

UTAH TANK NEWS

Winter
2015

Is My Underground Storage Tank Regulated? by Jason Wilde

INSIDE:

Is My Underground Storage Tank Regulated? 1-3

What's Wrong With This Picture? 3

EPA revised the Underground Storage Tank (UST) Rules 4

The Utah Tank Program by the Numbers 5

Certification Corner 6

According to federal and state regulations, an underground storage tank (UST) is basically any system with partially or completely buried tanks, along with underground piping, used to store petroleum-based products or hazardous substances. These tanks are subject to UST laws. This definition describes most of the underground storage tanks in the State of Utah. However, there are a variety of exceptions that illustrate the difference between regulated and non-regulated USTs. This article outlines these exceptions and the requirements that maintain exclusion from regulation.

There are three basic types of UST exclusions.

1. Definition Exclusions: These tanks generally do not fit the definition of an underground storage tank. Typical systems excluded from regulation by definition are:

- a. Farm tanks smaller than 1,100 gallons
- b. Heating oil tanks
- c. Pipeline facility equipment
- d. Impoundments, pits, ponds and lagoons
- e. Storm and wastewater collection systems
- f. Flow-through process tanks
- g. Tanks at oil and gas production facilities
- h. Tanks in underground areas

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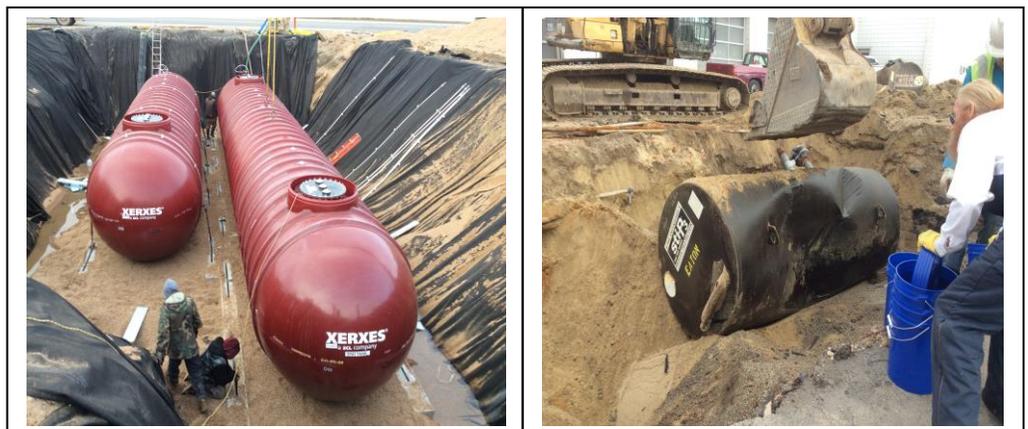
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2. Applicability Exclusions: These tanks are generally regulated by other federal programs or don't pose significant environmental risk. Typical systems excluded by applicability are:

- a. Hazardous waste tanks
- b. Otherwise permitted wastewater treatment tanks
- c. Equipment and machinery tanks
- d. Tanks smaller than 110 gallons
- e. Tanks with extremely small concentrations of regulated substances
- f. Emergency overflow tanks

3. Partial Exclusions: These tanks are deferred from certain parts of UST laws. Typical systems deferred from particular UST laws are:

- a. Non-permitted wastewater treatment tanks
- b. Tanks storing radioactive substances
- c. Emergency fuel storage tanks at nuclear facilities
- d. Airport hydrant fuel systems
- e. Field-constructed tanks
- f. Emergency power generator tanks

These excluded tank systems are uncommon in Utah. So mostly, if you have a buried or partially buried tank that you use to store hazardous materials or petroleum-based products, your system is probably regulated. The listed exclusions and deferrals listed above are all based on specific circumstances. Should those circumstances ever change, the status of the exclusion may also change. For example, if you ever attach a dispenser to either a heating oil tank or an emergency generator tank in order to fuel motor vehicles; those tanks become fully regulated by UST laws. Further, if the permit you carry to connect your oil-water separator to city sewer lapses requiring you to pump both water and oil; that tank becomes subject to certain UST laws.

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Finally, the new EPA UST regulations modify a number of these exclusions. The biggest change will require all emergency power generator tanks to perform leak detection – a requirement that is currently deferred. There will also be notable changes to deferrals pertaining to airport hydrant systems and non-permitted wastewater treatment tanks. Utah rules that reflect these new federal requirements will likely come into effect in 2018.

If you have any questions about how the current or future UST laws apply to you, contact Utah's Underground Storage Tank Program at 801-536-4100 or visit our website at undergroundtanks.utah.gov.

What's Wrong With This Picture?

by DeAnn Rasmussen

Welcome to our new feature! In each newsletter there will be a photo that has something wrong with it. Can you determine what the problem is here? Check out your answer on page 5. Pat yourself on the back if you got it right.



EPA revised the Underground Storage Tank (UST) Rules, 40 CFR Part 280 by Garv Harris

The Federal rule was originally written in 1988. Since then technologies and procedures have improved. EPA revised the rule to incorporate these changes.

In order for us to maintain and run our own State UST program, separate from the EPA we must update the Utah UST rules, UAC R311. We are currently in the process of re-writing these rules so we can apply for State Program Approval (SPA) through the EPA. The application deadline is October 2018.

New Rule Highlights

These are some of the upcoming changes and requirements

- **3 year testing requirements**
 - Spill buckets
 - Overfill equipment
 - Under Dispenser Containment
 - STP sumps (tank sumps)
- **1 year testing requirements**
 - ATG
 - Mechanical and electronic line leak detectors (simulated leak test)
- **All emergency generator tanks must conduct leak detection**
- **All facilities must conduct monthly operator inspections**



STAY INFORMED. Watch for our biannual newsletter and monthly Tank Tips. We will keep you, as a stakeholder, informed through every step of this process. The initial draft for the rule changes should be out in the Spring of 2016.

For additional information, contact the UST Section at 801-536-4100.

If you have a question about underground storage tanks or the UST program and would like to see your question answered in an upcoming issue of Utah Tank News, please submit your questions to Kim Viehweg at kviehweg@utah.gov.

The Utah Tank Program by the Numbers

by Doug Hansen

As 2015 draws to a close, I thought it would be interesting to share a few numbers regarding the Utah UST program over the last twelve months.

87- This is the percentage of facilities that were in compliance at the time of inspection over the past year. This compliance rate is very high when compared to UST facilities nationwide. Not many years ago, Utah inspectors were fortunate to find 60% of facilities in compliance during inspections. This higher compliance rate reflects a combination of dedicated tank operators, committed UST contractors and capable regulatory program staff within the state.

1361- This is how many UST facilities there are in the state. Over the past twelve months there has been a lot of activity with both tank removals and new tank installations. The number of facilities fluctuates between 1360 and 1370, but the volume of old tanks being removed and new tanks being installed is on the rise.

380/78- There are 380 open cleanup sites; 78 new releases and spills were reported this year.

113- The number of UST release case files closed. In comparing the new release and closed release numbers, it is clear that cleanup programs continue to make progress in reducing the number of open release case files.

71,654- The number of UST Program related documents that are available online through the DEQ EZ Search tool. <http://eqedocs.utah.gov/>

Here's the answer to What's Wrong With This Picture: (from page 3)

The debris in the bottom of the spill bucket needs to be cleaned out and the product label needs to be removed from the spill bucket in order to visually inspect for cracks, etc.



Happy Holidays
from everyone in
the Underground
Storage Tank
Program!!

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Certification Corner

TESTS for A/B Operators, GW/Soil Samplers, ETC

Testing will be conducted each month on the first Tuesday at 9:00 a.m. and the third Tuesday at 2:00 p.m. at the DEQ/DERR office located at 195 North 1950 West, Salt Lake City. All students must register with the DERR at least one week prior to taking the exam. Please contact Michelle Horning at mhorning@utah.gov to register.

CERTIFIED UST CONSULTANT ~ Initial Exam and Renewal Course Schedule

The renewal course will begin promptly at 9 a.m. and finish at 1:00 p.m. The comprehensive exam will begin at 2:00 p.m. The next date for this exam is Thursday, February 18, 2016. If you have any questions, please contact Michelle Horning at mhorning@utah.gov.

GOOD NEWS!! You can now submit initial UST certification and operator applications, documentations, and payments online here: <https://secure.utah.gov/storagetank>