

48-Hour Notifications

December 2, 2009

The Department of Environmental Quality (DEQ), Remediation and Redevelopment Division project managers have reported that not all Qualified Consultants (QCs) are providing a 48 hour notice to the DEQ in accordance with 21307a(2) of Part 213, Leaking Underground Storage Tanks (LUST), of the Natural Resources and Environmental Protection Act, 1994 PA451, as amended.

This note is a reminder that advance notice needs to be submitted to the DEQ 48 hours prior to the commencement of the following activities at LUST sites:

- 1) Soil Excavation;
- 2) Well drilling, including monitoring well installation;
- 3) Sampling of soil or groundwater; and
- 4) Construction of treatment systems.

The form to report the work activities can be found online at:

http://www.michigan.gov/documents/deq/deq-std-EQP3801_248340_7.pdf

While initial (and continuing) response actions related to free product are not specifically listed, it is the DEQ's interpretation that the activities contained in Section 21307(2)(c) through Section 21307(3)(c) and Section 21308a(1)(b)(xviii) require the 48-hour prior notice to remain in compliance.

Failure to comply with Part 213 is a cause for which your QC certification may be revoked or suspended pursuant to Rule 1(h)(iv) of the QC/CP Rules. As such, a notice of violation may be placed in your QC file if you fail to provide the 48 hour notification to the DEQ which may lead to the revocation or suspension of your QC certification.

If you have any questions, you may contact Ms. Terri Greene by e-mail at greenet@michigan.gov or by phone at 517-335-7272. Thanks for your cooperation.