

ARCHIVE: Archived because revisions made to VAP rules in 2002 in OAC Chapter 3745-300 render inaccurate the rule citations in this document (technical content remains accurate under the 1996 VAP rules). Refer to VA30007.03.002 for the updated document.

TITLE: Slag as Background

KEYWORDS: background, slag, OAC 3745-300-07(I), sampling

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

ANSWER: Paragraph (I) 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 an area consisting of:

- Engineered fill
- Structural fill
- Industrial fill
- Where hazardous substances, petroleum, solid or hazardous wastes, wastes waters or material handling areas have occurred.
- Within three feet of a roadway
- parking lots and areas surrounding parking lots or other paved areas.
- Railroad tracks
- Concentrated air pollutant areas
- storm drains or ditches
- Spill areas

The selection of chemicals of concern to be carried through a risk assessment can be narrowed by screening, or by the comparing the concentrations of chemicals of potential concern against background concentrations of naturally occurring compounds at the property. Slag materials are not considered representative of background concentrations at the property, pursuant to the VAP statute, because they are industrial fill, and may also contain hazardous substances, solid or hazardous wastes.

SUMMARY:

Sampling for background within areas of a VAP site that are suspected to contain slag is not acceptable, because slag is considered industrial fill, and also may contain hazardous wastes, substances or solid wastes.

OHIO EPA

CONTACT:

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