



UST

QUARTERLY



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Q: *How much was reimbursed from "the fund" last year for cleaning up UST sites?*

Find the answer on Page 2 ...

Changes Are Coming

Federal legislation is requiring major changes to the UST program through implementation of the Energy Policy Act of 2005. Title XV, Subtitle B of this act is titled the Underground Storage Tank Compliance Act of 2005 (USTCA). This law significantly affects federal and state UST programs and is aimed at reducing UST releases into our environment. The USTCA includes provisions on inspections, operator training, delivery prohibition and secondary containment.



On the state level, we are developing regulations that will include changes required by the USTCA. To implement the law, we will work closely with you to bring about the changes affecting underground storage tank facilities. We

To find more information on EPA's implementation activities for the USTCA go to www.epa.gov/oust/fedlaws/EPActUST.htm.

will keep you informed of our progress. For more information on USTCA feel free to contact us at 502-564-5981.

Ensure a Quicker Cleanup

Keep the cleanup moving on your site by submitting complete and timely information to us. Currently, there are many sites where we can't issue the next directive or pay a claim because we don't have all of the required information. Help us help you keep your site on track.

- Have you received correspondence from us? Check your records and make sure you've addressed any requests for information. Cleanup on your site could be at a standstill if we're waiting to hear from you.
- Familiarize yourself with the requirements. Read everything carefully—directives, form instructions, outlines, regulations — to know what you need to submit.
- Use your resources. Please contact us when you need help or check out our Web site for forms, instructions, regulations, updates and guidance. Be proactive. Do these things to ensure quicker directives and reimbursements, and no doubt, a quicker cleanup.



This UST removal was photographed by Trent Garrison, geologist of the USTB Corrective Action Section.



Contractor Resources

We want you to have all the tools necessary to make working with us here at the Underground Storage Tank Branch (USTB) as easy and efficient as possible. Launching a new Contractor Resources Web page is another step we are taking in that direction. Find top items of interest including:

- eBulletin Board with updates, tips and answers to questions.
- 2006 Regulation Site Investigation Technical Completeness Checklist—a reference for technical report preparation.
- 11 Ways to Better Claim Submittals ... and Improved Reimbursement.
- Weekly Reimbursement Agenda.

Visit us on the Web today at www.waste.ky.gov/branches/ust.

Well Abandonment

The USTB has established a blanket approval of variances to the required abandonment procedures in 401 KAR 6:350 Section 11(2)(a) for monitoring wells **under the following criteria:**

1. The monitoring well to be abandoned has been constructed in a manner and meets the definition of a direct push well or a temporary well per 401 KAR 6:350 Sections 5 and 6.
2. The monitoring well to be abandoned is constructed and completed in an unconsolidated formation with a total depth of less than or equal to 30 feet below ground surface.

Does the variance request meet at least one of the above criteria?

If it does, then send it to the Groundwater Section of the Division of Water for final review and approval. The blanket USTB approval applies to these, so they do not need to be submitted to the USTB.

If it doesn't, then send it to the USTB technical reviewer for that site. If approved by the USTB, the variance request will be forwarded to the Division of Water for final review and approval.

Contact the USTB at 502-564-5981 with questions.



(from Page 1)

\$16,765,423 was reimbursed from the Petroleum Storage Tank Environmental Assurance Fund last year for cleaning up UST sites.

Stimulus Funds UPDATE

Through ongoing discussion with the EPA, we have come to an agreement on a final work plan for using stimulus funds. The funds are being received through provisions of the American Recovery and Reinvestment Act of 2009. The USTB portion of the money will be used to oversee cleaning up UST leaks in Kentucky by hiring additional full-time staff to aid in reviewing technical reports. This additional staff will allow us to address more sites in need of cleanup.

Annual Tank Fees

Invoices for annual tank fees were sent at the beginning of July. Remember that the fees can be paid online. This free service is secure and easy to use. Visit the USTB Web site to use this service and make your transactions easier at www.waste.ky.gov/branches/ust.

Mail Matters

Save dollars, paper, spiral binders, staples, postage and time. We'd like to remind you to only submit original documents to the USTB. Copies are no longer required and will only be recycled. We also ask that you only use paperclips or metal binders that go on top of the document since we scan incoming documents. Spiral binders and staples are much harder to remove and slow down the process.



Key Compliance Tips

Do you own USTs that are presently operating or in temporary closure? If so, maintaining operational compliance is one of the most important keys to preventing releases and saving taxpayer dollars. Check out these tips that will help you keep your facility in compliance and avoid the most common UST violations.

Tank Release Detection

Tanks containing more than 1 inch of fuel must be monitored monthly for leaks using an approved method of release detection. One monthly passing test result must be maintained for each tank for the past 12 consecutive months.

Piping Release Detection

If your piping uses a European-style suction system (check valve located beneath dispenser only) it is exempt from release detection. Otherwise, your system must have an approved line leak detector that may require annual testing and a form of monthly release detection or an annual line tightness test.

Corrosion Protection for Tanks and Piping

If your tanks are not constructed of a non-corrodible material you must use an approved method of corrosion protection. All corrosion protection systems require a corrosion protection survey every three years. If you use an impressed current system, you are also required to maintain a rectifier log every two months (60-day log) to ensure the rectifier is operating properly.

Corrosion Protection for Flex Connectors, Dispenser Risers and Metal Piping Connections

All metal components that routinely contain product and are in contact with the ground or water must be protected from corrosion. These components must either be isolated or cathodically protected. If you have sump water intrusion problems, every effort should be made to repair the water intrusion points. If your facility has flexible product piping, efforts should be taken to keep these sumps dry as outlined by the specific piping manufacturer.

Overfill Prevention Equipment

All active tanks must have an approved overfill prevention device, with the exception of waste oil tanks receiving less than 25 gallons per fill. Ball float restrictors are not allowed on suction systems and must be removed and replaced with an approved overfill device.

Internally Lined Tanks

If your tanks are protected from corrosion by an internal lining, they are required to be internally inspected 10 years after initial lining and every five years thereafter. Any tank that fails a lining inspection must immediately be emptied and taken out of service until either repaired or permanently closed.

Spill Buckets

All spill buckets must be kept free of liquid and/or debris.

Temporary Closure Requirements

If your facility or any individual tanks are in temporary closure, the tanks must contain less than 1 inch of product and the fill caps must be locked. If the system uses corrosion protection, the corrosion protection system must be maintained and the three-year corrosion testing requirements still apply.

Compliance Testing Reporting

All compliance testing results must be submitted within 30 days of the test date.

Registration

If the facility recently changed ownership, has a new operator, placed a tank in temporary closure, removed tanks or added tanks, an amended notification must be submitted to the USTB to reflect the changes.

Release Reporting Requirement

All confirmed and suspected releases must be reported to the ERT Hotline at 1-800-928-2380.



Help us help you.

We are here and ready to answer your questions.

If you own USTs that are operating or are in temporary closure and any of this sounds unfamiliar, please contact us for help.

502-564-5981



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Public Radio UST Report

The story entitled “Underground Storage Tanks Pose Groundwater Threat” aired on public radio stations July 28, 2009. At a UST site in Louisville, Kristin Espeland, reporter for Louisville Public Media, interviewed Robert Daniell, the manager of the USTB. The reporter pointed out that according to data provided by the EPA, Kentucky’s compliance rate with the regulations for preventing and detecting leaks is relatively low. You can listen to the aired story in its entirety by typing the following address into your browser:

<http://archive.wfpl.org/environment/20090728undergroundtanks.mp3>.

Turn to the article “Key Compliance Tips” on Page three of this issue of the UST Quarterly to get a head start on keeping your facility in compliance and avoiding the most common UST violations.

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This newsletter is best viewed electronically.

If you received this newsletter by mail please contact us to receive future full color issues of the UST Quarterly newsletter through e-mail. Send a message from your e-mail address to Virginia Lewis at Virginia.Lewis@ky.gov.

Go electronic and help us go **green!**