

(Adopted August 5, 1988)(Amended July 14, 1995)

**RULE 1166. VOLATILE ORGANIC COMPOUND EMISSIONS FROM DECONTAMINATION OF SOIL**

(a) Applicability

This rule sets requirements to control the emission of Volatile Organic Compounds (VOC) from VOC-contaminated soil as a result of leakage from storage or transfer facilities, from accidental spillage, or other deposition.

(b) Definitions

- (1) EXEMPT COMPOUNDS are defined in Rule 102 -- Definition Of Terms.
- (2) SOIL DECONTAMINATION MEASURE is any process approved by the Executive Officer or designee to remediate, destroy, remove, or encapsulate VOC and VOC-contaminated soil.
- (3) UNDERGROUND STORAGE TANK means any one or combination of tanks, including pipes connected thereto, which is used for the storage of organic liquid which is more than 50% beneath the surface of the ground.
- (4) VOC CONTAMINATED SOIL is a soil which registers a concentration of 50 ppm or greater of Volatile Organic Compounds, when measured at a distance of no more than three inches from the surface of the excavated soil with an organic vapor analyzer calibrated with hexane, complying with 40 CFR Part 60 Appendix A, EPA Method 21 Section 3, or any equivalent method approved in writing by the Executive Officer or designee, the Chairman of the Air Resources Board or designee, and the Administrator of the United States Environmental Protection Agency or designee. If other calibrating gases were used, then the measured readings shall be correlated to and expressed as hexane.
- (5) VOC CONTAMINATED SOIL MITIGATION PLAN is plan to minimize VOC emissions during excavation and any subsequent handling of VOC-contaminated soil.
- (6) VOLATILE ORGANIC COMPOUND (VOC) is any volatile compound of carbon, excluding methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, ammonium carbonate, and exempt compounds.

(c) Requirements

(1) A person excavating an underground storage tank and/or transfer piping storing or previously storing VOC shall:

(A) Obtain an approved mitigation plan from the Executive Officer or designee prior to commencement of excavation.

(B) Notify the Executive Officer or designee by telephone at least 24 hours prior to excavation. Such notification shall include:

- (i) Name and telephone number of the property owner.
- (ii) Name and telephone number of the person excavating soil.
- (iii) Location of the facility and location of the excavation.
- (iv) VOC previously stored in the tank.
- (v) Number and sizes of tanks to be removed or repaired.
- (vi) Approved mitigation plan number.
- (vii) Start and expected completion dates of the excavation.

If the excavation does not commence on start date, renotification is required.

An alternative notification procedure may be authorized for multiple excavations within a single facility, with prior written approval from the Executive Officer or designee.

(C) Monitor for VOC contamination at least once every 15 minutes and record all VOC concentration readings in a format approved by the Executive Officer or designee; and

(D) When VOC-contaminated soil is detected:

- (i) Implement approved mitigation plan, and
- (ii) Notify the Executive Officer or designee within 24 hours of detection of VOC-contaminated soil.

(2) A person handling VOC-contaminated soil shall comply with the provisions in subparagraphs (c)(1)(A) and (c)(1)(D)(i).

(3) A person treating VOC-contaminated soil shall:

(A) Obtain a permit to construct and/or operate control equipment, as applicable, from the Executive Officer or designee, and

(B) Implement VOC-contaminated soil decontamination measures, as approved by the Executive Officer or designee in writing, which result in Best Available Control Technology during all segments,

and which include, but are not limited to, at least one of the following:

- (i) Installation and operation of an underground VOC collection system and a disposal system prior to excavation.
  - (ii) Collection and disposal of the VOC from the excavated soil on-site using equipment approved by the Executive Officer or designee.
  - (iii) Any equivalent VOC-contaminated soil control measure previously approved in writing by the Executive Officer or designee.
- (4) A person shall not engage in or allow any on-site or off-site spreading of VOC-contaminated soil which results in uncontrolled evaporation of VOC to the atmosphere.

(d) Exemptions

- (1) The provisions of this rule shall not apply to the following:
  - (A) Excavation, handling, and treating of less than one (1) cubic yard of contaminated soil.
  - (B) Removal of soil for sampling purposes.
  - (C) Accidental spillage of five (5) gallons or less of VOC.
- (2) The provisions of subparagraphs (c)(2), (c)(3), and (c)(4) shall not apply to the following:
  - (A) Soil containing organic compounds that have initial boiling points of 302°F or greater, provided that soil is not heated.
  - (B) Soil which is contaminated through natural seepage of VOC from oil and gas wells or other natural sources.
  - (C) Soil containing organic compounds having a Reid vapor pressure (RVP) less than 80 mm Hg (1.55 pounds per square inch), or an absolute vapor pressure (AVP) less than 36 mm Hg (0.7 psi) at 20°C.
- (3) The provisions of subparagraphs (c)(1) and (c)(2) shall not apply to soil excavation or handling as a result of an emergency as declared by an authorized health officer, agricultural commissioner, fire protection officer, or other authorized agency officer. Whenever possible, the Executive Officer or designee shall be notified by telephone prior to

commencing such excavation. The Executive Officer or designee shall be notified in writing no later than 48 hours following such excavation. Written notification shall include written emergency declaration from the authorized officer.