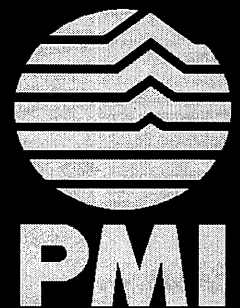




SUMMARY OF THE NEW EPA UST REGULATIONS

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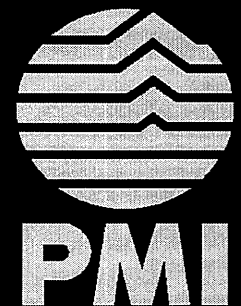


DO EPA REGULATIONS EFFECT ARKANSAS?

- EPA Regulations are not in effect in Arkansas until ADEQ adapts them
- ADEQ has approximately 3 years to accept new regulations
- ADEQ must have the State Program Approval of the regulation by the General Assembly prior to adapting the EPA regulations – Pending

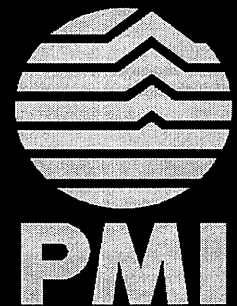
NEW EPA UST REGULATIONS

- Part of the Energy Policy Act of 2005
- Improve operation & maintenance & reduce petroleum releases
- As a condition of receiving money from the EPA
- Address UST systems that were deferred in the 1988 regulations (such as USTs serving emergency generators)
- Update the regulations to include new technologies & fuel blends



NEW EPA UST REGULATIONS (cont.)

- Provide regulation for previously unregulated areas (i.e., tribal lands)
- Issued on July 15, 2015
- Deadline - October 13, 2018



OPERATION & MAINTENANCE

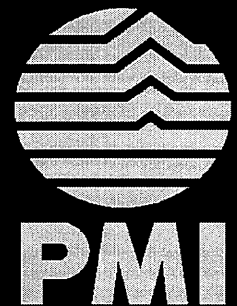
- Walkthrough inspections every 30 days
- Owners must conduct UST system walkthrough inspections on spill buckets, fill caps & release detection equipment
- Once a year, they must also check the sump for damage, releases & leaks
- Implementation – within 3 years

CHANGE OF OWNERSHIP NOTIFICATION

- If a tank system's ownership changes, the tank owners must notify the state regulatory authorities
- The new EPA form is entitled "Notification of Ownership Change for Underground Storage Tanks"; however, states may have their own notification forms

OPERATOR TRAINING

- Owners & operators must designate at least one individual as Class A & Class B operators, & facilities should have at least one on-site personnel trained at the Class C operator level at all times
- Class A & B operators are responsible for maintaining UST systems, while Class C operators are responsible for initially addressing emergencies presented by a spill or release from a UST system
- Owners & operators must retain a list of designated operators currently trained at each facility

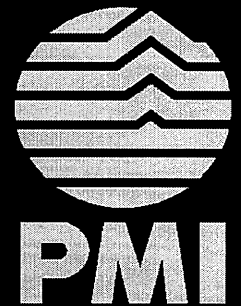


OPERATOR TRAINING (cont.)

- Must have proof of training
- Implementation – within 3 years
- Owners & operators will need to maintain a list & records for all training
- Arkansas has its own operator training program

E-15 COMPATIBILITY

- Tank owners prove that their UST system is compatible with ethanol gasoline blends greater than E-10 or diesel fuel blends greater than B-20 using one of three methods
- If you plan to place fuel blends greater than E-10 or B-20 in your UST system, you must notify your state UST program authorities 30 days ahead of time



INTERNAL TANK LININGS

- If an inspector decides that a tank lining isn't performing as it should & cannot be repaired, the tank owner must permanently close the UST if it uses internal tank liners as its sole method of corrosion protection
- In addition, linings must be inspected within ten years after the initial lining & every five years after that

OVERFILL PREVENTION EQUIPMENT INSPECTIONS

- Overfill protection equipment must be tested & operationally inspected every three years
- The owner must demonstrate that the equipment operates properly & is set to activate at the appropriate level in the tank
- Owners must inspect automatic shut-off devices, flow restrictors, & alarms
- Implementation – 3 years

RELEASE DETECTION EQUIPMENT TESTS

- Electronic & mechanical components of release detection equipment are required to be tested annually
- Owners must complete several steps in this process, including checking ATG systems, testing alarms, inspecting probes & sensors & more
- Testing line leak detectors required

RELEASE DETECTION EQUIPMENT TESTS (cont.)

- UST systems storing fuel for Emergency Generators no longer deferred from release detection
- Owners & operators of UST systems must perform release detection

SECONDARY CONTAINMENT

- Owners & operators install secondary containment & interstitial monitoring for all new & replaced tanks & piping
- Must replace the entire piping run when 50% or more of piping is removed & other piping is installed
- Must install under dispenser containment for all new dispenser systems
- Implementation – 180 days
- Focus to protect groundwater

SPILL PREVENTION EQUIPMENT TESTS

- Spill prevention equipment must be tested at least every three years for liquid tightness
- If double-walled spill containment equipment is periodically monitored, it does not need to be tested

STATISTICAL INVENTORY RECONCILIATION

- Under the new regulations, statistical inventory reconciliation is an approved method of leak detection
- SIR methods must meet the performance standards detailed in the final rule

UNDER DISPENSER CONTAINMENT

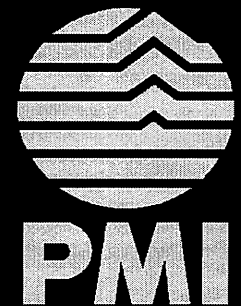
- When the dispenser & the equipment used to connect it to the vertical riser pipe are replaced, double-walled under dispenser containment must be installed as well

VENT LINE FLOW RESTRICTORS

- EPA eliminates flow restrictors in vent lines to meet overfill prevention
- All flow restrictors must be tested periodically to ensure they operate properly
- Existing flow restrictors can continue to be used until they require replacement
- Implementation – Immediately

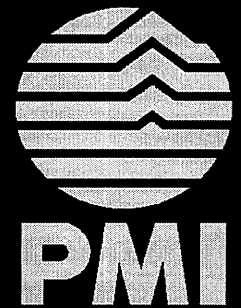
FIELD CONSTRUCTED TANKS & AIRPORT HYDRANT SYSTEMS

- EPA removes deferral & modifies the requirements by regulating FCT & AHS under new subpart K
- Owners & operators may use alternative release detection options
- EPA reclassifies wastewater treatment tank systems, USTs containing radioactive materials – EPA made the decision to exclude these tanks from most UST requirements
- Owners must comply with subparts A & F



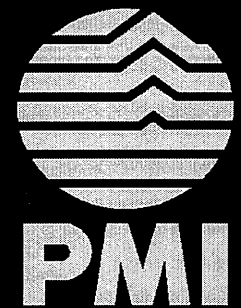
91st GENERAL ASSEMBLY ACT 584

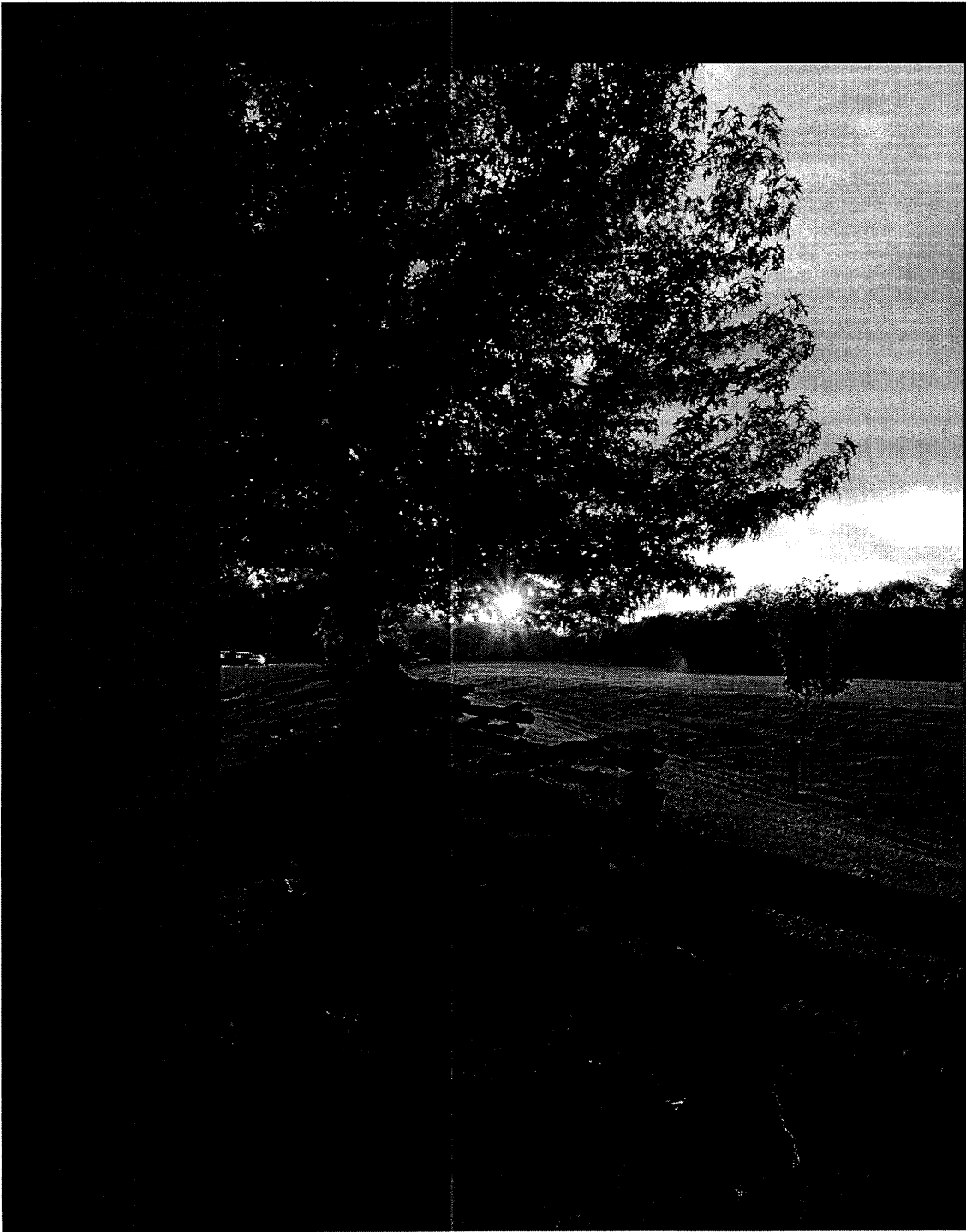
- Aboveground Storage Tank Legislation
- Act 584 makes two revisions to AST legislations
 1. Eliminates the requirements that petroleum ASTs be registered with ADEQ
 2. Requires petroleum ASTs to register with ADEQ and pay fees to be eligible to participate in the ADEQ Trust Fund



REASON FOR ACT 584

- Chemical supplier refused to deliver chemical to a facility because the AST was not registered
- The chemical contained a small percentage of petroleum & supplier said Subchapter 8 delivery prohibition applied
- Subchapter 8 definitions are broad and appeared to apply to chemicals – chemicals were not included in Subchapter 8
- Therefore, Act 584 changed





Any Questions?

