



Memorandum

Florida Department of Environmental Protection

TO: Interested Parties

FROM: Michael E. Ashe, Chief 
Bureau of Petroleum Storage Systems

Michael Bland, Chief Geologist 
Bureau of Petroleum Storage Systems

DATE: November 7, 2008

SUBJECT: Minimum Technical Requirements to Support a Request to Rescind a Site Rehabilitation Completion Order (replaces August 5, 2002 guidance memorandum).

On occasion, an indication of possible contamination is discovered at a site which had previously had one or more petroleum discharges that had been cleaned up under the provisions of Chapter 62-770, F.A.C., and had been issued a Site Rehabilitation Completion Order (SRCO).

It is the responsibility of the person requesting the FDEP to rescind the SRCO to provide the appropriate technical basis and lines of evidence to the FDEP for our decision on an SRCO rescission request. The following information is the minimum that must be provided to the FDEP for us to consider a request to rescind a previously issued SRCO.

1. The proposal for the FDEP to rescind the SRCO should include a description of the location of the recently discovered contamination relative to the locations of the current and previous storage systems and the previous discharge. Figures showing the location of the previous discharge and area of contamination relative to the newly discovered contamination and tables summarizing historical field screening and analytical results should be provided to support the contention that the contamination is residual from the previous discharge.
2. A PE or PG should make a professional opinion as to the interpretation of the assessment data to support the contention that the newly discovered contamination is likely due to the previous discharge or, alternately, possibly due to other circumstances. Ultimately it may not be possible to say with absolute assurance whether the contamination which has been discovered recently is associated with the previous discharge or not and the FDEP will have to make an educated judgement based on the preponderance of evidence. However, it is appropriate for the responsible party (through their consultant) to provide to the FDEP their interpretation of assessment data for us to evaluate.

3. Details need to be provided of the procedures that were used for collecting the soil or water samples which showed contamination on site. If soil contamination is indicated, laboratory analyses of at least one soil sample are necessary. OVA screening alone is not sufficient to support a proposal to rescind a previously issued SRCO. Quality assurance procedures that were followed need to be described in the request. Grab groundwater samples using relatively crude wells without sand pack may be used sometimes for screening purposes at a site that is known to be contaminated. However, for major program decisions such as submitting a DRF for a new discharge, or rescinding an SRCO for a previous discharge, a greater degree of quality assurance and sample integrity is appropriate. A temporary well used for this purpose should have a sand pack, the screen should intersect the water table, the well should extend a minimum of one foot (preferably more) below the water table, and conventional purging and sampling protocols should be followed. A description of the well construction and sampling protocol that was followed should be provided.
4. Although it is appropriate for the consultant representing the responsible party to provide a summary and interpretation of the assessment data to support a request for rescission in the interest of the property owner, correspondence directly from the current owner of the property which formally requests that the SRCO which was previously issued be rescinded must accompany the submittal.
5. The proposal to rescind the SRCO will be making an interpretation of assessment data and an important recommendation to the FDEP based on that data interpretation, and as such the report should be signed and sealed by a Florida Registered PG or PE, pursuant to Rule 62-770.490, F.A.C.
6. In the interest of consistency, requests for rescission of an SRCO for any site will be centrally reviewed at the Bureau of Petroleum Storage Systems and, if justified, the rescission will be granted by an SRCO Recission Order from the Chief of the Bureau of Petroleum Storage Systems. The final recommendation to the Bureau Chief as to whether to rescind an SRCO will be made by Michael Bland, Chief Geologist for the Bureau of Petroleum Storage Systems.

If you have any questions on these procedures, please contact Michael Bland at (850) 245-8912.