

TITLE: Slag as Background

**DATE
EFFECTIVE:** January 2003

HISTORY: Update of VA30007.03.002 - Revision was necessary to reflect changes in rule citations that became effective in March 2009. However, the archived TDC document remains accurate under the 1996 VAP rules.

KEYWORDS: Background, slag, sampling

**RULE/
AUTHORITY:** OAC 3745-300-07(H)(1)

QUESTION: Can a CP or volunteer sample on-site in areas which contain slag when conducting a background demonstration?

ANSWER: Paragraph (H)(1) of Rule OAC 3745-300-07 states that "if background levels ... do not meet the applicable standard derived for the property... the volunteer can select, as the applicable standard, a comparison demonstrating that the concentration of any such chemical of concern on the property is at or below the background levels." The samples must be taken from soil media that is native to the property.

Native fill may be used provided that it was not moved from, or is not currently in any area listed in OAC 3745-300-07(H)(1)(b). Slag materials are not representative of background concentrations at the property because they are industrial fill (see OAC 3745-300-07(H)(1)(b)(i)(c)), and also may contain hazardous substances, or solid or hazardous wastes (see OAC 3745-300-07(H)(1)(b)(ii)).

SUMMARY: Areas of a VAP site that are suspected to contain slag are not acceptable for background determination, because slag is industrial fill and also may contain hazardous substances, or solid or hazardous wastes.

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