

UTAH TANK NEWS

Summer 2010

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PST Trust Fund Provisions-Legislative Update by John Menatti

On March 25, 2010, Governor Herbert signed H.B. 120 into law. H.B. 120 was sponsored by Representative Kay McIff and Senator Ralph Okerlund, and was backed by the Utah Petroleum Marketers & Retailers Association. H.B. 120 will increase the Petroleum Storage Tank Trust Fund (PST Fund) coverage limit from \$1,000,000 to \$2,000,000 (minus a \$10,000 deductible) for releases from PST Fund-covered underground or aboveground petroleum storage tanks (USTs or ASTs) that are reported on or after May 11, 2010. There will be no increase in the gasoline surcharge, AST/UST fees, or deductible for this additional PST Fund coverage.

Another provision of H.B. 120 allows a third party, who is injured or damaged by a PST fund-covered release that occurs on or after May 11, 2010, to be reimbursed by the PST Fund for hiring their own Utah-Certified UST Consultant to review investigation reports or corrective action plans developed by the Responsible Party's consultant. The reviews performed by a third party's consultant must be given careful consideration by the Department of Environmental Response and Remediation (DERR) and will be posted on the DERR's website.

The DERR is in the process of formulating rules to implement this new law and will be seeking public comment when the proposed rules are released. As information on rules and the approval process becomes available, we will post it on our website (www.undergroundtanks.utah.gov).

NEW and IMPROVED the PST Loan Fund by Gary Astin

Would you like to get rid of that clunky out-of-date automatic gauge, or even those old high-risk steel tanks?

Now you can with the new PST Loan Fund! As part of H.B. 120, the amount that can be loaned is now up to \$150,000 per facility for all USTs, increased from the old \$45,000 maximum. The amount per UST has increased from \$15,000 to \$50,000. The loan amount is still limited to 80% of the cost of the work, but with the higher amounts, you can get a lot more at a low 3% fixed interest rate for up to 10 years. Loans under \$15,000 can be made without security.

So if you have been dying to upgrade, close, or replace your USTs, give the loan fund a try. Information is available at http://www.undergroundtanks.utah.gov/pst_loan.htm, or you can call Gary Astin at (801) 536-4103 or Diane Hernandez at (801) 536-4116. These deals may not last forever, so act now!



ABC UST OPERATOR TRAINING DEADLINE IS JANUARY 1, 2012!!

Are you ready? There are only 18 months to get trained and registered for the new UST Operator Training required by the Federal Energy Policy Act of 2005. Here's a reminder of what must be done by January 1, 2012.

- Every UST Facility must have 3 classes (A, B, & C) of trained and registered operators.
 - The Class A operator is the owner or employee who has primary responsibility for the statutory and regulatory requirements.
 - The Class B operator implements daily aspects of operation, maintenance, and recordkeeping. The Class B operator may be an owner, employee, or contractor working for the UST owner/operator. Some of the duties include an on-site operator inspection every 30 days, ensure that the UST system is monitored for leak detection alarms every 7 days, and attend or designate another to be present at DERR compliance inspections.
 - The Class C operator is an employee and is generally the first line of response to events indicating emergency conditions.
- One individual may act as the Class A, B, and C operator for a facility.
- Class A and B operators must complete an approved training course and pass the registration exam, OR pass a nationally-recognized UST operator exam. Approved courses should be available within a few months.
- Class A and B operators must register and pay any applicable fees.
- The rule requires that Class A and B be re-trained if UST facilities are found to be out of compliance (R311-201-12(k)(2)(A)). This can occur if a facility does not meet EPA measures for Significant Operational Compliance (SOC) for leak prevention and leak detection.
- Class C operators are designated by a Class B operator and are to be registered on a list maintained by the Class B operator, indicating the date of training.

Follow this link http://www.undergroundtanks.utah.gov/optraining_final.htm, for more details on UST Operator Training, links to the new rules, SOC chart for release prevention and release detection, the on-site UST Operator Inspection form, and a list of courses (http://www.undergroundtanks.utah.gov/operator_training_courses.html) as they are approved.

Sign Up ... Sign Up ... Sign Up

Sign up for email updates on important issues regarding the UST program. It's easy, just go to the following link and fill out the form.

<http://www.undergroundtanks.utah.gov/listserv.htm>



ETHANOL (E10) CONVERSION CHECKLIST by David Wilson

Many UST facilities are now or will be receiving gasoline that contains 10% ethanol (E10). If enough water is present in a tank, the water/ethanol mixture will separate from the gasoline and will be drawn to the bottom of the tank. This may cause poor engine performance in vehicles and increased sludge and particulates within the UST system.

To prevent product contamination and proper system operation, it is important that USTs are properly prepared to contain this fuel blend and that necessary ongoing precautionary measures are taken. Please visit our website <http://www.undergroundtanks.utah.gov/> for additional information.



Preparation prior to receiving first load of E10

- ✓ Using water finding paste, check for water in the tank. No level of water is acceptable.
- ✓ Remove and properly dispose of any water. If sludge is present, have the tanks emptied and cleaned.
- ✓ Make sure all visible fitting and connections at the top of the tank are tight, check that all sumps and spill buckets are free of water, and all lids are tight to prevent water from entering them.
- ✓ Fix any water infiltration problems.
- ✓ Purchase special water detection paste for ethanol fuels.
- ✓ Order ethanol compatible filters that are designed to detect phase separation and shut down the dispensers.
- ✓ Have extra filters on hand in case they are needed.

First Delivery and Ongoing Maintenance

- ✓ Before initial delivery, empty the tanks close to the lowest possible level. The first delivery should fill the tank to at least 80% capacity to prevent problems from any residual water in the tanks.
- ✓ Install ethanol compatible fuel filters.
- ✓ Check for water, with the ethanol compatible water detection paste, often (hourly) for the first 48 hours.
- ✓ On an ongoing daily basis check tanks for water using this same paste.
- ✓ Monitor dispensers for slow flow and change filters if needed.
- ✓ Inspect all spill buckets and sumps weekly for water incursions. Empty and clean all liquids and debris from spill buckets and sumps if needed.

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Certification Corner

UST Consultant Certification Program

In order to remain current you must take and pass the UST Consultant Certification Examination before the expiration date. Certified individuals may apply for renewal no more than six months prior to the expiration date of the certificate. Beginning in 2010 the DERR will administer the examinations (initial and renewal) and the renewal course three times a year. The renewal courses will begin at 9:00 a.m. and finish at 1:00 p.m. Exams and courses take place at the DERR office at 195 North 1950 West in Salt Lake City. For more information contact Michelle Horning at (801) 536-4128 or at mhorning@utah.gov.

Initial Exam and Renewal Course Schedule

Thursdays - October 21, 2010 February 24, 2011 June 23, 2011 October 20, 2011
Please refer to the DERR web page for certification program requirements, fees, applications, and the examination schedule. The web page address is: http://www.undergroundtanks.utah.gov/cc_exams.htm.

NEW THIS YEAR – YOU MUST HAVE A Citizenship Certification **MUST** be completed, notarized and submitted with any application with a copy of a photo ID attached (driver's license, passport, or similar). For more details refer to the following link.

[http://www.undergroundtanks.utah.gov/docs/062909_Citizenship_Certification_DEQ\[1\].pdf](http://www.undergroundtanks.utah.gov/docs/062909_Citizenship_Certification_DEQ[1].pdf)

Groundwater and Soil Sampler Certification Courses

Environmental Contractors, Inc. (ECI) by appointment only at (801) 491-3455
Utah Environmental Training (UET) contact Iva Riveros at (801) 687-2286