



MEMORANDUM

To: Petroleum storage tank owners and operators, Recognized Environmental Professionals and environmental consultants
From: Rob Herbert, P.G., Petroleum Remediation Supervisor - Colorado Division of Oil and Public Safety
Regarding: Updated Tier III and Tier IV Closure Criteria for Petroleum Release Events
Date: November 15, 2018

The Division of Oil and Public Safety – Petroleum Program (OPS) created this memorandum to inform stakeholders of updates to the Petroleum Program Guidance regarding Tier III and Tier IV risk-based closure criteria for petroleum release events.

These closure criteria were implemented in 2014 to enable the closure of release events with residual offsite petroleum contamination that is considered to be a low risk to human health and the environment.

- **Tier III closure criteria** establish conditions where contaminants of concern (COCs) can remain above the Tier I risk-based screening levels (RBSLs) at the property boundary but not beyond an adjoining public roadway.
- **Tier IV closure criteria** establish conditions where COCs can remain above Tier I RBSLs at offsite properties.

Implementation of Tier III and Tier IV closure criteria was initially limited to releases where only dissolved phase COCs remain above the Tier I RBSLs beyond the release property boundary. The intent of this limitation was to allow for a conservative pilot program for responsible parties and consultants during the initial implementation of the new closure criteria to enable OPS to make adjustments as needed.

In the four years since Tier III and Tier IV closure criteria were implemented, OPS has closed a total of **125** release events (79 Tier III closures and 46 Tier IV closures).

Because of the success of the Tier III and Tier IV closure implementation, OPS is now removing the limitation that only dissolved phase COCs can remain beyond the property boundary, as indicated below.

Tier III Closure Criteria:

Tier III closure criteria establish conditions where ~~dissolved-phase~~ COCs can remain above Tier I RBSLs at the release property boundary but not beyond an adjoining roadway.

A public roadway is the only POE where ~~dissolved-phase~~ COC concentrations may be above the Tier I RBSLs.

Tier IV Closure Criteria:

Tier IV closure criteria establish conditions where ~~dissolved-phase~~ COCs can remain above Tier I RBSLs at off-site properties, irrespective of land use.

A property boundary is the only POE where ~~dissolved-phase~~ COC concentrations may be above the Tier I RBSL.

The [closure criteria](#) stipulated in the Petroleum Program Guidance must still be met for a petroleum release to be considered for a Tier III or Tier IV closure, including an evaluation of the risk of exposure to receptors from any remaining contamination via the exposure pathways.

If you have any questions about the updated Petroleum Guidance, please contact Rob Herbert, Remediation Supervisor, at 303-318-8543 or robert.herbert@state.co.us, or Tom Fox, Environmental Protection Specialist, at 303-318-8535 or tom.fox@state.co.us.