\(Final3-28-05\).pdf](http://www.dep.state.fl.us/waste/quick_topics/publications/wc/FinalGuidanceDocumentsFlowCharts_April2005/TechnicalReport2FinalFeb2005(Final3-28-05).pdf)
- http://www.dep.state.fl.us/waste/quick_topics/publications/pss/pcp/a-soil-MEMO.pdf
- http://www.dep.state.fl.us/waste/quick_topics/publications/pss/pcp/BPSSVariances-Final-May02-2005.pdf



Websites cont'd

- <http://www.dep.state.fl.us/law/ber/References.htm>

Questions?

