



# UST QUARTERLY



A Newsletter of the Kentucky Underground Storage Tank Program

Volume 7, Issue 3  
2015

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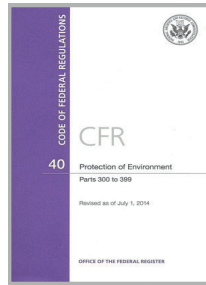
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Edward J. Winner, Manager

## New UST Federal Regulations

By Ed Winner, Manager, UST Branch



The new federal regulations for USTs have been published in the Code of Federal Regulations 40 CFR Part 280 and will be in effect on Oct. 14, 2015. In Kentucky, new federal regulations cannot be enforced until those regulations are approved by legislative action. However, federal inspectors can perform UST inspections in Kentucky and issue notices of violation for UST facilities that are not in compliance with the new federal regulations. Until the federal regulations are adopted in Kentucky, Kentucky UST inspectors will assist owners and operators with learning the new requirements.

Following is a summary of the changes in the new regulations that are probably of greatest importance to most UST owners and operators, but it doesn't cover all of the changes. It is the responsibility of each owner and operator to familiarize themselves with all requirements of the new regulations.

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### After October 13, 2015:

- When the contents stored in a UST system are switched to a regulated substance of E10 (10% ethanol) or greater, or B20 (20% biodiesel) or greater, system compatibility with the new substance must be demonstrated. Additionally, you must notify the UST Branch 30 days before you change the substance stored in a tank.
- Tank, line, leak detector, spill bucket, sump, UDC tightness and/or overfill testing will be required after any repair to a UST system that affects that part of the system.
- Flow restrictors in vent lines, often called ball floats, can no longer be used to meet

the overfill prevention requirement for new UST installations. Additionally, flow restrictors may not be repaired and must be replaced with a different type of overfill prevention, if it is found to be faulty.

### After November 12, 2015:

- All previously deferred systems such as emergency generators, field constructed tanks and airport hydrant systems must submit notifications of the existence of those systems. In Kentucky, these notifications are submitted to the UST Branch.

### After April 11, 2016:

- When more than 50% of the piping associated with the UST system is repaired or replaced, the entire line must be upgraded to double-walled piping.
- When dispensers are replaced in conjunction with the shear valve and anything below the shear valve, under dispenser containment (UDC) must be installed.

### After October 13, 2018:

- Walk-through inspections by owners and operators must be performed at every UST facility on a monthly basis. As part of the walk-through, release detection equipment and spill buckets must be inspected. Any alarms must be addressed immediately and spill buckets must be clean and free of liquid or debris. On an annual basis, all sumps must be inspected and must be kept free of liquid and debris. If the sump is not liquid tight, any metal portions must be protected from corrosion. If interstitial monitoring is used as a method of release detection, regardless of installation date, the sumps and UDC will be required to be liquid tight and

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For more information, comments or story suggestions, please contact Lajuanda Haight-Maybriar, Editor, at [lajuanda.haight-maybriar@ky.gov](mailto:lajuanda.haight-maybriar@ky.gov) or 502-564-5981.

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

## New Federal Regulations - continued

tested for liquid tightness every three years.

- All spill buckets, regardless of installation date, must be tested every three years for liquid tightness. If spill buckets are single-walled and they fail the liquid tightness test, the failing bucket must be replaced with a double-walled spill bucket. Inspectors will start requesting that spill buckets be tested at their next inspection and that will begin the 3 year rotation. The spill bucket testing can be done by the owner, operator or designated compliance manager (DCM).
- All overfill devices must be inspected every 3 years. If ball floats or automatic shut off devices (ASDs) are used, they will have to be pulled out and inspected. If high level alarms (HLAs) are used, the alarms must be tested. Inspectors will start requesting these at the next inspection of your UST facility and your three year rotation will begin at that time. If ball floats cannot be removed to be inspected, or fail a test, they cannot be replaced with another ball float. Only ASDs and HLAs will be allowed.
- All emergency generators must have release detection. You must have monthly release detection in place.

By regulations already in place in Kentucky, the type of release detection for emergency generator USTs will be determined by the installation date of your tank. If your tank was installed prior to April 1, 2012 you can use any of the following:

- Interstitial Monitoring
- Automatic Tank Gauge
- Statistical Inventory Reconciliation
- Manual Tank Gauging (if your tank is less than 1000 gallons)

For any UST system that began using Interstitial Monitoring as a method of release detection on April 1, 2012, and after, you must use Electronic Interstitial Monitoring. If you were already using Interstitial Monitoring prior to, or you installed before, April 1, 2012, you will be required to verify that your sumps are liquid tight every three years.

If you have any questions or concerns regarding upcoming compliance deadlines, feel free to contact the UST Branch at 502-564-5981 or email us at [ust.testing@ky.gov](mailto:ust.testing@ky.gov).

### Updates for Electronic Submittals to Claims and Payments

As of Aug. 22, 2015, the Electronic submittal process for Claims and Payments documents will be updated to include:

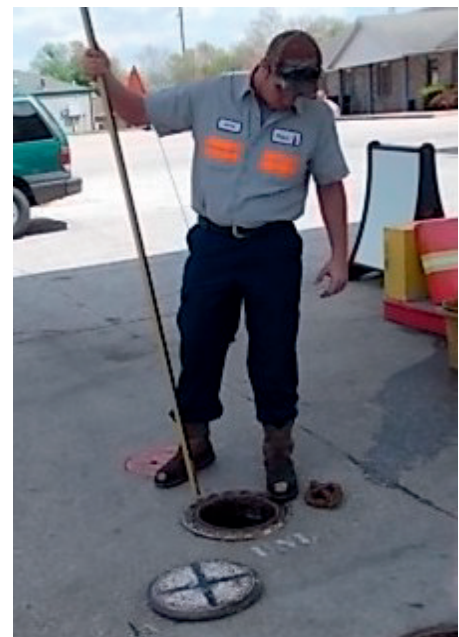
- **Separate Payment Verification Form submission line:** Claim submittals will not be accepted without the required Payment Verification Form. A second document line will appear when uploading claims. A reminder will prompt the user to upload the payment verification form separately in the second document line.

**NOTE:** Submit the Payment Verification Form separately from the claim form.

- **Deficiency Response option:** For better organization of claim/obligation/application submissions, the UST Branch has added an option for deficiency responses. When submitting a response to a deficiency, please choose this option so Branch staff will know it is associated with a prior submission.



### Are You Performing SIR Correctly?



See article on next page to find out!

## Are You Performing SIR Correctly?

By John Rogers, Supervisor, Columbia Regional Office

Many owners or operators of small UST facilities in Kentucky use Statistical Inventory Reconciliation (SIR) to meet their leak detection requirement. This method is often used because it can be completed using equipment already on-site, and it eliminates a large upfront investment.

Many of those who work directly with USTs or are associated with UST management often assume SIR works like inventory control. However, by analyzing inventory control data, SIR is much more accurate and precise than inventory control alone. SIR methods can detect releases that would go unnoticed by inventory control.

SIR involves using a tank stick to measure the fuel level in the tank, and a chart to convert the stick measurements in to gallons. This collected data is required to be submitted monthly to an outside vendor who provides the SIR analysis for a fee. To receive accurate results from the vendor, it is very important for the UST owner/operator to collect accurate measurements using the correct equipment and submit all necessary information to the vendor for analysis.

At a minimum the SIR vendor must be provided with the following:

- tank size and type
- product type
- date stick measurements were taken
- daily opening stick measurements and volume
- daily closing stick measurements and volume
- daily sales volume

To ensure the measurements collected are accurate, always use a proper gauge stick, fuel finding paste, and a proper tank chart. Gauge sticks should be wood and marked in 1/8 inch increments. The gauge stick should be in good condition and have an intact striker button on the bottom. Replace

heavily worn or damaged gauge sticks immediately.

Fuel or water finding pastes change color when they come in contact with fuel or water delivering a more accurate reading. The paste is to be placed on the stick where you expect the fuel level to be. After taking the gauge stick readings use a tank chart to convert the stick measurements into gallons. Make sure the chart is the right one for your tank. Your SIR vendor should be able to determine if a chart is appropriate for your tank.

In addition, it is important to have properly calibrated dispensers. A dispenser totalizer that is not calibrated properly can produce bad data that could be mistaken for a release. Therefore, follow the recommendation of the manufacturer and have your dispensers periodically recalibrated.

After data has been submitted to the vendor, they should provide the following:

- timely reporting results that clearly indicate pass, fail, or inconclusive
- copies of inventory records showing any errors that may have occurred
- instructions on how to follow up on a fail or inconclusive result

One common leak detection violation UST inspectors in Kentucky observe is failure to submit SIR data to the vendor monthly. Often owners/operators submit a year or more of SIR data to their vendor only when a notification of an inspection is received. This does not meet the release detection requirement for monitoring tanks every thirty days for releases.

As a reminder, owners/operators are required to immediately report any failed results, or two inconclusive results in a row, to the Kentucky Environmental Emergency Hotline at 1-800-928-2380.



**Interesting UST Fact:** On September 1, 2015, the UST Branch was overseeing 3302 facilities with 9851 active regulated USTs. These numbers can change daily as new tanks are added and others are closed.



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



UST Program  
Information  
Enclosed

## New Requirement for Facility Restoration Claims

By Jill Stoltz, Supervisor, Claims and Payments Section



**As of Aug. 15, 2015, any Facility Restoration claims submitted that include Asphalt/Concrete replacement must also include the invoice for the actual work performed during facility restoration activities.**

The Facility Restoration Worksheet, incorporated by reference in 401 KAR 42:250, requires three bids for facility restoration involving paving or concrete replacement. The obligated amount, determined by the lowest bid, is reimbursed after the restoration is complete. Following completion of facility restoration, reimbursement is to be finalized based upon the actual work completed.

In the past, claim submittals have not always included proper documentation of the actual work completed. Therefore, the UST Branch will now require the submission of the invoice for the actual work performed during the facility restoration activities. Reimbursement will be made in accordance with the invoice, photos and claim submission.

All facility restoration claims received beginning Aug. 15, 2015, must include the invoice from the contracted company performing the asphalt or concrete replacement in order to be processed for reimbursement. If you have further questions, please contact Jill Stoltz at 502-564-5981 Ext. 4774 or [jill.stoltz@ky.gov](mailto:jill.stoltz@ky.gov).

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