

Recent releases at petroleum tank sites

Petroleum Remediation Program

This document provides guidance for responding to recent releases from petroleum tanks, including spills, overfills, and failures from tank system components, including lines. A recent release requires immediate response and recovery to stop contamination from spreading, regardless of risk to receptors. Fast and effective response minimizes environmental and human impact and overall cost for investigation and cleanup.

I. Definition

A recent release is defined as a release that has occurred within the past 90 days. This includes catastrophic releases that occur over a short duration (hours to days) and ongoing releases that occur over a long duration (weeks to years). The response level will vary by the release scenario and by the amount of information available to initially characterize the release.

Release reporting

All petroleum releases greater than five gallons must be reported immediately to the Minnesota duty officer at 651-649-5451 or 800-422-0798. Release reporting requirements are described in [Reporting of petroleum releases](#).

II. Response and cleanup

[Minn. Stat. §115.061](#) requires all persons responsible for the release of a petroleum substance under their control to recover it as rapidly and as thoroughly as possible. If a responsible party (RP) does not initiate immediate recovery, they may be ordered to do so or be subject to other enforcement actions. If the RP is unable or unwilling to take the necessary response and recovery actions, the Minnesota Pollution Control Agency (MPCA) may hire a state contractor to complete this work. The RP will be liable for any costs incurred by the MPCA ([Minn. Stat. §§ 115C.021](#) and [115C.04](#)). In addition, compliance with section 115.061 is required for petroleum-contaminated waste generated from recovery actions to be exempt from hazardous waste rules ([Minn. R. ch. 7045](#)). Response and cleanup costs may be eligible for up to 90% reimbursement from the Minnesota Petrofund (Petrofund).

Emergency response work request

The Petrofund's competitive bidding requirements are waived in emergency situations. The Emergency Response program can issue an Emergency response work request form to help document to the Petrofund what work falls within the emergency response timeframe.

The MPCA's Emergency Response program will oversee the immediate response and recovery actions, including instructing the RP how to meet the requirements of [Minn. Stat. § 115.061](#). Once the release has been stabilized, including controlling or mitigating any emergency conditions, the Emergency Response program will transfer oversight to the Petroleum Remediation Program (PRP). The Petrofund does not require competitive bidding in emergency situations. Those planning to apply for Petrofund reimbursement should contact the Emergency Response program and the Petrofund to confirm when the emergency conditions have been addressed and to identify what future work will fall under the Petrofund's competitive bidding requirements.

The response goal is to recover or remove as much of the release as rapidly as possible. This may require excavation of contaminated soil, removal of a leaking tank, installation of recovery wells, or other in situ remediation prior to completing a site investigation and risk evaluation. Other emergency conditions may influence the type and degree of response and recovery actions.

When excavating contaminated soil, follow the general excavation requirements in [Excavation of petroleum-contaminated soil and tank removal sampling](#). The clean-up goal is to continue excavating until soil headspace screening results reach background levels and no staining or odors remain, or until excavation is no longer feasible. Alternatively, the MPCA may provide site-specific clean-up goals. Once excavation is complete, collect and analyze soil samples according to [Excavation of petroleum-contaminated soil and tank removal sampling](#) and [Soil sample collection and analysis procedures](#) to document remaining levels of contamination.

For a small petroleum spill, the following guidance documents may be useful: [Cleaning up small petroleum spills](#) and [Thin spreading small quantities of petroleum-contaminated soil](#).

Note: If historical contamination is encountered during the response to a recent release, contact the MPCA for site specific guidance on how to address it. If the historical contamination has not been previously investigated you will likely be instructed to conduct additional investigation as described in Section IV below.

III. Documentation

Document response and recovery actions using PRP report forms whenever possible, such as the [General excavation report worksheet](#) when soil excavation is completed. If PRP report forms are not suitable for the actions taken, provide the following documentation:

- 1) A detailed narrative of the response
- 2) Site maps(s) identifying the impacted area and locations mentioned in the narrative
- 3) Tables summarizing field screening and analytical data
- 4) Laboratory analytical reports with chain-of-custody forms

Alternatively, the MPCA may provide site specific reporting requirements. Upon review of submitted documentation, the MPCA will determine whether additional investigation is necessary.

IV. Additional investigation

If response and recovery actions do not remove all of the contamination, or historical contamination is present, a site investigation may be necessary as described in the [Petroleum remediation program general policy](#). After the initial response and recovery actions have been completed, additional work is overseen by the PRP and completed following PRP guidance documents.

V. Petrofund reimbursement

RPs and other eligible applicants may apply for Petrofund reimbursement if the costs for addressing the release are not covered by insurance. For more information about reimbursement requirements and eligibility, contact the Petrofund at 651-539-1515 or 800-638-0418, or visit the [Petrofund](#) website.