

How Will EPA's Proposed Rule Changes for USTs and the New SPCC Rules for ASTs Affect You?



Federal Rules - EPA SPCC Rules

The compliance deadline for the SPCC amendments was November 10, 2011. Owners and operators had until that date to amend and implement their existing SPCC plans, as necessary, to ensure compliance with the 2002 and later SPCC revisions.



U.S. Environmental Protection Agency Spill Prevention, Control and Countermeasures (SPCC)

- Regulatory emphasis on preventing spills to surface waters from all tanks and containers on-site
- All facilities near navigable waters must have a SPCC plan approved by a Professional Engineer
- The Plan must provide appropriate containment and/or diversionary structures or equipment to prevent a discharge
- The Plan must provide procedures for responding to a discharge from the facility
- Regulations reference some industry standards from API



Federal UST Rule Development

Change is coming...
Change you can
count on!



U.S. Environmental Protection Agency

Office of Underground Storage Tanks

www.epa.gov/oust

Yes, It's True



The Energy Act of 2005

- Secondary Containment for new UST Systems
- Delivery Prohibition
- Operator Training
- Increased Inspection Frequency



EPA's Current Rule Development Effort

- Began in 2007
- Developed an “Ideas” List in 2008 with input from affected parties
- Held meetings in 2009 with interested parties and regulators to solicit feedback
- Developed a shortened list of proposed concepts based on the comments received from industry, state and local regulators, and tribal representatives
- STI staff, members, and representatives actively participated in the process
- Review by contracted industry experts

Current Status

- 90 days Public Notice Period was extended, and the deadline for submitting comments ended on April 16.
- EPA will review the comments and make changes as necessary
- EPA's target for adoption is November, 2013



A photograph of a snowy street scene. In the foreground, a large white sign on a black base reads "CLOSED DUE TO EPA REGULATIONS WATCH FOR OUR GRAND RE-OPENING". The sign is positioned in front of a building with a sign that says "DiVozzi & Sons BAKERY & PIZZERIA". The ground is covered in snow, and there are some cars parked in the background. The sky is overcast.

CLOSED
DUE TO
EPA
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DiVozzi & Sons BAKERY & PIZZERIA

What OUST has proposed...

New Definitions

- Airport Hydrant Systems
- Class ABC Operators
- Dispenser System
- Motor Fuel
- Regulated Substance
- Repair
- Replaced
- Secondary Containment
- Training Program
- Under-Dispenser-Containment (UDC)
- Underground Storage Tank (UST)



New Storage Tank Systems

- All new and replacement storage tanks and piping must have secondary containment
- Requires UDC's for new dispensers



New Reference Standards

- NFPA 385
- API 1621
- NACE TM 0101
- NACE TM 0497
- STI RP R051
- NACE RP 02-85
- NACE SP 0169
- STI RP R012
- API 2016
- NFPA 326
- FTPI Protocol for testing dry annular UST spaces



UST Systems with Secondary Containment

- Requires USTs and piping with secondary containment to be continuously monitored, or perform integrity tests every three years using vacuum, pressure, or liquid methods.
- Methods of continuous interstitial monitoring for tanks include liquid filled, vacuum, pressure, and sensors in the interstitial space.



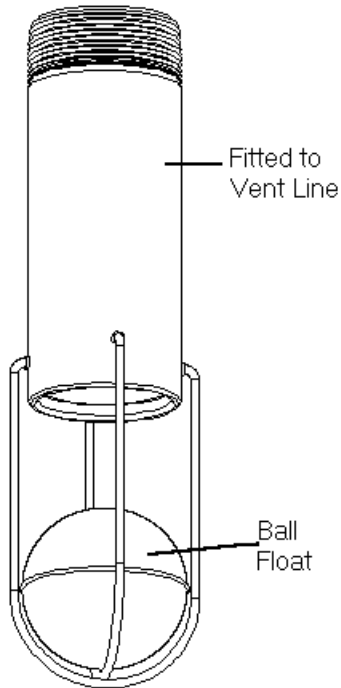
Containment Sumps

- New section requires containment sumps to be continuously monitored if double-walled, or perform integrity tests every three years using vacuum, pressure, or liquid methods



Overfill Prevention

- Requires overfill prevention equipment to be tested at installation and every three years thereafter
- Overfill prevention equipment testing must meet phase-in testing schedule -(one year for pre-88 USTs, two years for 88-98 USTs, and three years for post 98 USTs)



Spill Prevention

- Requires spill buckets to be continuously monitored if double-walled
- Requires annual integrity tests (vacuum, pressure, or liquid) if single-walled
- UST systems in use before the effective date of rule must test spill buckets within one year.



Release Detection

- UST systems using interstitial monitoring must meet phase-in testing schedule
- If in use before the effective date of the rule, must test within one year for pre-88 USTs, two years for 88-98 USTs, and three years for post 98 USTs
- All UST systems using vacuum, pressure, or liquid-filled methods must be capable of detecting a breach in the inner and outer wall
- Adds the presence of water or product in an interstice as a suspected release, and includes monitoring alarms.

Proposed Amendment – Clarification that leak detection methods allowed for interstitial monitoring shall be either vacuum, pressure, liquid-filled, sensors or probes, monthly visual, or another method approved by the implementing agency.

Release Detection Testing – USTs & Piping

- Requires USTs and Piping with secondary containment to be continuously monitored, or perform integrity tests every three years using vacuum, pressure, or liquid methods... **Concerns...**
- UST systems using interstitial monitoring must meet phase-in testing schedule specified in Table. If in use before the effective date of rule must test within one year after the effective date of rule for pre-88 USTs, two years for 88-98 USTs, and three years for post 98 USTs.

Proposed Amendment – USTs and Piping with Secondary Containment installed before the effective date of rule that use sensors or visual monitoring for release detection not be required to perform integrity tests.

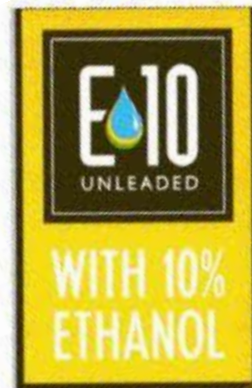
Testing

- New sections for annual operability tests for ATGs, probes and sensors, line leak detectors, and vacuum and pressure gauges.



Alternative fuels

- New section for bio-fuels greater than E-10 and B-20. Requires certifications by nationally recognized labs and manufacturer's approvals



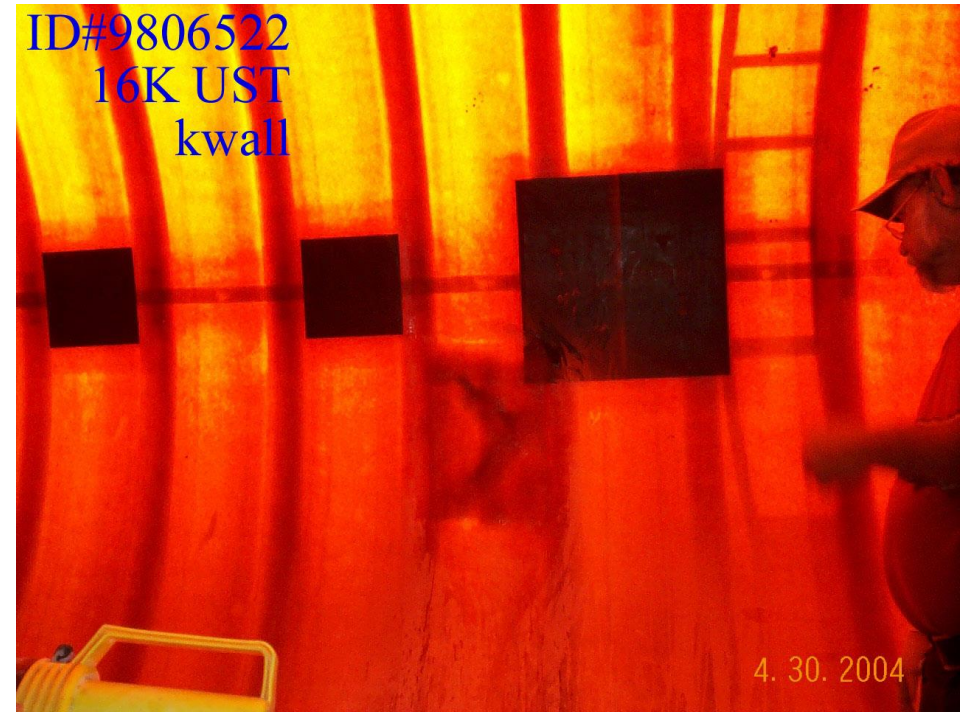
Recordkeeping

- New requirements for documenting compatibility of products stored within the UST system
- Installation of new UST system equipment
- Compliance of spill and overfill prevention equipment
- Compliance for release detection for tanks, piping, and containment sumps
- Documentation of monthly walk-through inspections
- Documentation of operator training.



Repairs

- If the primary or secondary wall is repaired, the structural integrity of the interstitial space must be verified before returning tank/piping to service
- Requires testing of USTs with secondary containment, spill and overfill prevention within 30 days of repair, and UST interstices with vacuum, pressure, or liquid test methods



Monthly Visual Inspections

New section requiring monthly inspection of spill prevention equipment, sumps, UDC's, monitoring wells, cathodic protection, and release detection using the list in the rule, an industry standard, or a state implementing agency standard



General

- Requires notice of ownership change within 30 days of acquisition
- Amends existing section with notification requirements for sellers of USTs and requires new form on Appendix III
- Internally-lined USTs not meeting original design standards that can't be repaired must be closed
- New Section for SIR that requires a quantitative result with a calculated leak rate that can detect a 0.2 gph leak



General

- Update tank, piping sections for new technologies – include clad and jacketed tanks, flex-piping
- Technical Corrections – such as update standards and correct typos
- Minor clarifications to the Financial Responsibility Section
- Establishes new table and eliminates old table for Manual Tank Gauging



Requirements for Previous Deferrals

Establishes a Phase-in Schedule for:

- Release detection for Emergency Generator USTs
- Emergency Generator USTs
- Airport Hydrant Systems & Bulk Piping
- Field-Constructed USTs
- Wastewater Treatment Tanks



Operator Training

- Requires all o/o's to have designated Class A, B, & C Operators within three years of the effective date of the rule
- Requires o/o's to designate Class A, B, & C Operators for each UST or group of USTs
- Requires Class A & B Operators to be trained or pass a comparable examination from independent trainers. Lists the curriculum for the training. Requires that the training evaluate the Operator's knowledge and skills to make informed UST management decisions



Operator Training

- Requires Class C Operators to be trained by a Class A or B Operator, complete a training program, or pass a comparable examination from independent trainers. Lists the curriculum for the training. Requires that the training evaluate the Operator's knowledge and skills to respond to UST emergencies, spills, and releases
- Requires training programs to meet the requirements of the section and evaluation through testing or practical demonstration. Training Program evaluation and mandatory testing must be developed and administered by an independent organization



Operator Training

- Establishes deadlines for Operator Training for o/o's of pre-1988 USTs (one year), 1988-1998 USTs (two years) and post -1998 USTs (three years).
- New Class A or B Operators must meet requirements within 30 days of employment.
- Class C Operators must meet requirements before assuming duties.



Operator Training

- Requires o/o's to keep records and lists of designated Class A, B, & C Operators for three years with names, duty dates, training dates, and retraining dates, regardless of whether the training was classroom, computer-based, or field-training.
- Facilities that are out of compliance must retrain their Class A & B Operators in the non-compliance areas with 30 days unless the o/o takes an annual refresher or is granted a waiver by the implementing agency



Class C Operator Training for Underground Storage Tank Systems

NISTM
National Institute for Storage Tank Management

The National Institute for Storage Tank Management



Powered by - Titan Management Group



Training requirements for Class A Operators



Class A Operator means the individual who has primary responsibility to operate and maintain the UST system in accordance with applicable requirements established by the implementing agency. The Class A operator typically manages resources and personnel, such as establishing work assignments, to achieve and maintain compliance with regulatory requirements.

Training requirements for Class B Operators



Class B Operator means the individual who has day-to-day responsibility for implementing applicable regulatory requirements established by the implementing agency. The Class B operator typically implements in-field aspects of operation, maintenance, and associated recordkeeping for the UST system.

Training requirements for Class C Operators



Class C Operators need to be able to respond to spills, potential leaks, overfills, and emergency situations

Class C Operator means the employee responsible for initially addressing emergencies presented by a spill or release from an UST system. The Class C operator typically controls or monitors the dispensing or sale of regulated substances.



Questions?

**Marshall T. Mott-Smith,
President**

Mott-Smith Consulting Group, LLC

Chief Operating Officer,

AET Compliance, LLC

Vice President

NISTM

1564-4 Metropolitan Blvd.

Tallahassee, FL 32308

marshall@mott-smithconsulting.com

mtmott-smith@aetllc.com

850-391-9835 work

850-591-1434 cell

850-766-1562 cell

www.mott-smithconsulting.com

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