

TITLE: Use of Historical Analytical Data During a Phase I Property Assessment to Determine Chemicals of Concern for a Phase II Property Assessment

DATE EFFECTIVE: August 2003

HISTORY: Update of VA30006.03.001 - Revision was necessary to reflect changes in rule citations that became effective in February 2009.

KEYWORDS: Historical data, analytical data, prior data, chemicals of concern, confirmation of data, non-certified laboratory data

RULE/ AUTHORITY: OAC 3745-300-06(C)(4); 3745-300-07(E)(1)

QUESTION: Can historical data analyzed by a non-certified laboratory be used to eliminate chemicals of concern (COCs) for analysis during a Phase II Property Assessment?

ANSWER: No, because, in order to comply with OAC 3745-300-06(C)(4), all areas where known or suspected releases of hazardous substances or petroleum are identified must be designated as an identified area and evaluated in accordance with OAC 3745-300-07 (the Phase II Property Assessment rule). Although previous environmental assessments or studies are to be reviewed during the VAP Phase I Property Assessment (see OAC 3745-300-06(C)(1)(a) and (C)(2)), analytical data from these assessments cannot be used to eliminate known or suspected releases of hazardous substances or petroleum from a list of COCs that must be investigated as part of the VAP Phase II Property Assessment. In order to rely upon analytical data from prior property assessments or studies, the non-certified laboratory data must be confirmed with certified laboratory data in accordance with OAC 3745-300-07(E)(1). This requirement also applies for analytical results indicating no detections above detection limits. Of course, all hazardous substances or petroleum detected in historical analytical data should be considered COCs, but sources of information other than historical analytical data must also be relied upon to determine the contaminant types known or suspected to be released into the environment. OAC 3745-300-07(E)(3) further explains the COCs that must be identified for each identified area.

OHIO EPA CONTACT: For any questions concerning this issue, please contact the VAP central office at (614) 644-2924.