

New York State Department of Environmental Conservation
Division of Spills Management
Wolf Road
Albany, New York 12233-3750
Telephone: (518) 457-9412
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MICHAEL ZAGATA
COMMISSIONER

May 17, 1995

Mr. John P. Opsasnick
Petrol Rem, Inc.
Building 2500
2275 Swallow Hill Road
Pittsburgh, PA 15220

RE: PRP

Dear Mr. Opsasnick:

The Division of Spills Management (DSM) and the Spill Product Evaluation Group (SPEG) have reviewed the information which you have submitted regarding your spill cleanup product called PRP. In general, the DSM and the SPEG have no objection to the use of PRP within the State of New York as a biological nutrient and petroleum degradation agent in the remediation of petroleum product releases on land and surface waters. However, the Regional Spill Engineers retain the option to preclude its use due to regional or site-specific concerns.

The following conditions shall apply to the use of PRP in New York State.

1. The use of PRP must conform to any requirements established by the Regional DSM personnel involved with the remediation of a particular spill incident.
2. The use of PRP must be authorized by the spill incident on-scene coordinator in accordance with appropriate emergency and contingency plans, especially the National Contingency Plan.
3. The use of PRP, as a powder or as a water slurry, to treat petroleum products on land (soil, pavement, etc.), shall be restricted to application within a contained or boomed area, with subsequent removal and proper disposal of the PRP/petroleum mixture.
4. Additional site-specific data must be collected and submitted to Frank Peduto or me for further evaluation of the effectiveness of PRP. This requirement applies to the first two projects of each of the treatment scenarios listed below:

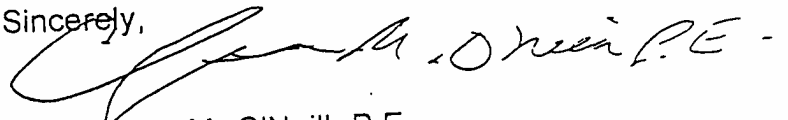
- a. heavy petroleum products (crude oil, #6 fuel oil, #4 fuel oil, etc.) on land (soil, pavement, etc.);
 - b. light petroleum products (#2 fuel oil, kerosene, gasoline, etc.) on land (soil, pavement, etc.);
 - c. heavy petroleum products on surface waters; and
 - d. light petroleum products on surface waters.
5. The user of PRP shall be liable for any environmental or other damages which may result from its use.
 6. As appropriate, the DSM and the SPEG may add or delete any requirements for PRP usage based on any future data evaluations.
 7. The use of PRP to remediate contaminated soil or groundwater in-situ or ex-situ as an aid in biodegradation will be evaluated on a case-by-case basis by the DSM.

The review by the DSM and the SPEG does not constitute approval, endorsement, or recommendation of any commercial product or proprietary process. The review results only in the consideration of a product for use in spill cleanups on a case-by-case basis depending on the sensitivity of the environmental resources affected, and the appropriateness of its use under the physical circumstances of the spill. No implicit or explicit endorsement by New York State Department of Environmental Conservation is to be made by any sales promotion or on any label, advertisement, or technical literature.

Any reference to this letter, or its contents, must include the previous paragraph, or this letter in its entirety.

Please contact Frank Peduto or me at (518)457-9412 if you have any questions. Please contact the Regional Spill Engineers, listed on the attached sheet, to discuss their requirements regarding the use of PRP within their specific area of responsibility.

Sincerely,



Christopher M. O'Neill, P.E.
Environmental Engineer 2
Engineering Assistance Section
Division of Spills Management

cc: T. Quinn
T. Plesnarski
F. Peduto
Regional Spill Engineers, Region 1, 2, 3, 4, 5, 6, 7, 8 and 9
SPEG Members