



UST QUARTERLY



A Newsletter of the Kentucky Underground Storage Tank Program

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For more information, comments or story suggestions, please contact the Underground Storage Tank Branch at 502-564-5981.

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

Site Restoration: Paving, Concrete, Reseeding

By Edward Winner, UST Branch Manager

When it comes time to replace your parking lot after UST remediation, reimbursement for damage to your parking lot will be limited to the monetary amount in the obligation from the UST Branch. We will focus on the total cost, not the specific materials used in restoration.

If you, as the petroleum storage tank owner or operator, agree with your contractor to repave your parking lot with asphalt, for example, as opposed to replacing the concrete that was originally removed, the UST Branch will reimburse a dollar amount equal to the cost of the concrete replacement in the obligation approval.

Often the original concrete pad over the UST(s) was a 6-inch thick, reinforced concrete pad. The purpose of the concrete pad is to protect the tanks and associated equipment. If the tanks are no longer present in the same location, placing such a pad in that location would be unnecessary. Overall, it is a better use of funds to place appropriate materials in the most useful location.

The principle outlined would naturally extend to reseeding an area as opposed to replacing hard surface. Accordingly, if rebar was originally present in the area damaged by corrective action, and you no longer desire rebar, then the full value of the rebar must be accounted for either in additional surface materials or in a discounted claim submitted.

The UST Branch assumes that for any alternative method of restoring your property, that you, in cooperation with your contractor, have agreed to an alternative material and that you will be satisfied with the restoration. An additional assumption is that the workmanship and the quality of the materials are appropriate for the intended use. The final assumption is that the full difference in the cost between the restoration which was approved and the restoration which occurred was credited to you in the form of UST facility restoration. The UST Branch acknowledges that you are satisfied with the work when you sign the UST facility restoration form. It is your responsibility to make sure you and your contractor agree on the work, and it is your responsibility to make sure you get quality work.

For more information, contact Edward Winner at 502-564-5981, ext. 4782 or Edward.Winner@ky.gov.



Photo: Linebach Funkhouser Inc.

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Pulling ATG Probes—PEI/RP 1200-12


By Stephen Kent, UST Branch Compliance Section Supervisor

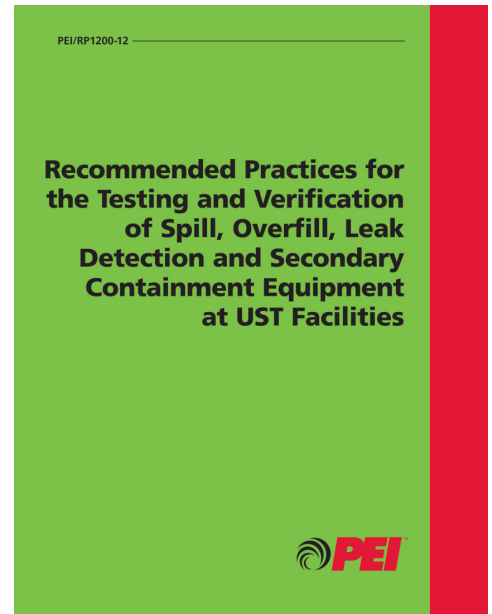
A recent technical review of testing data submitted to the UST Branch revealed that some technicians are not removing automatic tank gauging (ATG) probes to confirm probe functionality during the required annual testing of electronic release detection equipment. Removal of the ATG probe as part of this testing is the industry standard and is consistent with manufacturer's instructions. Kentucky expects ATG probes to be removed when testing electronic release detection equipment.

Below are some general guidelines for consideration when conducting annual electronic release detection equipment testing in Kentucky:

- 401 KAR 42:040 Section 6 (6) All electronic release detection monitoring equipment for the UST system shall be operationally tested annually in accordance with the equipment manufacturer's instructions or a recognized industry standard that is no less stringent than the manufacturer's instructions.
- 401 KAR 42:040 Section 4(2)(a) Results of a test conducted in accordance with subsection (1) of this section shall be submitted on: 3. For operational test of electronic release detection equipment: "Electronic Release Detection Equipment Test" form DEP 4063.
- PEI /RP 1200-12 Recommended Practices for the Testing and Verification of Spill, Overfill, Leak Detection and Secondary Containment Equipment at UST Facilities
Section 8 – Electronic Monitoring System Inspection And Testing – Recommends removing ATG probes in order to properly evaluate condition through visual inspection as well as confirming operability through very specific testing procedures.

Petroleum Equipment Institute's Recommended Practices for the Testing and Verification of Spill, Overfill, Leak Detection and Secondary Containment at UST Facilities (PEI/RP 1200-12) is slated to be incorporated by reference in the impending amendments to federal UST regulation (40 CFR 280) later this year or early in 2015. Once PEI/RP 1200 is incorporated into federal regulation, it will be the standard to follow for inspection and for testing of release detection, release prevention and overfill prevention equipment at UST facilities. The UST Branch recommends testing companies incorporate the PEI/RP 1200 practices into testing procedures now. Owners and operators of UST equipment should expect testing companies to employ the most up-to-date practices.

For more information on the annual electronic release detection equipment testing requirements in Kentucky, please contact Stephen Kent at 502-564-5981, ext. 4776 or Stephen.Kent@ky.gov. 



Update: Assigning a DCM to a UST Facility

By Kathleen Riggs, UST Branch Compliance Section



With each UST facility that's new to you or your employer, the owner must log in to Kentucky Tank Operator Online Learning System (TOOLS) and assign a designated compliance manager (DCM) to that UST facility (a DCM is not automatically assigned). After the DCM has been assigned by the owner, the DCM must also log in to TOOLS—this step is important. When the DCM logs in to TOOLS, the UST facility is then linked to the DCM. A primary DCM is required to be assigned and certified for each UST facility. After the DCM has logged in, his/her certification will be linked to the new UST facility and the certificate for the new UST facility will appear on the list of the DCM's certifications in TOOLS.

Remember, if you have any questions, you may contact the UST Branch Compliance Section at 502-564-5981.

Dispenser Tampering

By Stephen Kent, UST Branch Compliance Section Supervisor

The UST Branch was recently made aware of three dispenser (pump) tampering incidents. Hopefully, the summary below of each will help you minimize the chances of such events occurring at your UST facility.

Incident #1

An individual was recently observed offering dispenser and UST repair services to several UST facilities. Shortly thereafter, at least two of those sites suffered breakdowns in communications between dispensing units and the POS (point of sale) units inside the building. The communications were likely disabled by someone removing the access panel to the electronics on the dispensing unit and entering the dispenser manufacturer's default security code. Within days of the equipment apparently being disabled, the individual returned to the UST facilities to drop off business cards and offer repair services.

Incident #2

A Kentucky-based UST service provider recently responded to a customer who was losing 200-250 gallons of fuel every Tuesday and Wednesday night. When the service provider went out to look at the pumps, he found the door on the diesel pump unlocked and the pulsar (the device that measures the fuel

being dispensed) disabled by removal of the pulsar pin. This allowed the thief to fill up his vehicle for free because, with the pin removed, the shaft spins freely and measures little, if any, fuel flowing through the meter.


Incident #3

A Tennessee-based UST service provider recently reported incidents that involved someone disabling communication between dispensing units and the POS unit inside the building. These incidents involved communications being disabled through the use of a specific piece of repair equipment that looks like a garage door remote control. The control unit is typically used by service personnel to disable the dispensing unit for service or repairs by entering the unit into what is known as "stand alone" mode. But in the wrong hands, this unit can be used by thieves, and once in "stand alone", fuel can be dispensed undetected. These incidents occurred in Nashville and Murfreesboro, but the service provider wanted to alert his neighbors to the north in case these incidents should start cropping up in Kentucky.



Photo: Stephen Kent

In order to deter such activity at your UST facility, you may consider changing the factory default access codes on dispensers, add additional locks and/or anti-theft devices, or even consider investing or upgrading to high definition security cameras to monitor your tanks and dispensing units more closely. If you have recently had communication issues or have had to call your service provider due to dispensing unit problems, you may want to take a look at security camera footage, if available, around the time the problem occurred to see if you can identify someone tampering with your UST equipment. If you discover or have encountered similar incidents, the UST Branch would be interested in receiving additional information specific to the incidents, including location, date and the time of occurrence.

If you have any questions regarding these incidents or have additional information you can share, please contact Stephen Kent at 502-564-5981, ext. 4776 or Stephen.Kent@ky.gov. 

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




UST Program
Information
Enclosed

Monitoring Well Decommissioning, Protecting Your Property

By Edward Winner, UST Branch Manager, and Michael Albright, UST Branch Corrective Action Section

Upon completion of site remediation, monitoring wells must be decommissioned. Monitoring wells that are not properly abandoned may act as a pathway for contamination to enter the subsurface. The migration of contamination into the subsurface can degrade the environmental quality and undermine the value of your property. It is important to make sure that monitoring wells on your property are closed promptly after receipt of a no further action letter from the Kentucky UST Branch.

According to 401 KAR 6:350 Section 11 (2) the surface casing, monitoring well casing, well screen, filter pack, bentonite seal, and well pad must be removed during the abandonment process. The borehole must then be plugged with approved sealing material, according to manufacturer's recommendations. The top 2 feet of the borehole must be filled with materials consistent with the surrounding ground surface. A **blanket variance** was established for monitoring wells installed at UST sites. According to this variance, monitoring wells with depths of less than 30 feet in unconsolidated material are exempt from the over drilling requirement of 401 KAR 6:350 Section 11 (2). A no further action letter from the Kentucky UST Branch serves as written approval for the blanket variance but does not exclude the site from Kentucky Division of Water abandonment requirements.

Please contact the Kentucky UST Branch (502-564-5981) or Kentucky Division of Water (502-564-3410) for additional information on monitoring well decommissioning. 



The monitoring well shown is not properly decommissioned. In this example, the well pad and protective cover were left in place. Photo: Michael Albright

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