

UST Regulations UPDATED

September 18, 2018



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New Federal UST Regulations for Technical Standards

Final and published in July 2015 by EPA

 For Mississippi, approved for no later than October 5, 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 replaces
- 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





No ball floats

No longer allowed for new installations

Cannot replace
existing
ball floats with new
ball floats

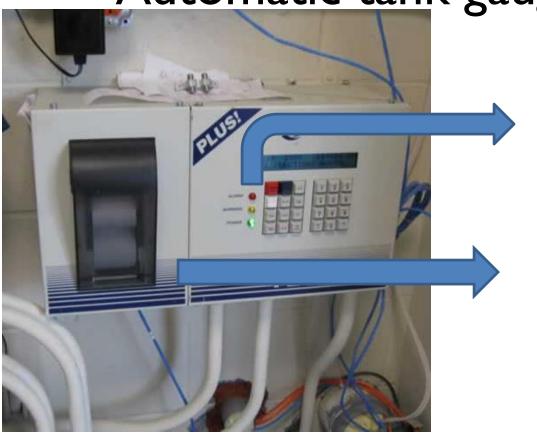


Regulation change Secondary Containment Testing

BEFORE UST receives fuel & AT installation



Automatic tank gauge (ATG)



Visual or audible alarm

Capable of printing records

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

*MDEQ change

B-25 Biodiesel Blend

contains more than 20 percent biomass-based diesel or biodiesel

20% ETHANOL

USE **ONLY** IN FLEX-FUEL VEHICLES

MAY HARM OTHER ENGINES

Regulation change

Notification 30 days prior to changing fuel blends

> 10% ethanol

> 20% biodiesel

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:

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



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

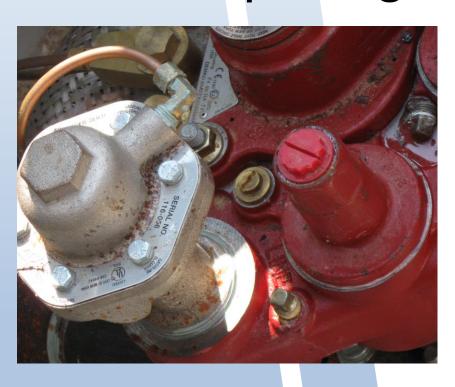


Lender Liability

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

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



Re-defined "replaced"

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

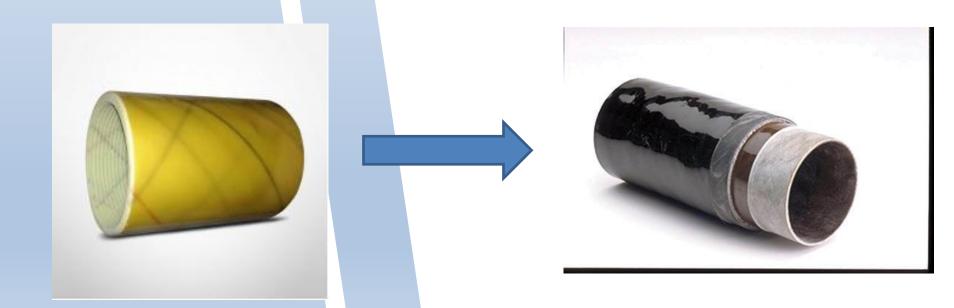


ALL the piping is required to be replaced with double-walled piping

Re-defined "replaced piping"

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

piping.





Continuously monitored containment sumps

Now requires annual inspection

MDEQ specific



Regulation Change Temporarily out of service indefinitely Tanks > 12 months

Permanent

or

Site Assessment

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

C

Annual Inspection

Verify ownership

and/or

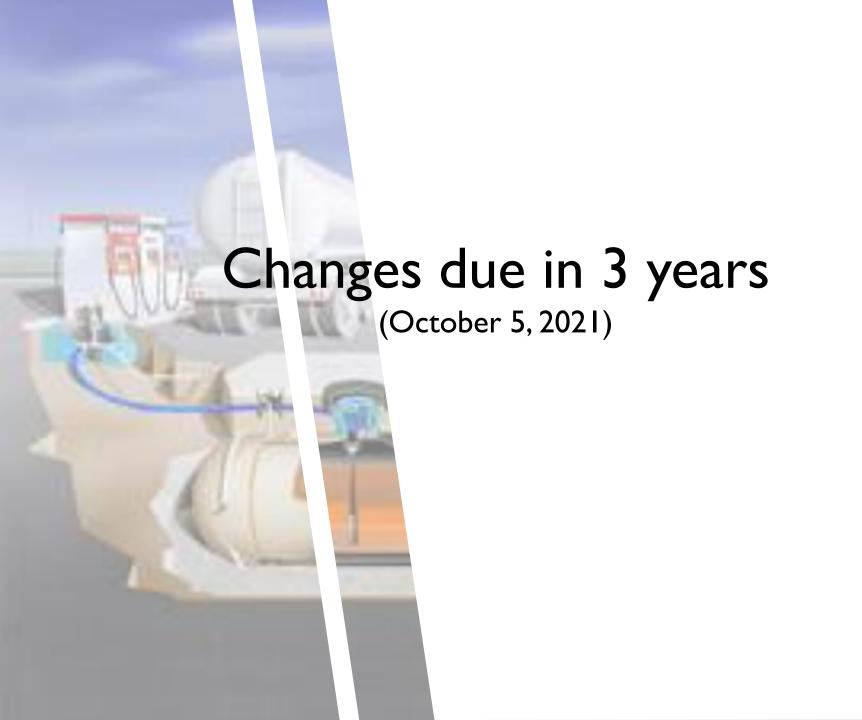
- Verify tanks are empty
- Inspect vent lines and any open piping
- Verify corrosion protection is operating, if applicable

place the tanks and piping

Remove or close in

Collect soil or groundwater samples around tank bed and piping areas

MDEQ specific



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 operations
- Utility companies





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)

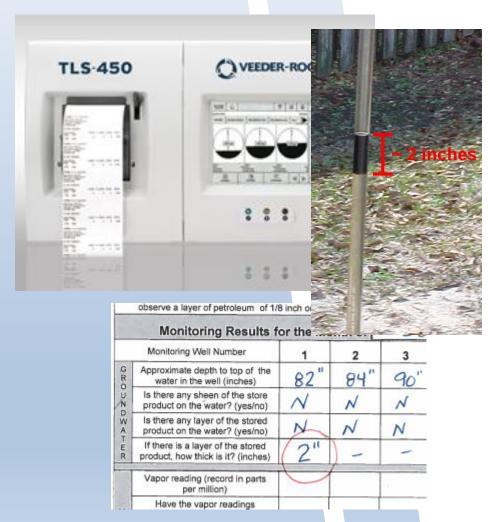
<u>Do</u>

- 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)



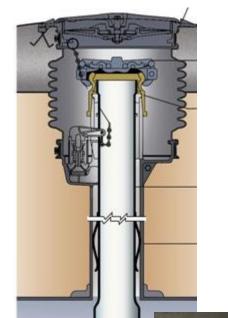
- Make sure you have a passing test for each tank and pipe
- If > 1/8th inch fuel in MW, report it
- Elevated vapors are reported
- All alarms are reconciled
- Sumps are dry



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

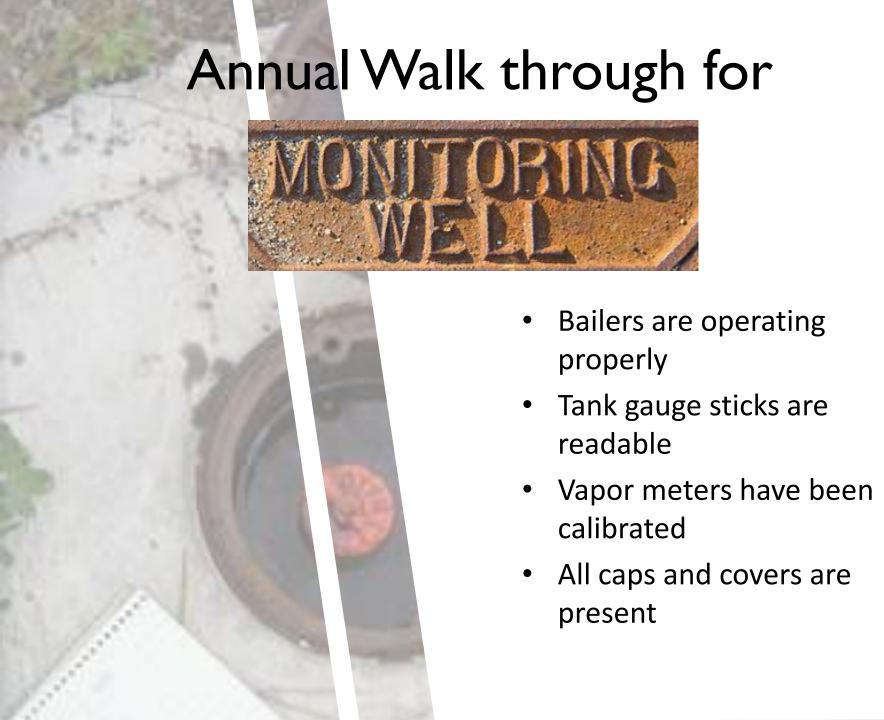












Containment sump TESTING

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



No cert

Regulation changes Administrative changes

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Tank Number

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CERTIFI 'ATE

DATE CERTIFICATE ISSUED: 5/2012

This certificate autom. cally renev

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

"Certification of Registration"

to

THIS CERTIFICAT MUS'

"Certificate of Operation"

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"



Specific to MDEQ

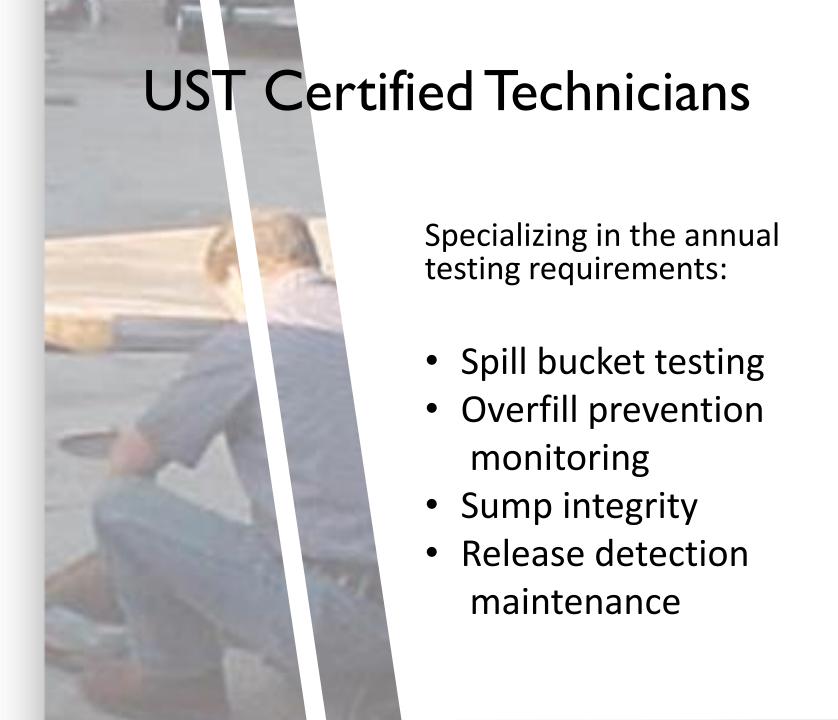
UST Certified Cathodic Protection Testers



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

Requirements for Cathodic Protection Tester

- 6 months experience with UST Installer or UST Cathodic Protection Tester, unless otherwise approved
- Completion of MDEQ approved third party examination to test Cathodic Protection



Requirements for Certified Technician

- 6 months 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 Technicans 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



Non-invasive repairs

DO NOT INCLUDE:

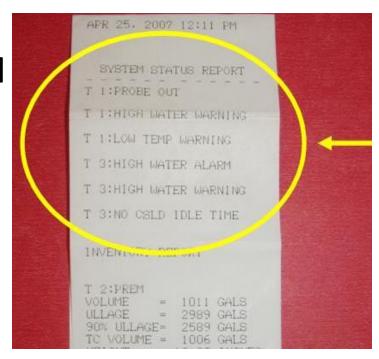
- Removal or install of STPs
- Removal or install of shear valves
- Any repair that requires excavation or drilling

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

6 months of experience under licensed Installer or licensed Technician for:

- > Certified Technician licensure
- *unless otherwise approved by MDEQ

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



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



Questions?



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