

Regulatory Guidance in Response to Hurricane Ike from the Executive Director of the Texas Commission on Environmental Quality: Aqueous or Soil Samples Used in Remediation

If an environmental laboratory you used was affected by any of these aspects of Hurricane Ike:

- having to evacuate in anticipation of the hurricane's landfall
- inability of the couriers to deliver samples during the storm
- having to recover from the hurricane

then for soil and groundwater samples collected from Wednesday, September 5, through Thursday, September 11, we will make the special considerations outlined in this document.

What if our samples spent more than 48 hours in transit?

The 48-hour limit for time elapsed from sample collection to receipt by the laboratory is waived.

Are results from volatile samples still useful?

It depends. If the analysis holding time is exceeded or cold storage was lost, data from volatile samples cannot be used to demonstrate compliance with regulatory standards. However, if the data from these samples indicate that levels of the volatile chemicals of concern (COCs) exceed standards—in other words, that remediation must continue—then the data may be used.

Specifically, this consideration applies to samples used to document levels of any of these COCs:

- benzene or other volatile nonhalogenated aromatic hydrocarbons, because biodegradation could have reduced levels in the sample below actual;
- nonhalogenated semivolatile hydrocarbons, such as polycyclic aromatic hydrocarbons (PAHs), for the same reason; or
- chemicals with vapor pressures greater than 1 atmosphere and/or a unitless Henry's Law constant greater than 0.005, because volatilization could have caused a loss of the COCs from the sample.

My site is in the PST Reimbursement Program. If resampling is needed because of Hurricane Ike, must I pay for it?

No. We will reimburse you for resampling costs, including collection and shipment, if you can document that the original samples were shipped by September 8 and, because of Hurricane Ike:

- The courier failed to get the original samples to the laboratory; or
- The laboratory was not able to analyze the samples within the holding time; or
- The original sample temperatures exceeded 6°C by the time the laboratory received them.

To be reimbursed for resampling costs, you must provide us with these documents:

- a justification of the need for resampling
- the custody documents and field notes for the original sampling
- the custody documents and field notes for the resampling
- the name, location of, and contact information for both of these parties:
 - the courier transporting the original samples and
 - the laboratory to which the original samples were sent

What if I have more questions?

Please call our Remediation Division at 512-239-2200 or e-mail <techsup@tceq.state.tx.us>.