



# UST QUARTERLY



A Newsletter of the Kentucky Underground Storage Tank Program

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## Manager's Report *Regulations—The Balance of Desirable and Undesirable*



Edward J. Winner  
Kentucky UST  
Branch Manager

**Regulations, while often unpopular,** represent efforts by society to balance the desirable against the undesirable.

I was about 16 years old in 1976 when I was hired by a neighbor to help him treat his summer home for termites. The plan was that I'd crawl under the house and dig a small trench against the foundation. Once the trench was ready he would pass buckets of poison to me, and I would pour the poison into the trench. Ten minutes into filling the trench I was feeling nauseated, but I kept crawling back to the opening for more poison. After 30 minutes, I came out from under the house weak-kneed, dizzy, nauseated, and coughing.

In the balance of the desirable against the undesirable, the man I was working for got a great deal. His house was treated for termites for essentially the cost of the poison. But knowing what I know today, I realize that I'm lucky that I didn't die. Now there are regulations that disallow the sales of such chemicals to individuals lacking a license, one step in an effort to balance the desirable against the undesirable.

Kentuckians need gas and diesel. It is desirable to operate tractors to grow food, automobiles to travel, and ambulances for emergencies. But we also hope to avoid the undesirable, adverse

health consequences associated with petroleum product exposures such as damage to the central nervous system, the immune system, the liver or cancers.

It's a challenge to balance needs against the undesired consequences of meeting those needs. Regulations may often seem bothersome, but they can help us live better, healthier lives.

As we begin a new year, I want to take this opportunity to discuss the following important regulatory issues:

- UST Registration
- Operator Training
- Requirements for Internally Lined USTs
- UST Cleanups

I also want to thank you for working with us to protect human health and the environment, and helping all of us live better lives.

### UST Registration

The regulation requiring UST registration does not get much press; it's not a glamorous topic. But UST registration is important, and it's the law.

As an owner or operator of a UST system, you have been entrusted by the citizens of Kentucky to store and dispense large volumes of a flammable and potentially explosive substance and clean up any *(continued on Page 2)*



**“Regulations may often seem bothersome ... but they can help us live better, healthier lives.”**

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To report a release or suspected release, call the Environmental Response Branch.  
1-800-928-2380

Visit our website today at <http://waste.ky.gov/ust>.



## Manager's Report

### *Regulations—The Balance of Desirable and Undesirable* (continued from Page 1)

leaks or spills of that substance. Properly registering your UST system is important.

If your UST system is not registered or is improperly registered, then you may not have access to PSTEAF funds for environmental clean up and third-party liability coverage. Costs associated with those types of events will be yours to bear.

You must use your legal name when you register. This is the name on your birth certificate, driver's license, passport, etc. You must also provide a complete "owner mailing address." This address must be the same address for every UST system that you own in Kentucky.

Please review your current registration as filed with the UST Branch. If it is not completed as stated above, please submit an updated UST Facility Registration Form (DEP 7112).

#### UST Operator Training

Over the past year the UST Branch has worked on web-based operator training, Kentucky TOOLS (short for tank operator online learning system). This training is an effort to help owners and operators understand their UST systems and, as a result, prevent releases.

We, with the help of the Kentucky Petroleum Marketer's Association, have held classes around the state. While putting together web-based training may sound simple, getting the site tested and fully functional is not a small task. We appreciate your patience and help.

Over the next few months, we'll be using what we've learned from these trainings and from your com-

ments to improve the TOOLS training. When modifications are complete, we'll restart training.

If you own a UST in Kentucky that is active or in temporary closure, the UST Branch will contact you when it's time for your Kentucky TOOLS training. At that time, you'll be issued a personal identification number (PIN) needed to access the online training.

We look forward to working with you on TOOLS training.

#### Dec. 22, 2013—Deadline for Internally Lined USTs to Meet Requirements

By Dec. 22, 2013, steel USTs that use only internal lining for corrosion protection must have a passing manned entry integrity assessment and impressed current cathodic protection, or must be permanently closed.

I know this seems harsh, but these tanks are long past their manufacturer's designed service life. The newest tanks in this group are over 30 years old. As taxpayers, you pay more than \$25 million per year cleaning up UST releases. These older tanks are the ones most likely to be either leaking at present or soon to do so.

These requirements have been in Kentucky UST regulations since Oct. 6, 2011. We've made every effort to notify affected owners and operators regarding this deadline for meeting the requirements.

On Dec. 22, 2013, or very shortly thereafter, those USTs which have

**At full capacity, Kentucky's 10,329 active regulated petroleum underground storage tanks can hold nearly 87 million gallons of product – gasoline, diesel, and related fuels. Proper registration, maintenance and monitoring are required.**



not met the requirements will be prevented from receiving additional fuel by the issuance of a red tag (delivery prohibition). Red tagged USTs will be allowed to dispense fuel that was in the tank at the time the red tag was applied, but they will not be allowed to receive additional fuel. Issuance of the red tag will also prompt a referral to the Division of Enforcement. Such a referral may result in fines and penalties.

#### UST Cleanup List Falls Below 1,000

Since the 2011 UST regulation amendments, UST sites have been getting cleaned up at a quicker pace. This year, for the first time ever, the UST site cleanup list fell below 1,000 sites. With 979 sites to go, we'll be able to better focus resources and efforts on the sites that need the most attention. Although new releases will still happen, and the number will fluctuate, this is great progress.

This is much more than an accomplishment of our agency. It is also an accomplishment of the owners, operators, contractors and many others who have worked hard to help us clean up soil contamination, restore groundwater resources and improve communities across the Commonwealth. I would like to say thank you for all your hard work.

## Field Notes

### *Pilot Project Likely to Improve Inspection Process*

By Stephen Kellerman, Field Operations Branch Environmental Scientist

The Columbia and Frankfort regional offices are conducting a pilot project using a checklist-style inspection report. The new inspection report is being considered to make the inspection process more efficient and to make understanding your inspection paperwork easier.

So far, the checklist takes about half the time to complete as the old reports, and the form can be completed and left at the site. If the new report appears to be satisfactory, all offices may start using a new form on Jan. 1.

If you have questions for the Field Operations Branch regarding UST inspections or complaints, feel free to contact me, Stephen Kellerman at [Stephen.Kellerman@ky.gov](mailto:Stephen.Kellerman@ky.gov), Brian Schrader at [Brian.Schrader@ky.gov](mailto:Brian.Schrader@ky.gov), or any of the Field Operations Branch offices.

Complete contact information for Division of Waste Management regional offices is listed online at <http://dep.ky.gov/Pages/RegionalOffices.aspx>.

### Questions about UST inspections? Field Offices can help.

Central Office in Frankfort	502-564-6716
Bowling Green	270-746-7475
Columbia	270-384-4735
Florence	859-525-4923
Frankfort	502-564-3358
Hazard	606-435-6022
London	606-330-2080
Louisville	502-429-7120
Madisonville	270-824-7532
Morehead	606-783-8655
Paducah	270-898-8468

## Hire The Best UST Contractors

### *It's An Investment*



Unfortunately, in recent months we've seen cases of substandard UST system repair work and undocumented repairs where the required forms weren't filed with the UST Branch or State Fire Marshal's Office.

Operating and maintaining a UST system is serious business. Only hire individuals with solid references, documented training, and appropriate insurance. By doing so, you're making a valuable investment in your property. You're also taking important measures to protect human health and the environment—properly maintaining your equipment helps prevent UST releases.

## Planning Around State Holidays

To help you better plan working with us, here's information on upcoming state holidays. More information on state holidays can be found on the Kentucky Personnel Cabinet's website at <https://personnel.ky.gov/pages/leave.aspx>.

### 2014 State Holidays

Jan. 1, 2014—New Year's Day

Jan. 20, 2014—Martin Luther King, Jr.'s Birthday

April 18, 2014 (one-half day)—Good Friday

May 26, 2014—Memorial Day

July 4, 2014—Independence Day

Sept. 1, 2014—Labor Day

Nov. 11, 2014—Veterans Day

Nov. 27-28, 2014—Thanksgiving

Dec. 25-26, 2014—Christmas



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**Underground Storage Tank Branch  
200 Fair Oaks Lane  
Frankfort, KY 40601**



UST Program  
Information  
Enclosed

Happy holidays from the Kentucky Underground Storage Tank Branch!

## **Do Business With The UST Branch ONLINE—It's safe, fast, easy and free.**

Don't spend your hard-earned money on postage, paper, staples or envelopes when you can do business with us online. To get started, go to the UST Branch website and follow the electronic submittal links.



**Send It** Everything that you would otherwise mail or hand carry to the UST Branch can now be submitted online. This includes all UST forms, claims and payment items, correspondence, deficiency responses, operational compliance tests, registration items, change of address notifications—everything!



**Pay** You can pay annual tank fees online through our electronic payment option. These fees are assessed and notices are sent on July 1 every year.



**Train** Kentucky TOOLS (short for Tank Operator Online Learning System) UST operator training for designated compliance managers is provided online through the Kentucky UST Program. If you own a UST in Kentucky that is in active or temporary closure, the UST Branch will contact you when it's time for your Kentucky TOOLS training. At that time, you'll be issued a personal identification number (PIN) needed to access the online training.

Visit our website today at <http://waste.ky.gov/ust>.