

UST TALK

A Newsletter for Underground Storage Tank Owners / Operators

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Underground Storage Tank (UST) Program

Agency of Natural Resources, Department of Environmental Conservation

103 South Main Street, West Bldg., Waterbury, VT 05671-0404

UST Staff

Marc Roy—241-3874

Marc.Roy@state.vt.us

Ted Unkles—241-3882

Ted.unkles@state.vt.us

June Reilly—241-3871

June.reilly@state.vt.us

Susan Thayer—241-2361

Susan.thayer@state.vt.us

Jaymi Cleland—241-2361

Jaymi.cleland@state.vt.us

THE SINGLE-WALLED TANKS SAGA:

Have your tanks been passing the weekly tests?

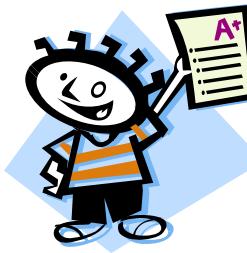
Today, most underground fuel storage tanks (USTs) in Vermont are double-walled tanks with an interstitial space that is either manually or electronically monitored for leaks. Double-walled tanks provide a safety net to keep a leak out of the environment and protect public health and water supply systems. However, there are still some older single-walled tanks that were installed before September of 1987. With single-walled tanks, you are walking a tightrope without a net—any leaks go straight into the environment. This is why, if you have single-walled tanks, it is particularly crucial that you follow leak-detection and monitoring requirements diligently. If you own a regulated single walled tank it must have an electronic monitoring system.

The State of Vermont UST Rules require that regulated single wall tanks have consistent, conclusive, and passing in-tank leak test results generated from your electronic monitoring system that are documented weekly. During compliance inspections it is common for the inspector to come across in-tank leak test results that indicate errors for several weeks or even months because the tanks didn't have enough fuel for passing test results. This is a serious violation.

YOU MUST NOT IGNORE INVALID TEST RESULTS OR ERRORS!

With single-walled tanks, you are walking a tightrope without a net—any leaks go straight into the environment.

In order to consider a single walled tank not to be leaking; consistent, conclusive, and passing in-tank monitoring test results must be achieved. Therefore, tanks must have enough fuel in the tank for the probe to conduct valid tests. If you can not demonstrate that your tank is passing and all you have is invalid test results then an inspector may request that you have that tank tightness tested, which is extra cost to you as a tank owner. (Continued on next page.)



\$ FEE INCREASES \$

ANNUAL TANK ASSESSMENT

The Vermont Legislature increased the annual tank assessment fee for three types of tank systems. Beginning with fiscal year 2013 (payment due October 1 2012) owners of single walled or combination tank systems will have to pay more. For facilities that sell more than 40,000 gallons per month, the new assessments are:

- \$100 per double wall tank system;
- \$150 per combination tank system (single wall tank /double wall piping), and
- \$200 per single-wall tank system.

For retail gasoline outlets that sell less than 40,000 gallons of motor fuel per month, the fee shall be:

- \$75 per double wall tank system;
- \$125 per combination tank system, and
- \$175 per single wall tank system.

Assessment fees for retail motor fuel outlets selling 20,000 gallons or less per month are the same as for those selling less than 40,000 per month, but the assessment for double wall or combination tank systems is capped at \$300. There is no cap for single walled tank systems.

The assessment fees and the 1 penny licensing fee collected on each gallon of petroleum sold in Vermont is the funding source for the Vermont Petroleum Cleanup Fund.

PERMIT FEE

As of July 1, 2012, the **annual PERMIT fee for each underground storage tank is increased by \$25 to \$125.**

Continued from page 1—THE SINGLE-WALLED TANKS SAGA:

The high cost of fuel may be the reason for low fuel levels and in turn the reason for invalid in-tank leak tests or testing errors. Unfortunately the only approved method for leak detection for single walled tanks in the State of Vermont is in-tank leak testing. If it is not possible for a tank owner to keep enough fuel in a single walled tank to ensure passing test results the tank owner must consider some hard decisions such as taking the tanks out of service, or permanently closing the tank by removal. You must notify the Vermont UST Program if you choose to take your tank out of service or remove it.

If you choose to take your tanks out of service temporarily then you must do the following:

1. Empty your tanks down to less than 1 inch of fuel or residuals. (Contact your supplier to have this done.)
2. Secure or lock fill ports and dispensing nozzles to discourage vandalism or accidental delivery.
3. Post a sign or an indication that you are no longer dispensing fuel.
4. Leave all vent lines open and protected (i.e. do not cut off, cap off, or damage vent lines.)

Your tanks can remain out of service for one year. You may resume the use of the tank within that span of a year provided you retain a qualified tank contractor to ensure the equipment is functioning properly. Single walled tanks that are left out of service for more than a year must be removed.

Some other tips to ensure that your tanks are passing leak tests is to make sure your tests are conducted during an inactive quiet time of at least 5 hours and to make sure in-tank leak tests are programmed to be done daily not weekly. If your single walled tanks are not passing their in-tank leak test consistently then it must be reported to the Vermont UST Program. If you have any questions about your single wall tanks please call 802-241-3888 and ask for someone in the UST program to help you.

OPERATOR TRAINING

AUGUST 1, 2012 IS FAST APPROACHING

For those of you who have access to the UST Program's webpage, please review Training available for

A and B Testing through International Code Council covers all system types (Registration for testing & sample test questions available at ICCsafe.org.)

We now have over 10 owners who have completed the ICC test at the Pearson Vue location in South Burlington, VT. The advice being given to those planning to take the ICC test is to do some reading on the rules, etc. since while the test is open book it is timed and you don't want to eat that time thumbing through the rules for an answer.



Vermont has also approved the ECS Eclipse on-line training program for class A and B operators. See the Vermont UST Program website for details.



The Vermont UST Program now has available on line <http://www.anr.state.vt.us/dec/wastediv/ust/Training.htm> website an A and B Test for tank owners who only have a simple suction dispensing system. The training manual for this test is also available a <http://www.anr.state.vt.us/dec/wastediv/ust/Training.htm>. The test comprises approximately 25 questions and is open book.

If you obtain this certification you are limited to operating facilities that have a simple suction dispensing system. "Simple suction?" That's when your leak detection for your piping is stated on your operating permit to be *Exempt Suction System with Vertical Check Valve*.

The States of New Hampshire and Maine also have an A and B Certification that is available to anyone who applies to take it. Vermont will accept both states certification.

TANK GOING OUT OF SERVICE?

With gas pricing fluctuating and projected to remain unstable for the summer months you may be thinking of taking your tank out of service. If you plan on not using your tank(s) please contact the UST Program 802-241-3888. Here is an excerpt from the Rules regarding out of service tanks:



§ 8-602 OUT-OF-SERVICE UNDERGROUND STORAGE TANK SYSTEMS

- (a) Any underground storage tank system that is taken out-of-service shall be managed in accordance with these rules (e.g., corrosion protection, release detection), except that systems which are empty are not subject to the release detection requirements of §§8-505, 8-506, and 8-507.
- (b) If an underground storage tank system is out-of-service for **90 days or less**, the owner or permittee shall:
- (1) Notify the Secretary that the tank system is out-of-service;
 - (2) Ensure that the liquid level in the tank has been lowered to or below the lowest draw-off point;
 - (3) Ensure that the vent line(s) is left open and functioning;
 - (4) Ensure that all other lines, gauge openings, manways, pumps and other ancillary equipment are capped or otherwise secured to prevent unauthorized use or access;
 - (5) Post signage or otherwise mark the above-ground system components to notify customers and suppliers that the system is out-of-service; and
 - (6) Secure the fill pipe(s) to prevent a carrier from adding regulated substance to the tank system.
- (c) If an underground storage tank system is taken out-of-service for **more than 90 days**, the owner of or permittee shall:

(1) Comply with the requirements of **subsection (b) of this section**; and

(2) Ensure that the tank is empty.

(d) Except as allowed in **subsection (e) of this section**, any underground storage tank system which is out-of-service for more than one year shall be closed in accordance with **§8-604**.

(e) Upon written request, the Secretary may allow an underground storage tank system that meets the new construction standards of **subchapter 4** to remain out-of-service for more than one year provided all other applicable requirements of this section are met.

You can find the entire set of UST Rules on the web at <http://www.anr.state.vt.us/dec/wastediv/ust/regs/fullUSTregs.pdf>

Also remember financial responsibility for the tank continues to be paid until the tank is permanently closed by removal. Financial responsibility for 98% of Vermont tank owners is provided by the Vermont Petroleum Cleanup Fund by payment of the annual assessment fee by October 1 of each year.

Please contact the UST program at 802-241-3888 with any questions.

#1 in Compliance



At the annual meeting of the Vermont Petroleum Association held in Montpelier on December 14, 2011, the Vermont UST Program announced the first award for Best Operational Compliance to R. L. Vallee, Inc. of St. Albans. Amy Norris of R. L. Vallee, Inc. accepted the award from Marc Roy, UST Manager. Out of approximately 40 facility inspections conducted since 2005, RL Vallee has received only 7 Notices of Alleged Violation, and only one since 2008. The lack of violations demonstrates RL Vallee's commitment to environmental compliance, and sets a high bar for others to aspire to.

Phase-out of stage II Vapor Recovery

In 2009 the Vermont legislature enacted a law (10 V.S.A. §583) that repealed the requirement to use Stage II vapor recovery controls at gasoline dispensing facilities (GDFs) as of January 1, 2013. The law allows earlier removal of Stage II vapor recovery controls at a GDF if:

- excavation is conducted at a GDF for the replacement or repair of any below ground component of a Stage II system, or
- dispensers are replaced at a GDF with dispensers that support triple data encryption standard usage.

The excavation exemption generally is triggered by such work as replacing underground storage tanks or product piping. Please note that if you believe you are eligible to remove your Stage II system prior to January 1, 2013 you must obtain written approval to do so from the Air Pollution Control Division (APCD) before removing your Stage II system. The 2009 law also provides that Stage II vapor recovery need not be installed at any newly constructed GDF that commences operation after May 1, 2009.

For more information, contact Dave Shepard with the APCD (583-7119 or dave.shepard@state.vt.us) or visit the APCD website at <http://www.anr.state.vt.us/air/Compliance/htm/Gasoline.htm>.

State of Vermont - Peter Shumlin, Governor

Agency of Natural Resources - Deb Markowitz, Secretary

Department of Environmental Conservation - David Mears, Commissioner

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Underground Storage Tank Program
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Waterbury, VT 05671-0404
Tel: 802-241-3888

