

**7037.0500 SAMPLING AND ANALYSIS OF PETROLEUM CONTAMINATED SOIL.**

Subpart 1. **Sampling procedures.** To characterize the type and level of contamination of soil that has been or will be excavated, a generator shall take soil samples from a stockpile generated during a cleanup of a release or from subsurface soil borings conducted in locations which are representative of soil contaminated by the release. Petroleum contaminated soil samples collected for analysis for the parameters with codes A to E under subpart 2 must be grab samples. Analysis for the parameters with codes F to H under subpart 2 requires separate composite samples. Samples must be collected in accordance with parts 7037.2900 and 7037.3000.

Subp. 2. **General analysis requirements.** A generator shall analyze petroleum contaminated soil for the parameters in the following table based on the contaminant or contaminants actually or potentially present in the soil using the required laboratory analysis methods given in part 7037.3100.

<b>CONTAMINANT</b>	<b>PARAMETER CODES</b>
Leaded gasoline, aviation gasoline	B, C, D, F
Unleaded gasoline	B, C, D
Fuel oil, motor oil, diesel fuel, kerosene, jet fuels, mineral oil or spirits, hydraulic fluids, crude oil	B, E
Used Oil	A, E, G, H

The parameter codes listed above correspond to the parameters as follows:

Code A - volatile organic compounds listed in Minnesota Department of Health method 465, revision D;

Code B - benzene, toluene, ethyl benzene, and xylenes;

Code C - methyl tertiary butyl ether;

Code D - total petroleum hydrocarbons as gasoline;

Code E - total petroleum hydrocarbons as fuel oil;

Code F - total lead;

Code G - constituents with waste codes D004 to D017 in part 7045.0131, subpart 8, unless the generator has personal knowledge that those constituents are not present and prepares a document containing the information in subpart 4; and

Code H - polychlorinated biphenyls (PCBs).

Subp. 3. **Additional evaluation of soil contaminated with leaded petroleum products.** A generator shall perform a complete toxicity characteristic leaching procedure (TCLP) on soil that is contaminated with leaded gasoline and aviation gasoline if total lead is present at a level equal to or greater than 20 times its toxicity characteristic regulatory concentration level as given in part 7045.0131, subpart 8.

Subp. 4. **Additional evaluation of soil contaminated with used oil.** A generator shall evaluate soil that is actually or potentially contaminated with used oil to determine whether it contains a hazardous waste in compliance with items A to C. If personal knowledge is used to make a determination on the presence of hazardous waste in the soil, the generator shall prepare a written document that sets forth the reasons supporting the generator's conclusion that hazardous waste is not present and that states that the information included in the document is true to the best of the generator's knowledge. The generator must sign and notarize this document.

A. A generator shall determine through chemical analysis or personal knowledge whether the soil is contaminated with any hazardous waste listed in part 7045.0135.

B. A generator shall determine the total halogen level of the soil by summing the halogenated compounds included in the parameters of code A in subpart 2. If the halogen level is equal to or greater than 1,000 parts per million, the soil is presumed to contain a hazardous waste, unless the generator rebuts this presumption through personal knowledge or chemical analysis.

C. A generator shall determine whether the soil exhibits the toxicity characteristic of part 7045.0131, subpart 7, for the constituents included in code G in subpart 2. If the total analysis for these constituents demonstrates that individual constituents are present in the soil at levels equal to or greater than 20 times the toxicity characteristic regulatory concentration levels as given in part 7045.0131, subpart 8, the generator shall perform a complete TCLP.

**Statutory Authority:** *MS s 116.07*

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