

The updated version of the 2020 RRD, DWM/UST 4/1/2021 is now on the UST Section website.

Changes include:

1. The price list includes Task 7.361 which is no longer within the reasonable rate document so this can be deleted.
2. Task 1.020: If not requested as part of a larger report, this is a standalone task and is to include a report of the findings.
3. Throughout the 2020 RRD the 2T screening levels are listed as being 50 and 100 micrograms per kilogram, (ug/kg) or parts per billion, ppb. This is incorrect. The correct units are 50 milligrams per kilogram (mg/kg) GRO and 100 milligrams per kilogram (mg/kg) DRO or parts per million, ppm.
4. Throughout the 2020 RRD we refer to the 2T screening levels. This has been replaced with just the UST Screening limits.
5. UST Removal and Closure: Important Note:
6. The Trust Fund may only assist with assessment and cleanup costs required by 15A NCAC 2L. Tank closure sampling is required by 15A NCAC 2N .0803 to document the presence or lack of a release and is therefore not eligible for reimbursement and it to be conducted once the UST system has been removed and prior to any over-excavation. Also, whenever a release is suspected, soil sampling in locations where contamination is most likely to be present is required by 15A NCAC 2N .0603. If a new release is discovered, this sampling may represent an eligible 'assessment' activity, without preapproval, as it may also meet the requirements referenced in 15A NCAC 2L .0404. For sites with existing releases, samples that assess previously inaccessible areas, or act to monitor in-situ soil remediation in the tank basin, also may be eligible, but only if those samples were initially preapproved as reasonable and necessary to evaluate the condition of the existing plume.
7. UST Removal and Closure: Important Note: We are going back to the up to 800 ton for sites with no prior risk assessment or releases:
Important Note:
A. Pre-approval not required. For initial abatement of a new release at a site with no prior release in which the site risk assessment has not been evaluated and the USTs are being permanently removed and are not being replaced, the over-excavation should be limited to the lesser of:
 - 1) all soils above the UST screening limits of 50 ppm TPH-GRO and 100 ppm TPH-DRO, as determined by laboratory or on-site laboratory analysis, safely removed in any accessible direction.
 - 2) the point where it is reasonably determined that residual soils cannot feasibly be removed due to obstructions, access issues, or lack of cost-effectiveness; or
 - 3) one of the following thresholds is reached without additional authorization obtained:
 - a. 533 cubic yards or 800 total tons of soil has been removed for which reimbursement will be requested. (For Example, if 400

tons of soils are removed to facilitate the removal of the UST System and these soils DO NOT meet the UST screening limits, then these soils are not eligible for reimbursement and the 800-ton limit will start with the first evidence of contaminated soils as supported with analytical testing by laboratory or on-site laboratory analysis. If the overburden soils are contaminated, then the 800-ton limit includes these soils); or

- b. up to an additional 267 cubic yards or 400 total tons of soil removed with written Incident Manager authorization based on field screening from a lab or mobile lab (UVF, MIP, Mobile GC, etc.) indicating a reasonable likelihood of clean closure (even if clean closure is ultimately not obtained within the allowed limit); or
- c. a formally preapproved amount greater than 800 cubic yards / 1200 total tons is reached following Incident Manager and Trust Fund Branch Staff preapproval of additional soils based on field screening from a lab or mobile lab indicating a reasonable likelihood of clean closure (even if clean closure is not ultimately obtained within the preapproved limit).

B. Pre-approval required. For initial abatement of a new, isolated release at a site with a risk assessment for a prior, non-commingled release elsewhere onsite where the USTs are being permanently closed or do not impede the excavation, the over-excavation should be limited as follows:

- 1) High or Intermediate Risk –
 - a. minimum of 100 tons of soil for the first 10,000 gallons of UST volume and then 10 tons per 1,000 gallons thereafter has been removed.
 - b. up to an additional 50% of the total tons of soil removed in part (a) with written Incident Manager authorization based on field screening from a lab or mobile lab (UVF, Mobile GC, etc.) indicating a reasonable likelihood of clean closure (even if clean closure is ultimately not obtained within the allowed limit); or
 - c. a formally preapproved amount greater than the sum of part (a) and (b) total tons is reached following Incident Manager and Trust Fund Branch staff preapproval of additional soils based on field screening from a lab or mobile lab indicating a reasonable likelihood of clean closure (even if clean closure is not ultimately obtained within the preapproved limit).
 - d. *In the case where pre-assessment has been conducted*, the pre-approved amount.

For Option (b), (c) or (d), the Incident Manager (and Trust Fund Branch staff) will consider the known site risk and previous release status when evaluating a request for additional excavation.

- 2) Low Risk – Unless the new release results in an increase in site risk, no initial abatement excavation is necessary under risk-based closure standards. Soils necessary to remove the USTs that are more than the UST screening limits and cannot be placed back into the excavation may only be reimbursed the cost of transport and disposal.

C. Pre-approval required. For initial abatement of a new, commingled release at a site with a risk assessment for the prior release where the USTs are being permanently closed or do not impede the excavation, the over-excavation should be limited as follows:

- 1) High or Intermediate Risk –
 - a. minimum of 100 tons of soil for the first 10,000 gallons of UST volume and then 10 tons per 1,000 gallons thereafter has been removed.
 - b. up to an additional 50% of the total tons of soil removed in part (a) with written Incident Manager authorization based on field screening from a lab or mobile lab (UVF, Mobile GC, etc.) indicating a reasonable likelihood of clean closure (even if clean closure is ultimately not obtained within the allowed limit); or
 - c. a formally preapproved amount greater than the sum of part (a) and (b) total tons is reached following Incident Manager and Trust Fund Branch staff preapproval of additional soils based on field screening from a lab or mobile lab indicating a reasonable likelihood of clean closure (even if clean closure is not ultimately obtained within the preapproved limit).
 - d. *In the case where pre-assessment has been conducted*, the pre-approved amount.

For Option (b), (c) or (d), the Incident Manager (and Trust Fund Branch staff) will consider the known site risk and previous release status when evaluating a request for additional excavation.

- 2) Low Risk – Unless the new release results in an increase in site risk, no initial abatement excavation is necessary under risk-based closure standards. Soils necessary to remove the USTs that are more than the UST screening limits and cannot be placed back into the excavation may only be reimbursed the cost of transport and disposal.

D. Pre-approval required. For any release more than 90 days from the discovery of the release: No initial abatement is eligible as the 90-day reporting window from

Title 15A NCAC 2L .0404(3) has expired. Any excavation would require preapproval as a corrective action. (See Task 7.360)

8. Task 2.400 **Important Note:** Soil sampling is to be conducted such that a composite sample of the soils being loaded into each truck is collected and analyzed. Each truck hauling contaminated soils from the site is to have its' own individual soil composite sample. A sample cannot be used for multiple trucks. Each truck is to have its own representative sample. If soils are stockpiled before being loaded into trucks, each truck stockpile shall follow the truck sampling procedure. Costs associated with transportation and disposal of stock-piled soil containing petroleum hydrocarbons at concentrations below the UST screening levels are not eligible for reimbursement.
9. Updated Table of Contents and page changes.