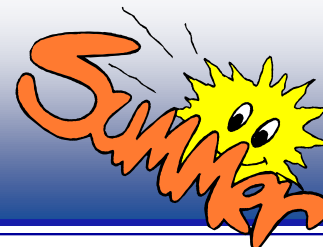
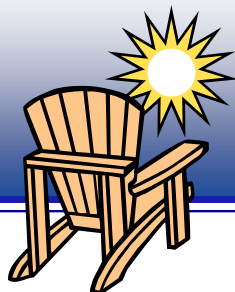


UST TALK

A Newsletter for Underground Storage Tank Owners / Operators

Published by Waste Management & Prevention Division

Underground Storage Tank (UST) Program



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REPLACING SPILL

BUCKET?

Replacement spill buckets must be 15 gallons or more in size. If a 15 gallon cannot be installed due to closeness of existing fittings, a VARIANCE must be obtained to the 15 gallon requirement. Request for a variance must be made prior to replacement, be in writing substantiated with photographs showing measurements, in order for a determination to be made and a variance granted.

UST MONTHLY INSPECTIONS

Underground Storage Tank (UST) inspections were required beginning August 2012. We have noticed that many operators are not conducting or documenting their monthly inspections, so we are re-running this important information from an earlier issue of UST Talk.

As of August 1, 2012, every permitted facility must have a designated A and B operator. One of the more important responsibilities for the A/B operator is the monthly facility inspection requirement. Routine facility inspections conducted by state inspectors reveal that some operators forget to perform and document their monthly inspections.

The Class A or B operator, or a person working under the supervision of a Class A or B operator, is required to conduct and document a monthly inspection of the facility. The operator must inspect the facility for any conditions that would require an immediate response, such as any indication of a spill or release or any alarms indicating a possible release. A sample checklist is included in Appendix A of our guidance document "Vermont Underground Storage Tank Operator Training Guidance", which can be found on our website <http://www.anr.state.vt.us/dec/wastediv/ust/pubs/OperatorTrainingGuidance.pdf>. This sample checklist is provided as a convenience to tank owners and operators. You are not required to use this checklist, but at a minimum, you must document the same information the sample checklist covers. You are required to keep this monthly documentation on file for one year.

State inspections in 2013 will include a review of monthly inspection documentation. Failure to comply with this monthly requirement will be considered a violation of Vermont UST Rules.

Questions? Please visit the Vermont UST Program's website: <http://www.anr.state.vt.us/dec/wastediv/ust/Training.htm> or <http://www.anr.state.vt.us/dec/wastediv/ust/home.htm>

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Construction permits are needed for the following:



Construction permits when needed?

The UST Rules say a construction permit must be issued when a substantial alteration is being done at a facility. *Substantial alteration*, what is that?

The rules define *substantial alteration* as any change made to an underground storage tank system that requires the top of the tank and/or any portion of the piping to be uncovered.

As a rule of thumb, if you are doing any of the following work to your tank system, you need a construction permit for:

- 1) Tank and piping replacement.
- 2) Adding a tank.
- 3) Replacement of all product piping.
- 4) Replacement of primary piping, keeping the existing secondary.
- 5) Interior lining of a tank (single or double wall).
- 6) Adding or removing a piping manifold to two tanks or more.
- 7) The replacement of tank top sumps.
- 8) Replacement of spill bucket may need a construction permit.

To obtain a construction permit, complete an UST Form and include wording on Page 5 under *Construction Project Summary* explaining exactly what you intend to do. Complete the UST Information pages with information relative to each tank for what is going to be done to the tank system. Retail/convenience store facilities should remember to include Stage II vapor recovery closure if that will be part of the project.

What else is needed? Whenever you excavate to the tank top or expose piping an environmental site assessment is required to be completed by a qualified person.

If in doubt as to whether or not a construction permit or site assessment is needed, call the UST Program staff.

Out-of-Service Tanks

There are a number of things you should be aware of if you own an UST that has been out of service (OOS) for more than a year.

If a tank is out of service for more than 90 days it must be emptied; this does not mean until the pump cannot move any more product! A tank is empty when all materials have been emptied so that no more than 1 inch of residue, or 0.3 percent by weight of the total capacity of the tank, remains in the tank. This usually requires pumping of product from the fill port or other access port. The vent line(s) must be left open and functioning; and all other lines, gauge openings, manways, pumps and ancillary equipment must be capped or otherwise secured to prevent unauthorized use or tampering.

If you completely empty your tank, you no longer have to conduct weekly leak detection, etc.

Vermont UST Regulations allow double wall inactive underground tanks to remain in the ground for ONE year, as long as the tanks meet the double wall requirement.

If you want to keep the tank in the ground beyond one year (say for example you are trying to sell the facility and that's just not happening), you must submit a WRITTEN request for a variance from the requirement to remove the tank within a year.

The UST Program has made referrals to the Compliance and Enforcement Division for several cases where the owner of OOS tanks has not pulled the tanks after one year and has not requested a variance. The result in three recent cases has been fines of \$3000 - \$6000, and removal of the tank.

We currently allow upgraded OOS tanks that have been out of service for more than a year to be brought back into service after the tank system has been inspected and certified as being in compliance with the rules. If a tank has been OOS for more than five years—maintained or not—chances are that it won't ever be going back into service. Many of these tanks were between 20-25 years old when first placed OOS, and it is unlikely a new owner would want to take the expense of upgrading the tanks and risk. And the environment has no need to have it in the ground.

To avoid future problems, tracking OOS tanks until their permanent closure is a must. We will continue to work with owners to stay in compliance, and want to encourage those with aging tanks to start planning for their removal to avoid impacts from an old leaking tank. The State does offer 0% loans to assist with the cost of tank removal, please contact June Reilly at june.reilly@state.vt.us or by calling 802-522-0231 for more information.

New State Law Sets Deadline for Single-Wall Tanks

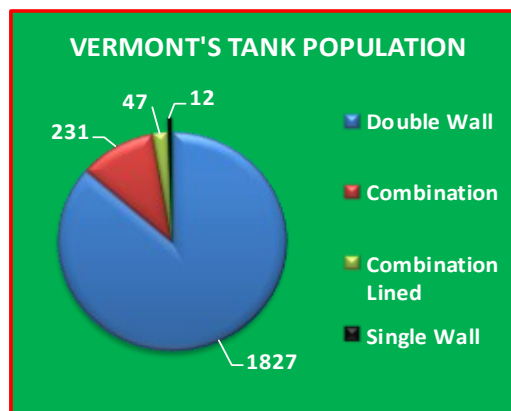
On May 30, 2013 Governor Shumlin signed House Bill 226 into law. This new law sets firm deadlines for the closure of single wall and combination systems, and after a phase-in period, it raises the PCF assessment fee and deductible for single-wall and combination tank systems.

The new law defines single wall tank systems as a single wall tank connected to single wall pressurized piping. A combination tank system is a single wall tank with double-wall piping, or single-wall intrinsically safe suction piping. A double wall tank system is a double wall tank with double-wall piping, or single-wall intrinsically safe suction piping.

Under the new law, single wall tank systems must be permanently closed by January 1, 2016. Combination tank systems must be permanently closed by January 1, 2018, except that combination

tank systems upgraded with dispenser sumps and lined tanks shall be closed by January 1, 2018, or by ten years from the date by which the tank was lined, whichever is later. The new law also prohibits lining of single-wall or combination tank systems after January 1, 2014.

Yet another major change this new law has created is a much more complicated formula for Petroleum Cleanup fund assessments. The table below summarizes the new assessment fees for 2013 and 2014. Because the fee schedule is more complicated than before, we will no longer expect tank permittees to figure out their assessment fee. Instead, we plan to send out invoices that will be calculated based on the information we have on file.



Type of Tank system	2013 Assessment	2014 Assessment
Double wall commercial	\$100	\$100
Combination commercial	\$150	\$500
Combination lined commercial	\$150	\$250
Single wall commercial	\$200	\$1000
Double wall town/school district	\$50	\$50
Combination town/school district	\$100	\$100
Combination lined town/school	\$100	\$100
Single wall town/school	\$150	\$150
Double wall retail >40K	\$100	\$100
Combination retail >40K	\$150	\$500
Combination lined retail >40K	\$150	\$250
Single wall retail >40K	\$200	\$1000
Double wall retail >20<40K	\$75	\$75
Combination retail >20<40K	\$125	\$125
Combination lined retail >20<40K	\$125	\$125
Single wall retail >20<40K	\$175	\$175
Double wall retail <20K	\$75	\$75; maximum \$100
Combination retail <20K	\$125	\$125; maximum \$300
Combination retail lined <20K	\$125	\$125; maximum \$300
Single Wall <20K Each tank	\$175	\$175; NO maximum

Underground Storage Tanks (USTs) out of service?

If an UST is out of service 90 days or less:

1. Notify the UST Program by phone 802-828-1138, or by email listed on the front cover of this newsletter.
2. Liquid in the tanks is lowered to or below the lowest draw-off point.
3. Vent line is kept open.
4. Secure all openings to the tank at the tank top (fill ports, pumps etc.) to prevent tampering.
5. Post signs so that customers and suppliers know the tanks are out of service.
6. You must continue weekly release detection monitoring, unless the tank holds less than 1 inch of product.



If an UST is out of service greater than 90 days:

Comply with the list above, except the tank *must be pumped empty*. “Empty” is defined as a condition in which regulated substance has been removed from the tank to the extent that no more than 1 inch of residue, or 0.3 percent by weight of the total capacity of the UST, remains in the system.

If an UST tank is out of service for a year or more it must be closed in accordance with UST Rules §8-604. Please see UST Rules on-line <http://www.anr.state.vt.us/dec/wastediv/ust/regs/SUBCH6.pdf>

If the UST is a double wall system you may seek a variance from the closure requirement by contacting the UST Program.

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State of Vermont - Peter Shumlin, Governor
 Agency of Natural Resources - Deb Markowitz, Secretary
 Department of Environmental Conservation - David Mears, Commissioner



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