

August 1, 1990

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Dear Sir:

The Department has concluded that the decontamination of soil in asphalt or similar plants has an unacceptable impact on the environment unless volatile organic compound (VOC) pollutants are controlled. Our records show that the permit for your plant allows it to decontaminate soil.

Please be advised that, under the authority of F.A.C. Rule 17-4.080, your permit allowing soil decontamination at this plant will be revoked unless the plant is fitted with control equipment capable of destructing VOC's with at least 95 percent efficiency (an afterburner or equivalent control equipment). Within 30 days of receipt of this letter, please notify this office in writing as to your intent to continue decontaminating soils. If you intend to continue, you must submit an application for a permit to construct within 60 days from receipt of this letter.

If you have any questions, please call me at

Sincerely,

District Air Program
Administrator



State of Florida
DEPARTMENT OF ENVIRONMENTAL REGULATION

D-File

For Routing To Other Than The Addressee	
To: _____	Location: _____
To: _____	Location: _____
To: _____	Location: _____
From: _____	Date: _____

Interoffice Memorandum

TO: Deputy Assistant Secretaries
District Air Program Administrators
District Waste Management Program Administrators
Rick Wilkins
John Gentry
John Ruddell
Clair Fancy
Larry George

FROM: Steve Smallwood *Stu* P.E., Director
Division of Air Resources Management

DATE: July 19, 1990

SUBJ: SOIL DECONTAMINATION BY ASPHALT AND SIMILAR PLANTS;
POLICY REVISION

In a memorandum dated April 2, 1987, the Bureau of Air Quality Management stated that permits to operate asphalt and similar plants could be modified to allow the decontamination of soil containing petroleum products and "on-spec" used oil provided that there was no increase in emissions.

Since that policy was established, the Bureau of Air Regulation has obtained more data on this activity through the review of applications for portable soil decontamination and other units, and through discussions with engineers that have dealt with these operations.

Several problems associated with soil decontamination have been brought to our attention. Among these problems are:

1. The potential VOC emissions are higher than were anticipated when the policy was originally adopted. The increase in VOC emissions from the decontamination facilities in most cases were high enough to require review as a plant modification under existing regulations.
2. Some of the potential VOC emissions are considered toxic air pollutants (i.e., benzene) and the impact of the emissions may exceed acceptable ambient concentration guidelines unless an afterburner or equivalent control device is used. The benzene TLV value of 30 milligrams per cubic meter was replaced with the Occupational Exposure Level of 3 milligrams per cubic meter for ambient air calculations.

limited to, the following: organic halogens; corrosivity; reactivity; toxicity characteristic constituents by the toxicity characteristic leachate procedure (TCLP), which includes 40 metals, organics, and pesticides; and polychlorinated biphenyls (PCB).

2. Since petroleum contaminated soil may contain metals which could constitute a health risk under certain exposure conditions, the following soil concentration levels must not be exceeded:

<u>Contaminant</u>	<u>Maximum Concentration</u> <u>(milligrams per kilogram)</u>
Arsenic	55
Barium	2750
Cadmium	55
Chromium	275
Lead	77
Mercury	17
Selenium	165
Silver	165

3. The particulate emissions cannot exceed 0.04 grains/dry standard cubic feet of exhaust gas.

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3. Inconsistency with the regulations of other Divisions.

Because of the problems associated with this activity, the Bureau of Air Regulation has concluded that the policy expressed in the April 2, 1987, memorandum needs to be revised. Future requests to modify permits to operate asphalt and similar plants to decontaminate soil without appropriate VOC controls will be denied.

Any applicant inquiring about the use of an asphalt or similar plant to decontaminate soil should be instructed to submit an application for a permit to construct which includes VOC controls. An afterburner or equivalent device capable of providing an overall control of at least 95 percent will be required on all soil decontamination units. Owners of kilns who claim that the efficiency of VOC control can be achieved without add on controls can be permitted provided tests confirm the required destruction of the VOC's.

Asphalt plants whose current permits authorize processing of contaminated soils shall be allowed 30 days from the receipt of the notification letter to notify the Department whether they intend to install VOC controls or cease decontaminating soils. They will then have another 30 days to submit an application for a construction permit or to cease decontaminating soils. You should review any permit application on a priority basis. A letter, similar to the attached draft, shall be sent to each asphalt plant in your area that is permitted to decontaminate soil by certified letter. The letter states that VOC pollutants need to be controlled with an afterburner or similar control device if they intend to continue to process contaminated soils. The degree of treatment should also be addressed in the specific conditions of the revised permit. Obviously, no permit to operate should be renewed unless the asphalt plant has installed VOC controls.

In addition to the provisions for VOC control, the Bureau of Air Regulation has revised the conditions governing the decontamination of soils to be consistent with the regulations and policies of the Division of Waste Management. As this is the case, soil may not be decontaminated under the following conditions:

1. The soil must not be classified as a hazardous waste. If the soils are suspected of containing a hazardous waste, then analyses for other contaminants may include, but are not