

# **UST REGULATIONS UPDATED**

**JUNE 6, 2018**

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UST Program Chief**

# NEW FEDERAL UST REGULATIONS FOR TECHNICAL STANDARDS

- Final and published in July 2015
- For Mississippi, we must have the new UST regulations adopted **no later than** October 2018



# **MAJOR UST FEDERAL REGULATION CHANGES FOR MS**

- **Monthly walk through inspections**
- **Regulating airport hydrant systems and field constructed tanks**
- **Requiring replacement of all UST piping when 50% or more of the piping is replaced**
- **Elimination of flow through restrictors (ball floats) for overfill prevention**
- **Notification and compatibility requirements for fuel blends > 10% ethanol or >20% biodiesel**

# UST 2 – UST REGULATIONS TECHNICAL STANDARDS

## 4 phase in periods

- Immediately
- 6 months after regulation adoption
- 12 months after regulation adoption
- 3 years after regulation adoption

**CHANGES DUE IMMEDIATELY  
(UPON REGULATION ADOPTION)**

# **REGULATION CHANGE**

## **NO BALL FLOATS**

**No longer allowed for new installations**

**Cannot replace existing ball floats with new ball floats**



# REGULATION CHANGE

## SECONDARY CONTAINMENT TESTING AT INSTALLATION

- At installation  
AND
- Before the UST system receives any delivery



# REGULATION CHANGE

## AUTOMATIC TANK GAUGE (ATG)



Visible or audible  
alarm

and MS added

Capable of  
printing



# REGULATION CHANGE

Added leak detection requirement for ancillary equipment within secondary containment sumps that were installed after October 1, 2008



MDEQ change

## REGULATION CHANGE

### **B-25 Biodiesel Blend**

contains more than 20  
percent biomass-based  
diesel or biodiesel

**NOTIFICATION 30  
DAYS PRIOR TO  
CHANGING FUEL  
BLENDS**

**20% ETHANOL**

USE **ONLY** IN  
**FLEX-FUEL VEHICLES**

MAY HARM OTHER ENGINES

> 10%  
ethanol

> 20%  
biodiesel

# REGULATION CHANGE

## DEMONSTRATE COMPATIBILITY

- Certification or listing of UST system equipment or components by a nationally recognized, independent testing laboratory for use with the regulated substance stored; or
- Equipment or component manufacturer approval. This manufacturer's approval must:
  - be in writing,
  - indicate an affirmative statement of compatibility,
  - specify the range of biofuel blends the component is compatible with, and
  - be from the equipment or component manufacturer

# REGULATION CHANGE

## REPAIR TIMEFRAMES ADDED

30 days after observed failure for automatic line leak detectors

90 days after observed failure for regular testing components such as:

- Spill buckets
- Containment sumps
- Cathodic protection

**MDEQ specific**

# REGULATION CHANGE

## DELIVERY PROHIBITION MODIFIED

Added All shear valves are not properly installed

Added equipment is purposely disabled

Changed to 60 day written notification from 120 days

**MDEQ specific**



# **REGULATION CHANGE**

## **TEMPORARILY OUT OF SERVICE INDEFINITELY TANKS**

- 12 months out of service will require
  - Soil sampling (site assessment), or
  - Verification that the tanks are empty
  - Verification that cathodic protection is still operating

MDEQ Specific

Now requires payment of annual tank fees

# **REGULATION CHANGE**

## **LENDER LIABILITY**

New Subpart to the regulations:

- Who's responsible prior to foreclosure
- Holder's responsibilities after foreclosure
  - Empties all UST systems within 60 calendar days of foreclosure
  - Permanently Close USTs or meet temporary closure requirements

# **FORECLOSURE**

# LENDER LIABILITY

Holder's responsibilities in temporary closure:

- ❖ Maintain corrosion protection
- ❖ Report suspected releases
- ❖ Conduct site assessment after 12 months of temporary closure if UST system does not meet new UST system standards



# REGULATION CHANGE

## REPORTING REQUIREMENT



### *For Clarification*

Must report to MDEQ  
failed UST system  
equipment that is not  
repaired and re-tested  
within 24 hours of  
discovery of the failure

**MDEQ specific**

**CHANGES DUE IN 6 MONTHS**

# REGULATION CHANGE RE-DEFINED “REPLACED”

For piping – to remove 50 percent or more of piping and install other piping, excluding connectors, connected to a single tank



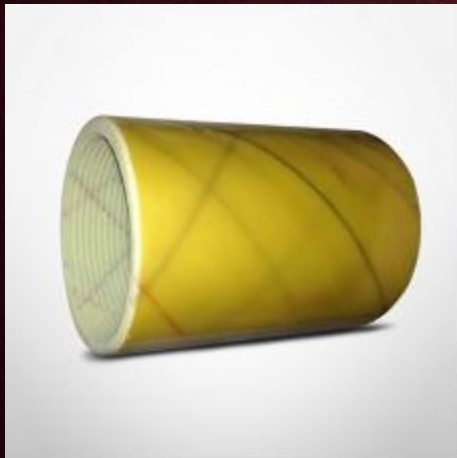
**ALL** the piping is required to be replaced with double-walled piping

# REPLACED PIPING

The 50% replacement of piping rule applies individually to each piping run.

**FOR EXAMPLE:** single-walled, regular unleaded pipe has a leak. To repair the regular unleaded pipe, 60% of the regular unleaded pipe needs to be replaced.

**RESULT:** double-walled piping must be installed for regular unleaded piping.



**CHANGES DUE IN 12 MONTHS**

# **REGULATION CHANGE**

## **CONTINUOUSLY MONITORED CONTAINMENT SUMPS**

Now requires annual  
inspection

**MDEQ specific**



# REGULATION CHANGE

## TEMPORARILY OUT OF SERVICE INDEFINITELY TANKS > 12 MONTHS

Permanent  
closure

or

Site  
Assessment

and/or

Annual  
Inspection

Remove or close in  
place the tanks and  
piping

Collect soil or  
groundwater samples  
from the perimeter of  
the tank bed area

Collect soil or  
groundwater samples  
around tank bed and  
piping areas

- Verify ownership
- Verify tanks are empty
- Inspect vent lines and any open piping
- Verify corrosion protection is operating, if applicable

**MDEQ specific**

**CHANGES DUE IN 3 YEARS**  
**(YEAR 2021)**



# REGULATION CHANGE

## EMERGENCY POWER GENERATOR TANKS

Any EPG tanks (installed prior to October 1, 2008) will be required to add a form of release detections for their EPG tanks

Will mostly effect

- Hospitals / nursing homes
- Schools
- Emergency operation buildings
- Utility companies



# REGULATION CHANGE

## MONTHLY WALK THROUGH INSPECTIONS

- Check spill buckets and record the findings
- While checking release detection monthly, review records and record unusual operating conditions



# MONTHLY WALK THROUGH INSPECTION (RELEASE DETECTION)

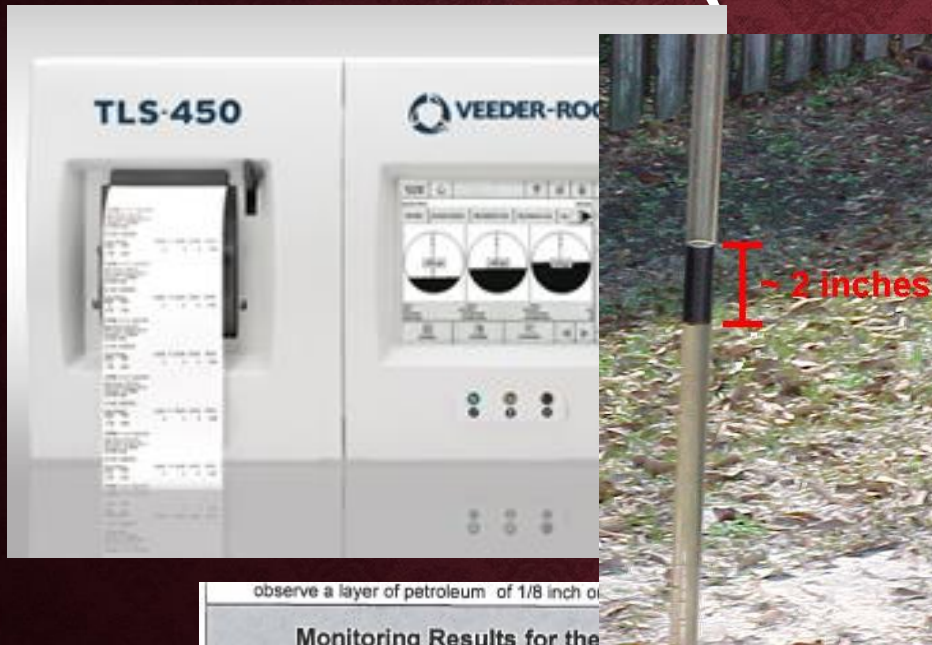
## Do

- Check for any alarms and reconcile accordingly
- Monthly written records are accurate
- Monitor for unusual operating conditions
- Visually inspect

## Record

- Any alarms noted and corrective action
- All release detection equipment checked
- Report unusual operating conditions and corrective action

# MONTHLY WALK THROUGH INSPECTION (RELEASE DETECTION)



- Make sure you have a passing test for each tank and pipe
- If  $> 1/8^{\text{th}}$  inch fuel in MW, report it
- Elevated vapors are reported
- All alarms are reconciled
- Sumps are dry

observe a layer of petroleum of 1/8 inch or

Monitoring Results for the

Monitoring Well Number	1	2	3	
G R O U N D W A T E R	Approximate depth to top of the water in the well (inches)	82"	84"	90"
	Is there any sheen of the store product on the water? (yes/no)	N	N	N
	Is there any layer of the stored product on the water? (yes/no)	N	N	N
	If there is a layer of the stored product, how thick is it? (inches)	2"	-	-
	Vapor reading (record in parts per million)			
	Have the vapor readings			

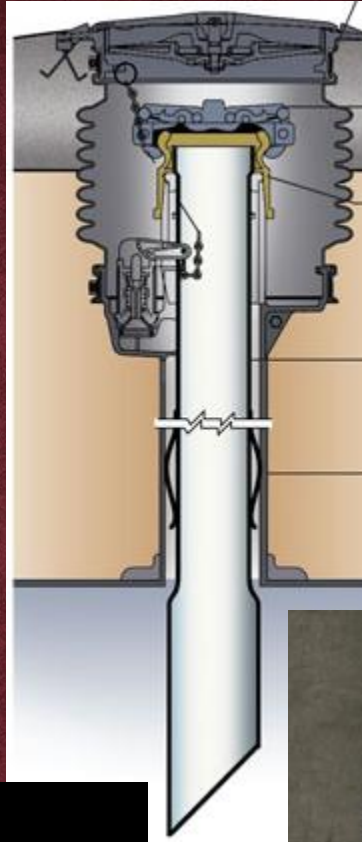


## REGULATION CHANGE

### ANNUAL WALK THROUGH INSPECTION CHECKLIST

- Check condition of all handheld leak detection equipment
- Any actions taken for each item out of compliance
- Fuel delivery records if spill buckets checks > 30 days
- Calibrate meters annually

MDEQ specific



# ANNUAL WALK THROUGH FOR



- Bailers are operating properly
- Tank gauge sticks are readable
- Vapor meters have been calibrated
- All caps and covers are present



# REGULATION CHANGE

## CONTAINMENT SUMP TESTING

Right now, we require  
**INSPECTING,**

New regulations require 3  
year **TESTING**





# SUMP TESTING REQUIREMENTS

- Fill with water - 4 inches above the highest penetration fitting/joint and at least 4 inches above the existing groundwater elevation
- Or another method approved by MDEQ



# REGULATION CHANGES

## ADMINISTRATIVE CHANGES

- Deleted deferrals for airport hydrant systems and field constructed tanks
- Updated RP & industry standard docs
- Re-named

“Certification of Registration”

to

“Certificate of Operation”

CERTIFICATE OF REGISTRATION				
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY UNDERGROUND STORAGE TANKS				
MDEQ UST FACILITY ID NUMBER 9534				
This certifies that the referenced facility is registered and has paid all annual tank regulatory fees. No certification of substantial compliance is indicated.				
<b>REGISTERED UST OWNER</b>				
THE HERTZ CORP RENT A CAR DIV 131 SOUTH HANGER ROAD JACKSON INTERNATIONAL AIRPORT JACKSON, MS 39208				
<b>FACILITY NAME &amp; ADDRESS</b>				
THE HERTZ CORPORATION RENT A CAR 131 SOUTH HANGER ROAD JACKSON INTERNATIONAL AIRPORT JACKSON, MS 39208				
<b>Tank Number</b>	<b>Compartment Number</b>	<b>Capacity (Gallons)</b>	<b>Substance Stored</b>	<b>Fuel Type</b>
4	1	12000	Gasoline	Regular
<b>CERTIFICATE EXPIRES: JUNE 30, 2013</b>				
DATE CERTIFICATE ISSUED: 9/5/2012			 JERRY HANKS, GARD PROGRAM MANAGER	
This certificate automatically renews upon payment of annual tank regulatory fees.				
<b>THIS CERTIFICATE MUST BE POSTED AT THE FACILITY</b>				

# REGULATION CHANGES

## ADMINISTRATIVE CHANGES

Added / Updated definition for:

- Containment sump with “liquid tight”
- Life safety/critical function UST
- Register
- Under-dispenser containment or UDC

Added alternative method for catastrophic piping leak detection for life safety/critical function USTs

# REGULATION CHANGES

## ADMINISTRATIVE CHANGES

Deleted alternative rule for overfill prevention equipment:

- No longer allows “restrict flow at 30 minutes prior to fill up”
- No longer allows “alarm 1 minute before fill up”
- No longer allows “before it wets top of tank”



# **UST 3 – UST CERTIFICATION REGULATIONS**

Specific to MDEQ

# UST CERTIFIED CATHODIC PROTECTION TESTERS



Adding a new category of UST contractors that have specialized training in cathodic protection testing

# **REQUIREMENTS FOR CATHODIC PROTECTION TESTER**

- 1 year experience with UST Installer or UST Cathodic Protection Tester,
- Completion of MDEQ approved third party examination to test Cathodic Protection

# UST CERTIFIED TECHNICIANS

Specializing in the annual testing requirements:

- Spill bucket testing
- Overfill prevention monitoring
- Sump integrity
- Release detection maintenance





# REQUIREMENTS FOR CERTIFIED TECHNICIAN

- 1 year experience with UST Installer or UST Technician,
- Complete 8 hours of Continuing Education,
- Successfully pass MDEQ examination, and
- Certificate of Insurance for \$50,000 coverage of contractor's general liability insurance, or
- Letter stating employee of their employer, if only working on employer's USTs

# **UST CERTIFIED TECHNICIANS – NON-INVASIVE REPAIRS**

Conduct non-invasive repairs, if a UST system component failed during testing. Non-invasive repairs include:

- Removal or installation of:
  - Dispensers
  - Line leak detectors
  - Over fill devices
  - Probes or sensors

# **UST CERTIFIED TECHNICIANS – NON-INVASIVE REPAIRS**

- Repairs to existing
  - Sump penetration fittings
  - Shear valves (i.e. anchoring)
  - Spill buckets
  - Other components as approved by  
MDEQ

# NON-INVASIVE REPAIRS

## DO NOT INCLUDE:

- Removal or install of STPs
- Removal or install of shear valves
- Any repair that requires excavation or drilling



# REGULATION CHANGE

## CONTRACTORS TO NOTIFY OWNER TO REPORT TO MDEQ

### When:

- **UST component fails  
annual testing**
- **Tanks or pipes fail  
monthly leak detection**
- **PTT failures**



# REGULATION CHANGES

## NEW CERTIFIED CONTRACTORS

2 years of experience under licensed contractor for:

- Installation licensure
- Permanent closure licensure

1 year of experience under licensed Installer or licensed Technician for:

- Certified Technician licensure

# REGULATION CHANGES

## ADMINISTRATIVE CHANGES

Added to General Requirements:

- Conduct work in accordance with industry standards and manufacture requirements
- Ensure UST equipment used to test is
  - Maintained,
  - Calibrated, and
  - Repaired in accordance with manufacture requirements

# REGULATION CHANGES

## ADMINISTRATIVE CHANGES

Added to General Requirements:

- Maintain applicable certifications from manufacture(s)
- Provide applicable certifications upon request



# QUESTIONS?

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