pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

REGULATED STORAGE TANKS CORRECTIVE ACTION PROCESS INTERIM REMEDIAL ACTIONS

The Corrective Action Process (CAP) regulations (25 Pa. Code, §§ 245.301-245.314) establish suspected release investigation, release reporting, and corrective action requirements for owners and operators of regulated aboveground and underground storage tank systems and storage tank facilities and other responsible parties. This fact sheet discusses the interim remedial action requirements found in § 245.306 of the CAP regulations.

What are "interim remedial actions"?

These are required response actions from the time a release is confirmed until the time a formal long-term remedial action plan is implemented. Interim remedial actions help maintain or restore public health and safety and prevent the additional release of a regulated substance into the environment. This involves actions such as removing product from the storage tank, alleviating fire and explosion hazards, excavating contaminated soil, and recovering free product. Interim remedial actions also include identifying and sampling affected water supplies and water supplies with the potential to be affected. Sample results from any water supplies identified and sampled must be provided to the Department of Environmental Protection (DEP) and the water supply owner within five days of receipt from the laboratory. An affected or diminished water supply must be restored or replaced in accordance with § 245.307 of the CAP regulations.

Interim remedial actions may be all that are necessary to adequately address certain releases, such as spills and overfills, and cases where a release is confined to the excavation zone of an underground storage tank.

Who is responsible for initiating interim remedial actions?

In most cases, it is the owner or operator of the storage tank from which the release occurred. The owner or operator is most likely to be at the scene of a release and in the best position to take whatever action is necessary to protect human health and the environment. In extreme cases, however, DEP may require other parties to take interim remedial actions, including landowners, tenants and, in certain circumstances, the product distributor.

Which interim remedial actions come first?

While all appropriate interim remedial actions must be taken to bring a release under control, the first priority at any release site is to identify and eliminate any threat to the health and safety of on-site personnel or nearby residents. These interim actions can include:

- Checking for and venting product vapors from sewer lines or buildings that have been impacted.
- Installing vapor recovery systems.
- Calling emergency personnel, such as local fire and public safety officials, for assistance where fire, explosion, or safety hazards exist.
- Relocating residents until potentially explosive vapors have been reduced to safe levels.
- Restricting access to the site by nonessential personnel and establishing a buffer area around the site.
- Recovering free product leaking into subsurface structures, such as basements and sewers.

Either concurrently with these emergency actions, or as soon as any immediate threats to human health and safety have been eliminated or reduced to acceptable levels, attention should be turned to preventing any further release of the regulated substance into the environment.

Do interim remedial actions require a permit or approval from DEP?

No. However, the owner or operator must apply for any state or local permits or approvals needed to treat or dispose of such wastes as recovered product, wastewater, and contaminated soil.

Must interim remedial actions be reported to DEP?

Yes. The CAP regulations require the responsible party to notify the DEP regional office responsible for the county in which the release occurred, by telephone or email, within 24 hours of initiating interim remedial actions. This notification can be made concurrent with the initial telephone notification that the owner or operator makes to DEP to report the release (for additional information about release reporting requirements, see DEP fact sheet, *Regulated Storage Tanks Corrective Action Process Release Reporting*, doc. # 2620-FS-DEP1838). But if interim remedial actions have not been initiated when the release is first reported to DEP, then the owner or operator must make a separate notification to DEP within 24 hours after initiating interim remedial actions.

Owners or operators will also provide information about the planned, initiated, or completed interim remedial actions when they submit to DEP the written release notification that must be submitted within 15 days of the initial telephone notification. A detailed discussion of any interim remedial actions that were conducted must be included in a site characterization report that must be submitted to DEP within 180 days of reporting the release.

What are the requirements for storing contaminated soil on-site?

The requirements for on-site storage of contaminated soil are found in § 245.308 of the CAP regulations. In general, petroleum-contaminated soil that is excavated during interim remedial actions is a residual waste and must:

- Be stored in accordance with DEP's residual waste management regulations relating to standards for storage of residual waste.
- Be completely and securely covered for the duration of the storage period with an impermeable material of sufficient strength, anchoring or weighting to prevent tearing or lifting of the cover, infiltration of precipitation or surface water, and exposure of the soil to the atmosphere.
- Be stored in a manner to deter public access to the storage area, including use of fencing, security patrols, or warning signs.
- Not present a threat to human health or the environment and must be either undergoing active treatment or be disposed within 90 days from the first day of storage. (Active treatment includes treatment methods such as enhanced bioremediation in piles, soil vapor extraction and low-temperature thermal desorption.)

Contaminated soil that is determined to be a hazardous waste may be accumulated on-site for up to 90 days. After 90 days, a hazardous waste treatment or storage permit is required. Contact the Bureau of Waste Management by telephone at 717-787-6239 for generator I.D. requirements.

What if an owner is responsible for a release that contaminates a neighbor's well water?

The CAP regulations require that any responsible party who affects or diminishes a water supply as a result of a release must restore or replace the affected or diminished water supply. A water supply is affected or diminished if there is a measurable increase in a concentration of one or more contaminants (e.g. benzene) in the water supply, or if the quantity of water provided by a water supply is decreased. A water supply well may lose flow as a result of groundwater pumping during a remediation effort.

The responsible party must provide a temporary water supply (e.g. bottled water or water tank) to residents whose water supply is affected or diminished by the release no later than 48 hours after the responsible party receives information or is notified by DEP that a water supply has been affected or diminished. The responsible party must also provide a permanent water supply within 90 days. A permanent water supply includes a well or connection to a public water supply or treatment system. Where the responsible party provides the affected party with access to a public system, the responsible party is not required to pay for the quantity of water being supplied. The responsible party must notify the appropriate DEP regional office by telephone or email within 24 hours of providing an alternate source of water to the owner of the affected or diminished water supply.

Where can owners or operators get more information?

For additional information regarding the storage tank corrective action process requirements, including a flow chart of the corrective action process, visit www.dep.pa.gov, search term: Storage Tank Cleanup.

DEP Regional Offices

Northwest Region
230 Chestnut St.
Meadville, PA 16335-3481
Main Phone: 814-332-6945
Storage Tanks Program: 814-332-6648

Counties: *Armstrong, Butler, Clarion, Crawford, Elk, Erie, Forest, Indiana, Jefferson, Lawrence, McKean, Mercer, Venango, and Warren*

Northcentral Region
208 W. Third St., Suite 101
Williamsport, PA 17701-6448
Main Phone: 570-327-3636
Storage Tanks Program: 570-327-3636

Counties: *Bradford, Cameron, Clearfield, Centre, Clinton, Columbia, Lycoming, Montour, Northumberland, Potter, Snyder, Sullivan, Tioga, and Union*

Northeast Region
2 Public Square
Wilkes-Barre, PA 18701-1915
Main Phone: 570-826-2511
Storage Tanks Program: 570-826-2511

Counties: *Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Susquehanna, Wayne, and Wyoming*

Southwest Region
400 Waterfront Drive
Pittsburgh, PA 15222-4745
Main Phone: 412-442-4000
Storage Tanks Program: 412-442-4091

Counties: *Allegheny, Beaver, Cambria, Fayette, Greene, Somerset, Washington, and Westmoreland*

Southcentral Region
909 Elmerton Ave.
Harrisburg, PA 17110-8200
Main Phone: 717-705-4700
Storage Tanks Program: 717-705-4705

Counties: *Adams, Bedford, Berks, Blair, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Mifflin, Perry, and York*

Southeast Region
2 East Main St.
Norristown, PA 19401-4915
Main Phone: 484-250-5900
Storage Tanks Program: 484-250-5960

Counties*: Bucks, Chester, Delaware, Montgomery, and Philadelphia*

To report an environmental emergency, please contact DEP regional offices between 8 a.m. - 4 p.m. and 1-800-541-2050 between 4 p.m. - 8 a.m.