

State Regulatory/Code Specifics

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Also note that regulatory and code information is constantly evolving and changing. While every attempt has been made to include the latest information from each state, it is the responsibility of the user of this program to verify the correct, updated codes, regulations, and other information.

Thompson Publishing's *Underground Storage Tank Guide* is a comprehensive reference manual on technical and regulatory compliance information for USTs. Subscribers to the *Underground Storage Tank Guide* receive monthly updates to the guide as well as a monthly newsletter reporting on current trends and developments. For more information on the guide, contact:

Thompson Publishing Group
Underground Storage Tank Guide
1725 K Street, NW 7th Floor
Washington, DC 20006
1-800-444-8741

Alabama

State Contact(s):

For regulatory information:

Curt Johnson, Chief

UST Compliance Section

Alabama Department of Environmental Management (ADEM)

P.O. Box 301463

1751 Congressman W.L. Dickinson Drive

Montgomery, Ala. 36130-1463

(334) 271-7986

(334) 270-5612 (fax)

John Robison

Department of Insurance

Fire Marshal's Office

P.O. Box 303352

Montgomery, Ala. 36130

(334) 241-4166

(334) 241-4192 (fax)

Program Description:

Alabama did not have UST provisions before the federal rules passed. In 1988, Alabama passed the Alabama Underground Storage Tank and Wellhead Protection Act of 1988 authorizing ADEM to promulgate rules and regulations governing USTs and to seek EPA approval of the state's UST program in lieu of the federal program. ADEM also is authorized to promulgate rules and regulations for the protection of wellhead areas associated with public water supply systems from contaminants.

Pursuant to the 1988 Act, the state promulgated regulations establishing requirements for construction, installation, performance, closure, operation and corrective action. These technical and corrective action regulations became effective April 5, 1989.

Program Requirements:

Scope: The state program covers tanks that are regulated by federal law.

Tank Installations and Upgrades: ADEM approval is required for new tank installations, removal or upgrades of existing tanks. The Department requires 30-day advance notice prior to the installation of new tanks.

Other Related Provisions:

On Oct. 1, 1991, the 1990 editions of National Fire Protection Association codes 30 and 30A, as well as a Temporary Interim Amendment (amending NFPA 30A to provide alternative tank installation methods for aboveground tanks at public service stations, as well as commercial, industrial, military and government locations) became effective in Alabama.

The state has used the Alabama Water Pollution Control Act to regulate aboveground storage tanks and requires owners of aboveground tanks over a certain volume to develop a spill prevention plan.

Local Programs:

In some cities, the local fire department inspects UST installations.

Stage II vapor recovery currently is not required in Alabama.

For information, contact:

Dale Aspy

EPA Region IV/APTMD

345 Courtland Street, N.E.

Atlanta, Ga. 30365

(404) 347-2864, ext. 4214

Last Revision Date: November, 1995

Alaska

State Contact(s):

For regulatory information:

Jim Hayden

UST Program Manager

Ben Thomas,

UST-prevention

Underground Storage Tank Program

Department of Environmental Conservation (DEC)

410 Willoughby Ave.

Juneau, Alaska 99801

(907) 465-5200

(907) 465-5218 (fax)

For storage tank financial assistance information:

Bonnie Bladow

Underground Storage Tank Financial Assistance Programs

DEC

3601 C St., Suite 398

Anchorage, Alaska 99503

(907) 273-4342

Program Description:

Alaska's UST regulations (Title 18, Alaska Administrative Code, Chapter 78) took effect March 25, 1991, and were finalized Aug. 21, 1991. State rules generally parallel federal requirements, but contain more stringent registration, release-reporting, site-assessment and worker-certification requirements. Financial assistance and worker certification requirements were amended in August 1994. Amendments to the site characterization and assessment, release investigation, corrective action and lab accreditation sections of its regulations took effect Nov. 3, 1995.

Program Requirements:

Scope: State regulations apply only to petroleum USTs with capacities of 110 gallons or greater. Federal UST regulations cover tanks containing petroleum and hazardous substances.

Tank Upgrade and Closure Grant Program: The state has established a grant program for closure site assessment, tank upgrade, replacement and removal. The program provides 60 percent of eligible costs, not to exceed \$60,000.

Other Related Provisions:

The state has adopted by reference the Uniform Fire Code as well as other nationally recognized codes and standards related to USTs.

Local Programs:

Municipal fire departments should be contacted prior to installation and removal of USTs.

Alaska does not require Stage II vapor recovery; there are no designated nonattainment areas within the state.

For more information, contact:

Cynthia Pring-Ham

DEC

Last Revision Date: January, 1996

Arizona

State Contact(s):

For regulatory information:

Tara E. Roesler, Manager

UST/LUST Section

Arizona Department of Environmental Quality (ADEQ)

3033 North Central Ave. #4T

Phoenix, Ariz. 85012

(602) 207-4242

(602) 207-4346 (fax)

Program Description:

Arizona is developing an underground/leaking storage tank (UST/LUST) program that parallels federal requirements, with some modifications. The legislature passed HB 2072 in 1986, adopting the federal UST requirements in the Resource, Conservation and Recovery Act, Subtitle I. HB 2273, effective Sept. 15, 1989, gave the state authority to bring its UST/LUST requirements in line with the federal program.

Amendments to the program passed in 1993 (contained in HB 2226) took effect July 17, 1994. These amendments revise the definition of UST owner, amend state assurance fund (SAF) provisions, and seek in general to align the program with federal rules. On April 19, 1995, House Bills 2188 and 2196 became law, requiring that professional standards for cleanup contractors and cleanup standards for soil and groundwater be developed by Nov. 15, 1995, among other changes.

The state is developing UST technical requirements that are expected to become final in June 1996. The proposed rules will be similar to the federal program, but will differ in the areas of notification and closure. A grant program to assist financially needy owners and operators with SAF co-pay requirements, tank upgrades, tank closures, and expedited processing costs is expected to begin accepting applications in April 1996. Additional rule packages addressing groundwater cleanup standards, consultant and contractor standards, SAF pre-approval and coverage, and LUST technical standards will be developed and promulgated within the next 18 months.

Program Requirements:

Scope: Arizona regulates petroleum or any fraction of crude oil that is liquid at 60 degrees Fahrenheit and 14.7 pounds per square inch absolute. The state's program also covers petroleum-based substances composed of a complex blend of hydrocarbons derived from crude oil through processes of separation, conversion, upgrading and finishing, such as motor fuels, residual fuel oils, lubricants, jet fuels, distillate fuel oils, petroleum solvents and used oils.

Notification: Send underground storage tank (UST) notification to ADEQ at the address listed above. Arizona uses a state form, which requires information such as:

- a legal description of the property;
- a diagram of the UST site; and
- other information about the UST site.

Grant Program: The state has established a grant program for upgrading, removing and replacing tanks. Owners or operators

of USTs used for storing, handling or distributing naphtha-type jet fuel or kerosene-type jet fuel are not eligible for grants.

Other Related Provisions:

Arizona's groundwater provisions, the Environmental Quality Act (Title 49) and the Arizona Administrative Code, provide for corrective action for UST spills. They give the state the authority to require cleanup and to conduct investigations.

Aboveground tanks are regulated by the State Fire Marshal or local fire departments. The Department of Environmental Quality, however, has authority over cleanup and investigation of leaks.

Local Programs:

Local fire jurisdictions have adopted either the UFC or the NFPA 30 UST standard. Local fire departments conduct plan reviews and ensure that tank installations and closures conform with local fire codes and state UST statutes.

Stage II Vapor Recovery:

The Arizona attorney general approved Aug. 27, 1993, the state's final Stage II vapor recovery rules, which are contained in the Arizona Administrative Code Title 4, Chapter 31, Article 9-Gasoline Vapor Control. Stage II controls are required in the Maricopa County nonattainment area. Other municipalities may have Stage II vapor recovery requirements as well.

For information, contact:

Lou Little
Department of Weights and Measures
9535 East Doubletree Ranch Road
Scottsdale, Ariz. 85285-5539
(602) 255-5211, ext. 2228
(602) 255-1950 (fax)

Last Revision Date: August, 1995

Arkansas

State Contact(s):

For regulatory information:
Jim Shell, Chief
UST Division
Arkansas Department of Pollution Control and Ecology (DPCE)
P.O. Box 8913
Little Rock, Ark. 72219-8913
(501) 682-0999
(501) 682-0880 (fax)

Program Description:

Arkansas has enacted statutes effective July 1, 1989, establishing a state trust fund; requiring licensing and certification of tank installers, repairers, upgraders, removers, and testers; and directing DPCE to develop rules identical to the federal regulations. On April 22, 1990, the state adopted by reference the federal rules.

Program Requirements:

Notification: Send state-specific notification form to the above-listed address.

Other Related Provisions:

The state regulates aboveground tanks under the 1982 Standard Fire Prevention Code. Groundwater provisions require proper pressure checks before tank installation.

Local Programs:

Local fire departments have the authority to inspect the installation and removal of tanks and set requirements for each city, but the state program pre-empts all local laws, ordinances and regulations pertaining to USTs-except for applicable local building permit or fire code requirements pertaining to UST installation. Some municipalities have more stringent UST requirements.

Stage II vapor recovery currently is not required in Arkansas.

For information, contact:

James Davis
Planning Section (6T-AP)
EPA Region VI
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733
(214) 665-7584

Last Revision Date: December, 1995

California

For regulatory information:

James G. Giannopoulos, Manager
Underground Storage Tank Program
State Water Resources Control Board
Division of Clean Water Programs
P.O. Box 944212
Sacramento, Calif. 94244-2120
(916) 227-4320
(916) 227-4349 (fax)

For phone number and contact person at local implementing agency:

State Water Resources Control Board
Division of Clean Water Programs
(916) 227-4303

Program Description:

California's underground storage tank rules are similar, but not identical, to federal requirements. The state laws governing USTs are found primarily in the California Health and Safety Code, Division 20, Chapters 6.7 and 6.75. Combined with the State Water Resources Control Board regulations (Chapters 16, 17 and 18, Title 23 of the California Code of Regulations), they comprise the governing elements of the state's program.

California's UST regulations originally were adopted in August 1985. The latest amendments were approved and went into effect on May 5, 1994.

Tanks are regulated by the cities or counties where they are located. State law gives local implementing agencies (LIAs) the authority to manage and enforce local UST programs and make counties responsible for running adequate programs.

LIAs issue UST operating and closure permits and oversee tank-design planning, construction, monitoring, leak reporting and closure. LIAs may adopt UST ordinances more stringent than state or federal law.

Program Requirements:

Scope: California regulates petroleum and hazardous substance USTs. Home heating oil tanks and farm tanks with capacities of more than 1,100 gallons are covered.

Tank Standards: New USTs must have primary and secondary containment, interstitial space monitoring, and a spill containment and overflow prevention system.

Pressurized piping must have secondary containment and a continuous monitoring system. A list of leak detection equipment that has been evaluated by a third-party evaluator and reviewed by the State Water Board is available from the board at the address listed above.

Upgrades: Existing tanks can be upgraded by replacement with new double-wall tanks by 1998 or, if a motor vehicle fuel tank, it can be retrofitted with cathodic protection and internal lining, or be retrofitted with a bladder system.

The lining material and lining process must be listed or certified by an independent testing organization based on voluntary consensus standards. An ultrasound test is necessary before a tank can be lined. The state requires a special inspector on-site to inspect the integrity of the lining as well as the methodology being used.

Leak Detection and Monitoring: Tank owners must have a leak detection monitoring program approved by the LIA and written into the UST operating permit.

For new tanks, the monitoring plan must include a response plan that shows how any leaked substance will be removed from the secondary containment before it overfills, not to exceed 30 days. For existing tanks, the monitoring program must include daily visual monitoring of exterior tank surfaces that are visible. All other portions of the tank system must have a monthly leak detection system, such as an automatic tank gauge, statistical inventory reconciliation, or manual inventory reconciliation and tank testing.

Other Related Provisions:

California has adopted the 1979, 1988 and 1991 editions of the Uniform Fire Code (UFC). The state enacted the Aboveground Petroleum Storage Act in 1989 to regulate aboveground petroleum storage tanks.

Effective Jan. 1, 1990, the law requires owners and operators of aboveground petroleum storage tanks to: (1) file a storage statement on or before July 1, 1990, and every two years thereafter, with the state Water Resources Control Board; (2) take specific action to prevent spills; and (3) in certain instances, implement a groundwater monitoring program.

Local Programs:

Fifty-eight counties and 46 cities regulate USTs. The laws vary by locality; local programs may be more stringent than the state's.

Stage II Vapor Recovery:

California requires Stage II controls throughout the state because it is classified as nonattainment for benzene; several areas also are designated as nonattainment for ozone.

Stage II requirements are determined by 34 local air pollution control districts, which must adopt rules that are no less stringent than the state model rule, but may be more stringent. The state model rule exempts gasoline distributors with a monthly throughput of 48,000 gallons or less. To find out in which districts facilities are located, call (916) 322-2990.

For information, contact:

Laura McKinney
California Air Resources Board
P.O. Box 2815
Sacramento, Calif. 95812
(916) 327-1525

Last Revision Date: January, 1996

Colorado

State Contact(s):

For regulatory information and release reporting:
Richard O. Piper
State Inspector of Oils
Department of Labor and Employment
Oil Inspection Section (OIS), Tower #2
1515 Arapahoe, Room 400
Denver, Colo. 80203
(303) 620-4300
(303) 620-4303 (fax)

Program Description:

Before the federal provisions were created, Colorado adopted NFPA 30 verbatim as its minimum requirement for USTs. The state follows the current version of NFPA 30. On July 1, 1992, legislation (HB 1134) became effective, subjecting ASTs of 661 gallons to 39,999 gallons to regulation. On July 1, 1993, legislation (HB 1165) became effective, modifying the state trust fund provisions and the installation licensing requirements.

OIS has regulatory authority over USTs. Effective Dec. 1, 1989, OIS promulgated regulations governing notification requirements; design; performance; construction and installation standards for new USTs and for upgrading existing USTs; operating requirements; release detection; release reporting; investigation and confirmation; and out-of-service UST systems and closure. These regulations are no more stringent than the federal requirements. OIS adopted financial responsibility regulations and regulations governing the licensing of UST installers in 1990.

Program Requirements:

Scope: In addition to tanks covered under federal provisions, ASTs with capacities from 660 gallons to less than 40,000 gal-

lons are regulated under HB 1134, which became effective July 1, 1992. ASTs used for agricultural purposes are excluded.

Notification: The EPA notification form should be sent to OIS.

Tank Installations, Repairs and Upgrades: A state form, with a site plan, must be filed with OIS when a new tank system is installed or an existing system is repaired or upgraded. OIS is responsible for inspecting new tank installations, repairs, upgrades, as well as plan reviews, but can delegate these duties to local authorities.

Other Related Provisions:

Owners of ASTs with a capacity greater than 1,500 gallons must submit plot plans describing characteristics of the property and tanks to OIS. Aboveground tanks are regulated by OIS.

Local Programs:

State law prohibits local governments from adopting requirements more stringent than the state's rules. The state does not require Stage II vapor recovery. The Denver area is classified as transitional for nonattainment.

For information, contact:

Jim Geier
Stationery Sources
Air Pollution Control Division
4300 Cherry Creek Drive, S.
APCD-SSB1
Denver, Colo. 80222
(303) 692-3150

Last Revision Date: November, 1995

Connecticut

State Contact(s):

For regulatory information:
G. Scott Deshefy
Underground Storage Tank Program
Department of Environmental Protection (DEP)
79 Elm Street
Hartford, Conn. 06106
(203) 424-3374
(860) 424-4061 (fax)

Program Description:

Connecticut's heating oil and petroleum underground storage tank (UST) regulations were adopted and became effective Nov. 1, 1985, and are located in Section 22a-449(d)-1 of the state regulations. The rules adopted the tank abandonment provisions from National Fire Protection Association Code 30 and regulations for the use of solid and inert material (dead sand and concrete) in abandoned tanks.

Some of the state's current provisions are more stringent than the federal regulations. Legislation was enacted in 1989 to establish a state trust fund and to ensure that the current proposed state regulations include all provisions of the federal program. The state adopted new UST regulations which become effective

Sept. 27, 1994. These regulations set out notification, leak detection, closure and recordkeeping requirements.

Program Requirements:

Scope: State provisions cover heating fuel tanks in addition to petroleum tanks. CERCLA-listed chemical liquids are covered under state regulations, which adopt federal regulations for hazardous substance tanks.

Notification: New regulations established a series of notification requirements for installation, construction, abandonment and temporarily out-of service UST systems. Owners and operators also must comply with a notification requirement for tank tightness and line tightness tests. Notice must be given to the Commissioner of DEP and in some cases also to the local fire marshal. DEP furnishes or prescribes forms for each act of notification required.

Beginning Oct. 24, 1998, any person who sells a tank intended to be used as an UST shall notify the purchaser of such tank of the owner's notification obligations. For more information and a copy of the appropriate form, contact DEP at the above-listed number.

Leak Detection and Monitoring: Owners and operators of new and existing UST systems are required to provide a method or combination of methods, of release detection under the new regulations. Release detection requirements are specific for petroleum UST systems and hazardous substance UST systems. The methods of release detection for tanks must be conducted in accordance with specific requirements set out in the new regulations.

Tank Standards/Upgrades: Existing bare steel tanks and other tanks that were not in compliance when the state regulations went into effect in 1985 were assigned a life expectancy of 15 years by the regulations. However, owners may continue to use such tanks five years after that, provided precision tank testing (the state accepts hydrostatic leak detection tests and tracer testing) is conducted according to the schedule below. Twenty-year-old tanks were required to be removed by Sept. 1, 1989. After that date, tanks must be removed prior to 20 years after the date of their original installation.

All tanks installed after Nov. 1, 1985, must either be constructed of fiberglass-reinforced plastic or comply with state regulations for steel tanks: all steel tanks and integral piping must have manufacturer-applied anti-corrosive external coating and cathodic protection. New composite (externally-coated) tanks (installed after May 1985) are allowed only if cathodically protected.

Other Related Provisions:

An owner or operator must fully disclose the status of a petroleum or hazardous substance UST system 15 days prior to transfer.

Local Programs:

The number of localities regulating tanks is increasing; some of the state's 169 towns currently have their own provisions. Contact the Fire Marshal or municipal government for local provisions. Some localities are developing requirements that are

more stringent than the state rules, e.g., the regulation of residential tanks. Many localities include aboveground and abandoned tanks in their provisions.

Stage II Vapor Recovery:

Connecticut requires Stage II vapor recovery throughout the state. The state is designated as nonattainment for ozone, with all but the south western portion of the state being classified as serious. Fairfield county, except Shelton but including New Milford and Bridgewater, are classified as severe. The state is located in the northeast ozone transport region.

For information, contact:

Bill Menz, Air Pollution Control Engineer III
Bureau of Air Management
79 Elm Street
Hartford, Conn. 06106-5127
(203) 424-3427

Last Revision Date: December, 1995

District of Columbia

State Contact(s):

For regulatory information and release reporting:
Dr. V. Sreenivas, Chief
Underground Storage Tank (UST) Branch
Environmental Regulation Administration
Suite 203
2100 Martin Luther King Jr. Ave. S.E.
Washington, D.C. 20020-5732
(202) 645-6080
(202) 645-6622 (fax)

For other UST/LUST information:

UST Branch Staff
(202) 645-6080, ext. 3015, 3016, 3017, 3019, or 3081
Fire Prevention Bureau: Inspector R. Steven Smith
(202) 727-1827
Inspector Timothy J. Clark
(202) 727-1827

For UST legislative information:

Laura Gilbert, Esq.
(202) 645-6080, ext. 3007

Program Description:

The District enacted underground storage tank legislation on March 8, 1991. The legislation includes provisions for tank installation, closure and upgrading; release notification, investigation and cleanup; the establishment of a trust fund; and enforcement of the act.

Recent amendments to the legislation require owners who sell properties to disclose to prospective buyers the presence of tanks and modify the definition of "responsible party" to include adjacent landowners who refuse to allow access to their properties for site assessment and cleanup.

The District adopted UST regulations effective Nov. 12, 1993, that generally parallel the federal program.

Program Requirements:

Scope: In addition to federal requirements, the District requires secondary containment upon installation of new USTs except for heating oil tanks. District regulations also cover heating oil tanks with capacities greater than 1,100 gallons and require leak detection for heating oil tanks more than 15 years old.

Notification: Obtain notification form from and send it to the UST Branch at the above address. Sellers of property containing USTs, or from which USTs have been removed during sellers' ownership, must inform prospective buyers-in writing and prior to executing a sales contract-of the existence or removal of any known tanks. Sellers may obtain a tank disclosure notification form from the UST Branch.

Other Related Provisions:

The city's water quality regulations (DCNR Title 21, Chapter 11, 1100-1106 and 1150-1158, March 1994) set cleanup standards for surface and groundwaters. The Fire Department has adopted National Fire Protection Association (NFPA) Code 30.

Stage II Vapor Recovery:

Stage II vapor recovery has been required since 1977 in the District, which classified as a serious nonattainment area.

For more information, contact:

William G. Gillespie
Chief of Compliance and Enforcement
Air Resources Management Division
Environmental Regulation Administration
Suite 404
2100 Martin Luther King Jr. Ave. SE
Washington, D.C. 20020-5732
(202) 645-6093, ext. 3084

Last Revision Date: January, 1996

Delaware

State Contact(s):

Kathleen Calloway, UST Coordinator
Mick Butler, UST Program
Ellen Malenfant, LUST Program
Division of Air and Waste Management
Department of Natural Resources and Environmental Control (DNREC)
715 Grantham Lane
New Castle, Del. 19720
(302) 323-4588
(302) 323-4561 (fax)

Program Description:

Delaware's Underground Storage Tank Act, Chapter 74 of Title 7, was passed in July 1985, and regulations became effective in July 1986. The regulations were last revised on March 12, 1995. An amendment to the law (1988 S.B. 453) was passed in July 1988 defining responsible parties and requiring underground heating fuel tank owners to register tanks larger than 1,100 gallons by Jan. 20, 1989. Also by that date, all regulated tanks

must label or color code the fill line of the tank to indicate the size of the tank and the type of regulated substance stored.

The state is developing a UST program for federal approval. Revised regulations include sections on tanks storing hazardous substances, financial responsibility, and reimbursement of funds for petroleum contamination site cleanups. Legislation (S.B. 442) enacted in 1992 amends the definitions of owner and operator to make these terms consistent with the federal regulations. This law also corrected several technical errors in the Underground Storage Tank Act (Chapter 74). Legislation (H.B. 473) enacted in 1994 created contractor certification requirements.

Program Requirements:

Scope: Heating oil tanks greater than 1,100 gallons are covered, as are hazardous substance and petroleum tanks.

Notification: Send notifications to the Division of Air and Waste Management at the above address. The state has its own notification form.

Tank Upgrades: Existing tanks were required to be upgraded to state standards by Jan. 1, 1991. A separate timetable for upgrading heating fuel tanks became effective May 14, 1993. Under the new timetable, tanks operating in 1976 must be upgraded by 1995; tanks installed between 1976 to 1978 must be upgraded by 1996; tanks installed between 1981 to 1985 must be upgraded by 1997; and tanks installed between 1986 to the present must be upgraded by 1998. All heating fuel tanks must have corrosion protection by 1998. Contact DNREC for other provisions that may be applicable to heating fuel tank upgrades.

Loan Program: The Small Retail Gasoline Station Assistance Program was created on July 1, 1993, by the 1994 Capitol Improvement Act, Chapter 77. The program provides \$4 million in loans to small retail gasoline stations to carry out activities necessary to comply with state and federal environmental laws. Such activities include replacement of existing UST systems; removal and abandonment of UST systems; installation of water quality protection devices; and installation of air quality protection devices.

Other Related Provisions:

The state has pollution control legislation and groundwater provisions that could affect USTs. The State Fire Marshal reviews plans for new construction of underground and above-ground tanks. The Division of Water Resources within DNREC regulates bulk storage aboveground tanks. The Delaware Water and Air Resources Act (Chapter 60 of Title 7 of the Delaware Code) regulates any activity involving the construction, maintenance or operation of a pipeline system including any appurtenances such as a storage tank or pump station.

Local Programs:

Few local jurisdictions in Delaware regulate tanks. However, Wilmington requires owners to use concrete slabs during installation. The city also requires owners to strap tanks into the ground. The city of Newark and New Castle County have passed ordinances requiring more stringent standards for the installation of USTs in water resource protection areas. The state implements these programs.

Stage II Vapor Recovery:

Stage II vapor recovery is required throughout the state. Compliance deadlines in New Castle and Kent counties have already passed. The compliance schedule for Sussex County is:

- New installations must comply by May 15, 1995.
- Tanks with annual gasoline throughputs of more than 100,000 gallons must comply by Nov. 15, 1995.
- Tanks with annual gasoline throughputs of between 10,000 and 100,000 gallons must comply by Nov. 15, 1996.

For information, contact:

Mick Butler
Division of Air and Waste Management
DNREC

Last Revision Date: May, 1995

Florida

State Contact(s):

For regulatory information:
Marshall Mott-Smith, Administrator
Storage Tank Regulation Section
Division of Waste Management
Bureau of Waste Cleanup
Department of Environmental Protection (DEP)
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Fla. 32399-2400
(904)488-3935 (UST section)
(904) 487-7077 (registration information)
(904) 922-4939 (fax)

Program Description:

Florida's underground and aboveground storage tank law (Chapter 376, Florida Statutes) was enacted in 1983. State UST and AST rules took effect in September 1984. Chapter 62-770, F.A.C., Petroleum Contamination Cleanup Criteria, took effect Nov. 1, 1987. Amendments to Florida's UST rules incorporating the federal requirements became effective Dec. 10, 1990. Additional revisions that accelerated deadlines for secondary containment became effective on May 4, 1992. Some state rules, such as those concerning tank monitoring and replacement and upgrade deadlines, are more stringent than the federal requirements. New above-ground tank rules (Chapter 62-762) took effect March 12, 1991.

Program Requirements:

Scope: Aboveground tanks with capacities greater than 550 gallons that contain pollutants (pesticides, chlorine, ammonia, petroleum products and their derivatives) are regulated. In addition, underground hazardous substance tanks and petroleum-product tanks with capacities greater than 110 gallons are covered, as well as underground agricultural fuel tanks with capacities of more than 550 gallons.

Leak Detection and Monitoring: Monthly observation or inspection of the tank monitoring system is required. DEP can require a tank test if a leak is suspected.

Tank Standards: Florida's regulations do not allow the upgrading of existing tanks with cathodic protection or tank lining. All new and replacement tanks installed after Jan. 1, 1992, must have secondary containment. However, internal lining still will be allowed as a repair procedure.

The state's UST regulations require secondary containment for all tanks by Dec. 31, 2009; however, most tanks must be upgraded with secondary containment prior to that date. Tanks installed between 1976 and 1980 must be upgraded by 1995. Tanks installed between 1980 and 1984 must be upgraded by 1998, and tanks installed after 1984 must be upgraded by 2009. For more information, contact the Storage Tank Regulation Section at the above number.

Other Related Provisions:

Groundwater provisions prohibit placement of a well within 100 feet of a sanitary hazard. Aboveground tank rules (Chapter 62-762) took effect March 12, 1991.

Local Programs:

Dade and Broward counties have adopted their own UST regulations. In addition, Florida's trust fund program allows the state to contract out compliance verification to local governments.

All of the state's 67 counties have a compliance and enforcement program with annual inspections. More than 30,000 inspections are performed annually by approximately 150 inspectors statewide.

Stage II Vapor Recovery:

Stage II controls are required in Broward, Dade and Palm Beach Counties. In Broward and Dade counties, the local ordinances are more stringent than the federal standard.

For information, contact:

Bob Dougherty, Administrator of
Mobile Sources Section
Department of Environmental Protection
Division of Air Resources Management
2600 Blair Stone Road
Twin Towers Building
Tallahassee, Fla. 32399-2400
(904) 488-6140

Last Revision Date: September, 1995

Georgia

State Contact(s):

For information concerning federal UST requirements:
Randolph D. Williams, Program Manager
Howard L. Barefoot, Regulatory Compliance
UST Management Program
Environmental Protection Division (EPD)
Department of Natural Resources
4244 International Parkway, Suite 104
Atlanta, Ga. 30354
(404) 362-2687

(404) 362-2654 (fax)

For information concerning state installation, spill and overfill requirements:

Pete Paulsen
Assistant State Fire Marshal
2 MLK Drive
West Tower, Suite 620
Atlanta, Ga. 30334
(404) 656-9798

Program Description:

Georgia Underground Storage Tank (GUST) rules covering address notification, interim prohibition and the GUST trust fund took effect July 1, 1988. The rules were amended Feb. 23, 1995, to adopt the federal UST program and to allow consideration of risk-based environmental factors for corrective action. The rules also require annual registration for all regulated USTs beginning in May 1995. As of September 1995, it is unlawful for any person to place, or cause to be placed, regulated substances in an UST without annual tank notification to EPD.

Program Requirements:

Notification/Registration: Send the EPA notification form to EPD at the address listed above. As of May 1986, owners of newly installed tanks must register with EPD within 30 days of installation. Beginning in May 1995, annual registration of regulated USTs is required.

Leak Detection and Monitoring: Georgia's leak detection requirements are the same as the federal rules.

Other Related Provisions:

In addition to USTs, the state Fire Marshal's office also regulates aboveground storage tanks. The state has adopted the National Fire Protection Association Code. For more information, contact Pete Paulsen at the address and phone number listed above.

Stage II Vapor Recovery:

The state requires Stage II controls in Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding and Rockdale counties.

For information, contact:
Marlin R. Gottschalk, Program Manager
Air Protection Branch
Mobile and Area Sources
EPD
Suite 136
(404) 363-7028

Last Revision Date: December, 1995

Hawaii

State Contact(s):

For regulatory information and release reporting:
Roxanne Kwan
Environmental Health Specialist
UST Section
Steven Chang, Manager

Solid and Hazardous Waste Branch (SHWB) Environmental Management Division
Department of Health
919 Ala Moana Blvd., Room 212
Honolulu, Hawaii 96814
(808) 586-4226
(808) 586-7509 (fax)

Program Description:

Hawaii is in the process of developing a state underground storage tank (UST) program. The state has adopted enabling legislation (Hawaii Revised Statutes Chapter 342L, entitled Underground Storage Tanks) and expects to promulgate state rules in 1995. Until then, federal regulations are applicable.

Program Requirements:

Notification/Registration: Tank notifications should be sent to SHWB at the above address. The EPA notification form is used. SHWB also requires the submission of a plot plan showing the location of new and existing tanks in relation to buildings and streets.

Loan Program: The state UST loan fund was in effect until Jan. 1, 1994, when its sunset provision took effect. The loan program was intended to assist tank owners in paying for the cost of replacing, upgrading and closing existing tanks, and cleaning up releases, to qualify for private insurance.

Tank owners still may apply for general small business loans through the Hawaii Department of Business, Economic Development, and Tourism under its Small Business Loan Program.

Local Programs:

County fire departments (CFDs) are responsible for permit approval and regulating the installation of USTs containing flammable and combustible liquids. The Uniform Fire Code has been adopted by the State Model Fire Code and city and county ordinances.

UST owners must obtain a permit from the applicable CFD prior to tank installation. CFDs also are responsible for inspection upon UST removal. In addition, CFDs regulate above-ground tanks. For more information, contact the appropriate CFD:

Honolulu CFD
Battalion Captain Craig Matthews
Fire Prevention Bureau
3375 Koapaka St.
Suite H 425
Honolulu, Hawaii 96819-1869
(808) 831-7790

Maui CFD
Battalion Captain Jamie Parsons
Fire Prevention Bureau
21 Kinipopo St.
Wailuku, Hawaii 96793
(808) 243-7566

Hawaii CFD
Battalion Captain Joseph Loyola
Fire Prevention Bureau

466 Kinoole St.
Hilo, Hawaii 96720
(808) 961-8350

Kauai CFD
Battalion Captain Mike Kano
Fire Prevention Bureau
4223 Rice St.
Lihue, Hawaii 96766
(808) 241-6511

Hawaii does not require Stage II vapor recovery and has no immediate plans to do so.

For more information, contact:

Kathy Hendricks
Clean Air Branch
Department of Health
P.O. Box 3378
Honolulu, Hawaii 96801
(808) 586-4200

Last Revision Date: August, 1995

Idaho

State Contact(s):

For regulatory information and release reporting:
Scott Short
LUST/UST Program Manager
Rick Jarvis
UST Coordinator
Idaho Division of Environmental Quality (DEQ)
1410 N. Hilton
Boise, Idaho 83706
(208) 373-0260
(208) 373-0576 (fax)

For UST technical information:
Don McCoy
State Fire Marshal
500 S. Tenth St.
Boise, Idaho 83720
(208) 334-4370

Program Description:

Federal EPA UST rules apply in Idaho. The state has adopted cleanup rules, as well as Article 79 of the Uniform Fire Code, and certain provisions of National Fire Protection Association (NFPA) Code 30, regulating ASTs and USTs storing flammable and combustible liquids.

Program Requirements:

Scope: The Environmental Protection and Health Act gives the state authority to regulate USTs when the groundwater or soil has been contaminated or is threatened by leaking USTs.

Notification: Send notification to the UST Coordinator at the address above. The state has its own form.

Local Programs:

Local fire departments in Idaho may enforce provisions of the Uniform Fire Code dealing with underground tanks.

Idaho currently does not require Stage II vapor recovery controls.

For information, contact:

Matthew Moore
Community Programs
DEQ
(208) 373-5860

Last Revision Date: January, 1996

Illinois

State Contact(s):

For regulatory information:
James I. McCaslin, Director
Office of the State Fire Marshal
Division of Petroleum and Chemical Safety
1035 Stevenson Drive
Springfield, Ill. 62703-4259
(217) 785-1020
(217) 524-9284 (fax)

Program Description:

Illinois enacted UST regulations effective April 21, 1989. The Office of the State Fire Marshal (OSFM) registers all petroleum and chemical tanks. Owners of heating oil USTs with capacities of 110 gallons or more in use after Sept. 6, 1991, must register their tanks with OSFM, which is responsible for all aspects of the UST program except for leaking USTs. Illinois UST regulations (parts 170.1000-170.1300) were amended effective April 1, 1995, changing financial responsibility requirements, administrative procedures and fire prevention regulations, such as sign and emergency shut-off requirements.

Program Requirements:

Scope: Underground petroleum tanks and heating oil tanks with capacities greater than 110 gallons are regulated. However, farm and residential heating oil tanks of any capacity are exempt from regulation.

Notification: Send state notification forms to OSFM at the above-listed address.

Tank Upgrades: Illinois has more stringent upgrade requirements than federal law: heating oil USTs must be upgraded by Dec. 22, 1998, and emergency-power generator USTs must have leak-detection equipment.

Other Related Provisions:

Some provisions of National Fire Protection Association Code 30 have been adopted.

The Responsible Property Transfer Act, effective Nov. 1, 1989, requires the seller of a property with USTs to complete a disclosure document prior to the transfer of the property.

The Illinois Groundwater Protection Act, as amended, contains provisions concerning USTs, specifically regarding setback distances from wells.

Local Programs:

The state's UST law prohibits localities from adopting UST provisions that are different from the state regulations.

Stage II Vapor Recovery:

Stage II vapor recovery currently is required in Cook, DuPage, Kane, Lake, McHenry and Will counties, and in the Oswego Township of Kendall County and the Auxsable and Goose Lake townships of Grundy County. Stage II requirements in those counties do not provide an exemption for small independent marketers with less than 50,000 gallons per month throughput, as the federal rule does.

For information contact:

Terry Sweitzer, Manager
Air Monitoring Section
Bureau of Air Management
Illinois EPA
1340 North 9th Street
Springfield, Ill. 62702
(217) 782-7438

Last Revision Date: September, 1995

Indiana

State Contacts:

For regulatory information:
John Gunter, Chief
UST Section
Department of Environmental Management (DEM)
100 North Senate Ave., Room N1255
P.O. Box 7015
Indianapolis, Ind. 46206-7015
(317) 233-6418
(317) 233-0909 (fax)

Mara Snyder, Chief Inspector
UST Division
Office of the Indiana State Fire Marshal (OSFM)
402 W. Washington Street
Room E241
Indianapolis, Ind. 46204
(317) 232-2222
(317) 233-0307 (fax)

Program Description:

Indiana Public Laws 170 and 69; Indiana Code 13-7-20; 329 IAC 9; and 328 IAC govern USTs in Indiana. In January 1993, the state issued UST regulations that closely mirror federal UST rules. OER and the OSFM share UST responsibilities.

The Fire Marshal enforces the Indiana Fire Prevention Code (1990 edition), Article 79, covering UST installation, removal and abandonment in place. The Fire Marshal and local fire departments handle routine inspections and closures. The Office of the State Building Commissioner and local building officials handle installations of new USTs.

Program Requirements:

Notification: As of Sept. 29, 1994, the state's new notification form must be used. For more information and forms, contact the UST Section of OER at the above-listed address.

Tank Standards: The State Building Commissioner's Office approves new tanks and reviews them for compliance with the applicable Indiana regulations. A prospective tank owner must submit plans, including a plot plan, to that office for approval.

Loan Guaranty Program: Tank owners may be eligible to receive loan guarantees of up to \$200,000 for tank upgrade projects. To qualify, applicants must show two letters of declination from financial institutions. One of the declination letters may be from the lender who will make a loan with a guarantee. For information, contact Amy Stewart at the Indiana Development Finance Authority at (317) 233-4332.

Other Related Provisions:

The State Fire Marshal regulates aboveground tanks containing flammable or combustible liquids. The State Chemists' Office regulates aboveground tanks that contain fertilizers or pesticides.

The Responsible Property Transfer Law, effective January 1, 1990, requires the disclosure of the existence of storage tanks and operations involving the processing, storage or handling of petroleum in connection with the transfer of certain types of real property. A disclosure document, executed by the transferor, must be provided to the transferee and filed with the Department of Environmental Management and the appropriate County Recorder.

Local Programs:

Some local fire departments are addressing abandoned tanks that have not been closed.

Stage II Vapor Recovery:

Stage II controls are required in Clark, Floyd, Lake and Porter counties.

For information, contact:

Larry Fedor, Chief
Analytical Section
Office of Air Management
100 N. Senate Ave.
P.O. Box 6015
Indianapolis, Ind. 46206-6015
(317) 232-8223

Last Revision Date: September, 1995

Iowa

State Contact(s):

For regulatory information and release reporting:
Keith Bridson
Department of Natural Resources (DNR)
c/o Henry Wallace Building
900 E. Grand
Des Moines, Iowa 50319

(515) 281-8693
(515) 281-8895 (fax)

Program Description:

Tanks are regulated under Chapter 135 of the Iowa Administrative Code. Iowa has incorporated the federal rules into its regulatory program. EPA approved Iowa's UST program effective May 8, 1995 (60 Fed. Reg. 12,630, March 7, 1995). The program is codified at 40 CFR 282.65.

Some state requirements are more stringent than the federal regulations. Iowa's program covers tanks that are excluded from federal regulation, requires reporting of any quantity of a hazardous substance release, and requires reporting to be made within six hours if a hazardous condition exists.

Program Requirements:

Scope: The state's program covers underground tanks. Aboveground storage tanks (ASTs) are covered separately by the State Fire Marshal. In addition, owners must register farm and residential tanks under 1,100 gallons, and must comply with all technical requirements for tanks installed after July 1, 1987.

Notification/Registration: Send notification to DNR at the address listed above. The state has its own notification form. Owners had to register their existing petroleum USTs before Oct. 1, 1989. The minimum penalty for intentionally failing to register by that date is \$7,500. Owners must register their aboveground tanks with the State Fire Marshal.

Tank Upgrades: The state requires tanks that are upgraded or replaced to have secondary containment or another method of leak detection approved by the UST Fund Board. To be eligible for insurance fund coverage, all tanks must comply with DNR rules and be upgraded to federal 1998 standards by Dec. 22, 1998.

Loan Guaranty Program: Iowa's program guarantees up to a maximum of 90 percent of loans made by local banks to assist eligible small business tank owners and operators in paying their share of remediation costs or the costs of leak detection and upgrading their tank systems.

Other Related Provisions:

NFPA 30 has been revised and updated since it was first adopted by the state in 1957. The NFPA standards governing underground and aboveground storage tanks for combustible substances have been adopted by reference and are enforced by the State Fire Marshal.

Property sellers must furnish to buyers a groundwater hazard statement identifying a property's history (i.e., used as landfill, contained underground tank, etc.). Sellers can obtain the form through the county recorder's office or from DNR.

Local Programs:

Some localities have more stringent regulations and some local fire departments inspect every tank closure. Contact local authorities for more specific information.

Stage II vapor recovery is not required in Iowa.

For more information, contact:

Keith Bridson
DNR

Last Revision Date: May, 1995

Kansas

State Contact(s):

For regulatory and trust fund information:
Bureau of Environmental Remediation
Department of Health and Environment (DHE)
Forbes Field, Building 740
Topeka, Kan. 66620
(913) 296-1678

Program Description:

Kansas adopted state tank provisions in 1981. In 1989, legislation was signed into law authorizing DHE to promulgate rules in accordance with federal regulations. In November 1990, those regulations became final under Article 44 of the DHE Administrative Regulations.

U.S. EPA approval of Kansas' UST program became effective July 6, 1994, allowing the state's program to operate in lieu of the federal one (59 Fed. Reg. 29,201, June 6, 1994). The program was codified at 40 CFR 282.66 (59 Fed. Reg. 49,211, Sept. 27, 1994).

Some state rules, such as those on leak detection and monitoring, are more stringent than the federal requirements.

Program Requirements:

Scope: The state's program covers underground tanks containing petroleum and hazardous substances, heating oil tanks at non-residential sites and aboveground storage tanks (ASTs).

Leak Detection and Monitoring: Owners must perform inventory control every operating day for all UST systems that store and dispense fuel, or once a month for tanks that do not dispense fuel on a regular basis.

The state allows owners to perform manual tank gauging as a substitute for inventory control in waste oil tanks with capacities of 2,000 gallons or less. Kansas permits manual tank gauging as the sole method of leak detection only for tanks of 1,000 gallons or less. The state also allows owners of standby heating fuel tanks to use inventory control to meet leak detection requirements if fuel is dispensed from the tank a total of 24 hours or less each month and less than 500 gallons of fuel per month are used.

Soil vapor monitoring requirements are similar to federal requirements; Kansas enforces them stringently. The state permits groundwater monitoring only at sites where groundwater intersects the tank excavation. Statistical inventory reconciliation is a permitted leak detection method for tanks and piping. (For information on statistical inventory reconciliation, see Tab 200, p. 196.)

Other Related Provisions:

The state has adopted National Fire Protection Association (NFPA) Code 30. The NFPA provisions governing storage tanks

are enforced by the State Fire Marshal. DHE's Bureau of Environmental Remediation and the State Fire Marshal's office conduct joint reviews of tank installation applications.

Local Programs:

Local jurisdictions may impose more stringent requirements than are imposed by state regulations. Overland Park and a few other localities in Johnson County have adopted more stringent regulations, especially with regard to fire codes.

There are no nonattainment areas in Kansas and the state currently does not require Stage II vapor recovery controls.

For information, contact:

Dana Morris
Bureau of Air and Radiation
DHE
(913) 296-1578

Last Revision Date: May, 1995

Kentucky

State Contact(s):

For regulatory information:
Doyle Mills, Manager
Underground Storage Tank Branch
Division of Waste Management (DWM)
Department of Environmental Protection (DEP)
14 Reilly Road
Frankfort, Ky. 40601-1190
(502) 564-6716
(502) 564-2705 (fax)

Program Description:

The state had UST provisions (KRS Chapter 224, sections 60-100 and 60-105 and 401 KAR 42:010) before federal regulations were promulgated. An UST law was passed by the state legislature in April 1990. The state adopted the federal corrective action and technical compliance regulations in December 1990.

Program Requirements:

Scope: In addition to petroleum tanks, the state also regulates chemical product tanks.

Notification/Registration: A tank owner or operator must register an UST with the DWM. Send notifications to the UST Branch address above. The state has its own notification form.

Leak Detection and Monitoring: Owners or operators are required to maintain leak detection records for one year. Owners must comply with State Fire Marshal requirements for fire safety by performing daily inventory monitoring for fuel storage tanks. For more information, contact the State Fire Marshal's hazardous materials office at (502) 564-3626.

Local Programs:

Lexington has its own provisions in addition to the state requirements.

Stage II Vapor Recovery:

Stage II vapor recovery is required in Jefferson County, which is classified as a moderate ozone nonattainment area.

For information, contact:

Uri Smith

Program & Planning Administration

Division of Air Quality

316 St. Clair Mall

Frankfurt, Ky. 40601

(502) 573-3382

Jerry Schlatter

Air Quality

8500 Barrett Avenue

Suite 201

Louisville, Ky. 40204

(502) 574-6000

Last Revision Date: November, 1995

Louisiana**State Contact(s):**

For regulatory information:

Harold Ethridge, Administrator

Underground Storage Tank Division

Frank I. Thomas, Manager

Program Management Section

Raul Busquet, Manager

Enforcement Program

Department of Environmental Quality (DEQ)

P.O. Box 82178

Baton Rouge, La. 70884-2178

(504) 765-0243

(504) 765-0366 (fax)

Program Description:

Louisiana's original UST program went into effect Dec. 20, 1985. Regulations similar to the federal rules have been promulgated. Effective Sept. 4, 1992, EPA granted final approval to the state's UST program.

Program Requirements:

Scope: State provisions cover tanks containing petroleum and chemicals as well as new/used oil tanks.

Stage II Vapor Recovery:

Stage II controls are required in the parishes of Ascension, East Baton Rouge, Iberville, Livingston, Pointe Coupee and West Baton Rouge.

For information, contact:

Dwayne Persinger

Air Quality Regulatory Division

Department of Environmental Quality

P.O. Box 82263

Baton Rouge, La. 70884-2263

(504) 765-0883

Last Revision Date: December, 1995

Maine**State Contact(s):**

For regulatory information:

Scott Whittier, Director

Oil & Hazardous Waste Facilities

George Seel

Technical Services

Underground Tank Program

Bureau of Hazardous Materials and Solid Waste Control

Department of Environmental Protection (DEP)

State House, Station 17

Augusta, Maine 04333

(207) 287-2651

(207) 287-7826 (fax)

State Fire Marshal

Department of Public Safety

State House Station #52

Augusta, Maine 04333-0017

(207) 287-3473

Program Description:

Maine has enacted UST legislation (38 MRSA Section 561 et seq.) and promulgated regulations (06-096 CMR Chapter 691). Amended regulations governing the registration, installation, operation and closure of underground oil storage facilities were approved on Sept. 16, 1991.

Some of the new requirements include secondary containment and continuous interstitial monitoring for most new and replacement installations; retrofitting of leak detection and overflow prevention equipment on existing motor fuel, marketing and distribution facilities; site assessments as part of the closure of most facilities; and minimum requirements for the investigation and remediation of leaking underground oil storage facilities.

Effective July 13, 1992, U.S. EPA granted final approval to Maine's UST program.

Program Requirements:

Tank Standards: All new or replacement tanks must be constructed of fiberglass, cathodically protected steel, or other equally noncorrosive material approved by DEP. Secondary containment with continuous interstitial space monitoring also is required for new or replacement tanks or piping.

Tank Removal/Upgrade Schedule: Tanks that do not meet the above-listed tank standards must be removed or replaced after:

- Oct. 1, 1989, if more than 15 years old and located in a sensitive geological area;
- Oct. 1, 1991, if more than 25 years old or more than 15 years old (in 1991) and located in a sensitive geological area;
- Oct. 1, 1994 if more than 20 years old or more than 15 years old (in 1994) and located in a sensitive geological area; or
- Oct. 1, 1997.

All deadlines are extended for one year for schools and municipalities.

Tanks whose manufacturers warranty has expired must be removed.

Other Related Provisions:

The state has adopted the National Fire Protection Association (NFPA) Code. The State Fire Marshal regulates motor fuel ASTs; the Oil and Solid Fuel Board regulates heating oil ASTs.

Local Programs:

A few localities regulate underground storage tanks.

Stage II Vapor Recovery:

Maine currently does not require Stage II vapor recovery anywhere in the state. Regulations are expected for Androscoggin, Cumberland, Kennebec, Knox, Lincoln, Sagadahoe and York counties by the spring or summer of 1995, and are expected to be implemented by November, 1996.

For information, contact:

Ron Severance
Bureau of Air Quality
DEP
(207) 287-2437

Last Revision Date: June, 1995

Maryland

State Contact(s):

For regulatory information:
Herbert Meade
Chief, Compliance and Remediation Division
Maryland Department of Environment (MDE)
Waste Management Administration
Oil Control Program
2500 Broening Highway
Baltimore, Md. 21224
(410) 631-3442
(410) 631-3092 (fax)

Program Description:

Maryland's UST regulations are set forth in COMAR 26.10.02-.14 et seq, as amended July 18, 1993. The state has regulated USTs since 1978. In 1984, requirements were added for tank tightness testing and cathodic protection. On Feb. 4, 1991, the state adopted regulations similar to the federal rules with some differences. Effective Aug. 3, 1992, EPA granted final approval to Maryland's UST program.

Program Requirements:

Scope: Maryland's Oil Control Program regulates both above-ground and underground tanks storing oil of any kind in any liquid form, including, but not limited to petroleum. Heating oil tanks also are covered, but the regulations differ with respect to spill and overfill, and release detection requirements. In addition, the state regulates underground tanks storing hazardous substances.

Notification: A state notification form similar to EPA's is used. Send to the attention of the Oil Control Program, Support Division at the address listed above.

The state expanded its notification form for new tanks (those installed after Dec. 22, 1988) to require tank owners to certify

that requirements have been met for installation, cathodic protection of steel components, financial responsibility and release detection. Tank installers must certify that installation requirements were met.

The state also required notification by July 1, 1990, for heating oil tanks, excluding residential and farm heating oil tanks with capacities less than 1,100 gallons.

Leak Detection and Monitoring: The state imposes more stringent inventory control standards than the federal requirements.

Tank Standards/Upgrades: Tank tightness testing and cathodic protection are required for all UST systems.

Loan Program: In May 1991, the state enacted legislation to establish the Underground Storage

Tank Upgrade and Replacement Fund Loan Program to lend money at low-interest rates to tank owners for upgrading tanks to qualify for private insurance. Amendments to the program effective Dec. 6, 1993, extended certain deadlines and modified policies and procedures to simplify the reviewing and processing of tank upgrade or replacement loans.

Other Related Provisions:

National Fire Protection Association Code 30 and 30A are adopted by reference at the state level and with less consistency at the local level.

Local Programs:

State law pre-empts local groundwater regulations. Counties can implement more stringent siting and safety requirements.

Stage II Vapor Recovery:

The state requires Stage II vapor recovery in its three ozone nonattainment areas, all of which are classified as severe. The Baltimore nonattainment area includes Baltimore City and Anne Arundel, Baltimore, Carroll, Harford and Howard Counties. The Philadelphia nonattainment area contains one county in Maryland, Cecil County. The Washington nonattainment area includes Calvert, Charles, Frederick, Montgomery and Prince George's Counties.

For information, contact:

Mike Pantalone
MDE
Air and Radiation Management Administration
(410) 631-4483

Last Revision Date: November, 1995

Massachusetts

State Contact(s):

For UST information:
Fred Balicki
Underground Storage Tank Manager
State Fire Marshal's Office (FMO)
1010 Commonwealth Ave.
Boston, Mass. 02215
(617) 351-6010
(617) 351-6015 (fax)

Program Description:

Massachusetts has a long history of licensing USTs. The Massachusetts Board of Fire Prevention Regulations promulgated comprehensive UST regulations, 527 CMR 9.00, that are more stringent than federal regulations in the areas of secondary containment and tank monitoring. In 1993, amendments were added to cover aboveground storage tanks (ASTs), and all liquids that fall under the definition of Class 1 liquids. In 1994, amendments were added to cover underground and above-ground waste oil tanks. Massachusetts' UST program was approved by EPA, effective April 17, 1995. NFPA 30 has not been adopted.

Program Requirements:

Scope: All USTs are regulated except fuel oil tanks less than 1,100 gallons storing fuel for consumptive use on the premises. ASTs with capacities less than or equal to 10,000 gallons storing class I liquids are regulated. ASTs with capacities of more than 10,000 gallons and tanks storing combustible liquids are regulated.

Notification and Permitting: To receive a certificate of compliance from the state FMO, tank owners/operators must submit the following as a package: a completed application for a certificate of compliance; a notification for storage tanks regulated under 527 CMR 9.00 form FP-290 (3 pages); payment of yearly tank fees; a license (available from the local municipality); a permit to maintain existing/new underground storage facility (available from the local fire department); and a certificate of registration (available from the town or city clerk).

Installation: 527 CMR 9.05(C) governs installations, which must be performed by manufacturer-certified installers. Tank owners must notify the fire department and have tanks inspected for damage/external defects prior to installation. In addition, the State Fire Marshal has referenced PEI's RP-100-87, "Recommended Practices for Installation of Underground Liquid Storage Systems", as the recommended standard.

Leak Detection and Monitoring: 527 CMR 9.05(D)&(E) govern leak detection and monitoring. The state requires USTs to be monitored. For existing tanks, in-tank monitoring systems and double-wall tanks with interstitial space monitors are acceptable monitoring methods. New or replacement tanks must be monitored with an approved interstitial space monitor. Daily inventory must be performed as well as monthly reconciliation. If abnormal loss of product occurs, tank owners must follow steps listed in 9.05(E)(1)(C). Tightness testing may be performed in lieu of leak detection until December 1998.

Tank Standards and Upgrades: Existing USTs were required to meet spill and overflow containment requirements by Sept. 30, 1994. Existing heating oil tanks (installed before Jan. 1, 1989) with less than 1,100 gallon-capacity are exempt from the spill containment manhole requirement.

New or replacement USTs must have double-wall containment, except heating oil tanks with a capacity of 1,100 gallons or less. In a sole source aquifer area, all new or replacement tanks must be double walled. Regulated ASTs with more than 10,000-gallon capacities do not have to meet double-wall requirements. New or replacement USTs also must have a striker plate (mini-

mum 12 inch square and one-quarter inch thick) on the bottom of the tank at each opening and must meet metal-gauge requirements listed in 527 CMR 9.05(A)(5).

Local Programs:

Some cities and towns may have bylaws that are more stringent than the state regulations. Approximately 120 localities regulate USTs more stringently than required by 527 CMR 9.00.

Stage II Vapor Recovery:

Massachusetts requires Stage II vapor recovery throughout the state, which is designated as nonattainment for ozone and classified as serious. The Massachusetts program is slightly more stringent than the federal program. Stage II controls must be installed upon new construction or substantial modification of existing facilities.

For more information, contact:

Stage II Information Line
Division of Air Quality
DEP
(617) 556-1035

Last Revision Date: July, 1995

Michigan

State Contact(s):

For registration, installation and release reports:
Michigan Department of Natural Resources (DNR)
Underground Storage Tank Division (USTD)
Town Center
333 South Capitol Avenue, 2nd Floor
P.O. Box 30157
Lansing, Michigan 48909-7657
(517) 373-8168
(517) 335-2245 (fax)

Program Description:

Michigan's UST program was signed into law July 18, 1989. Regulations that adopt by reference the federal rules, with slight variation, took effect Jan. 3, 1991. Some state requirements for tank technical standards, installation and closure are more stringent than federal rules.

Revised rules for the storage and handling of flammable and combustible liquids took effect July 15, 1992. The state's UST laws most recently were revised in October 1993.

The state rules also provide financial responsibility requirements applicable to UST owners and operators. The state financial assurance fund began operation in February 1990.

Executive Order No. 1994-7, signed March 3, consolidated all three parts of the UST program into the Department of Natural Resources (DNR). Two parts of the program-the UST Regulatory Program, formerly within the Michigan State Police, Fire Marshal Division and the Leaking Underground Storage Tank Division (LUST)-have been combined with the UST division, that was created by the Executive Order. The Michigan Underground Storage Tank Financial Assurance Fund (MUSTFA) pro-

gram was transferred from the Department of Management and Budget into the Administration Bureau of the DNR.

Program Requirements:

Scope: Michigan regulates USTs covered by the federal program.

Leak Detection: Under the Michigan UST rules Section 280.40(a) & (b), every tank defined as an UST in Section 280.12 must have leak detection. Any tank with a capacity of 110 gallons or more that stores petroleum products-or a Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) hazardous substance-must have leak detection. Residential tanks for noncommercial use and farm tanks under 1,100 gallons, and heating oil tanks for consumptive use on the premises are exempt.

There are criminal as well as civil penalties for owners and operators who have not met the leak detection requirements.

Tank Standards: Double-walled tanks or integral secondary containment systems are required when there is a drinking water well or surface water intake in the surrounding area. Precision tank-testing devices must be capable of testing the entire volume of the tank, not just that portion that routinely contains product. Tanks and piping not constructed of fiberglass or other noncorrosive materials that are in contact with the ground must be protected against corrosion as stated in Section 280.20 (a) & (b). For more information, contact USTD at (517) 373-8168.

Tank Installation: Submit an installation-registration form to UST division/DNR at least 45 days prior to installing an UST. Obtain forms from the address listed above. Tanks must be registered with the division prior to their use. The division will monitor the installation and operation of new UST systems. Installation of an UST system at a new location is prohibited if there is a drinking water well or surface water intake in the immediate area.

Other Related Provisions:

USTs storing fuel oil and connected to a burner or furnace must conform to provisions of National Fire Protection Association Code 31.

Local Programs:

As of Oct. 1, 1990, local jurisdictions may not enact or enforce an ordinance that requires a permit, license, approval, inspection or the payment of a fee or tax for the installation, use, closure or removal of an UST. However, local authorities have the right to enforce ordinances other than those outlined above and those that are in conflict with Michigan's UST rules. Local authorities do have authority to enforce any local ordinances that are consistent with state laws or rules.

The city of Grand Rapids has UST regulations and a mandatory tank testing program. Three Rivers also has its own rules, as do other cities. The state recommends that tank owners and operators check with their local jurisdictions.

Stage II Vapor Recovery:

Stage II vapor recovery requirements were suspended in the following moderate nonattainment areas when EPA issued on-board vapor recovery standards: Livingston, Macomb, Monroe,

Oakland, St. Clair, Washtenaw and Wayne counties in Detroit; and Kent, Muskegon and Ottawa counties in Grand Rapids.

For information, contact:

Tom Hess
Air Quality Division, Region III
Michigan Department of Natural Resources
10650 S. Bennett Dr.
Morrice, Mich. 48857
(517) 625-4665
Celeste Bennett
Michigan Department of Agriculture
(517) 373-1060

Last Revision Date: November, 1995

Minnesota

State Contact(s):

For regulatory information:
Bob Dullinger
Minnesota Pollution Control Agency (MPCA)
Tanks and Spill Section
520 Lafayette Road North
St. Paul, Minn. 55155
(612) 297-8608
(612) 297-8676 (fax)

Program Description:

Minnesota had a regulatory program for underground storage tanks before federal provisions were adopted. In 1985, the state adopted enabling legislation, Minnesota Statutes, Sections 116.46-116.50. On July 10, 1991, the state adopted regulations similar to the federal rules. The state plans to seek program approval from EPA.

Program Requirements:

Scope: Minnesota regulates heating oil tanks greater than 1,100 gallons, in addition to tanks covered by federal regulations. The state has adopted a list of regulated hazardous substances that is more inclusive than the federal CERCLA list.

Notification: Send to address listed above, attention Joanne Henry. The state has its own notification form.

Other Related Provisions:

The state fire code recently was amended to permit dispensing of motor fuel stored in exterior aboveground tanks. No more than three tanks can be used and tanks cannot exceed 6,000 gallons individual capacity. There are also requirements for diking, leak detection, overfill protection, location and fire protection. For a copy, request "Minnesota AST Requirements" from Chris Bashor of MPCA at (612) 297-8618.

Local Programs:

Owners should check with their own localities because some local programs are more stringent than state law. Some localities in the metropolitan St. Paul and Minneapolis areas have their own programs.

Minnesota does not require Stage II vapor recovery; there are no designated ozone nonattainment areas in the state.

For information, contact:

John Paskevich
U.S. EPA Region 5/AE17J
77 W. Jackson Blvd.
Chicago, Ill. 60604
(312) 886-6084

Last Revision Date: July, 1995

Mississippi

State Contact(s):

For regulatory information:
Walter Huff
Underground Storage Tank Director
Department of Environmental Quality (DEQ)
P.O. Box 10385
Jackson, Miss. 392890385
(601) 961-5171
(601) 354-6612 (fax)

Program Description:

Mississippi has adopted the federal underground storage tank (UST) regulations, and received approval May 27, 1990, from the U.S. EPA to operate its program. State regulations parallel the federal rules with the addition of UST installer, remover and repairer certification requirements and a state trust fund program. The state amended its trust fund and installer certification program regulations September, 1995.

Program Requirements:

Scope: The state's program regulates all USTs covered by federal rules.

Notification: Send tank notification to DEQ at the address listed above. The state has its own notification form.

Local Programs:

Most localities do not have UST programs; however, some localities may have one or two requirements in addition to state requirements. For example, Jackson requires a monitoring well for tanks.

There are no ozone nonattainment areas in Mississippi that require Stage II vapor recovery.

For information, contact:

Alan Powell
U.S. EPA Region IV
4/APT/APB
345 Courtland St., N.E.
Atlanta, Ga. 30365
(404) 347-2864

Last Revision Date: January, 1996

Missouri

State Contact(s):

For regulatory information:
Frederick Hutson
UST Coordinator
Water Pollution Control Program
Department of Natural Resources (DNR)
P.O. Box 176
Jefferson City, Mo. 65102
(314) 751-6822

Program Description:

Missouri had no laws with tank provisions before federal provisions were adopted. Technical regulations almost identical to federal regulations became effective Sept. 28, 1990. Financial responsibility regulations took effect Aug. 30, 1991. Legislation passed in May 1992 requires DNR inspectors to give UST owners written instructions on how to bring tanks into compliance.

Program Requirements:

Scope: The state program regulates the same tanks covered under federal law.

Notification: Send state notification forms to the above-listed address.

Local Programs:

Some localities regulate USTs. Check with each locality.

Stage II Vapor Recovery:

Stage II vapor recovery currently is required in the counties of Jefferson, Franklin, St. Charles and St. Louis, and in the city of St. Louis.

For information, contact:

Bud Pratt
Air Pollution Control Program
DNR
(314) 751-4817

Last Revision Date: February, 1995

Montana

State Contact(s):

For regulatory information:
Franklin Gessaman
UST Program
Waste Management Division
Department of Environmental Quality (DEQ)
P.O. Box 200901
Helena, Mont. 59620-0901
(406) 444-5970
(406) 444-1499 (fax)

Program Description:

Montana has developed a program that is similar to the federal program, with some differences. Most technical regulations were adopted Nov. 23, 1989. Some state requirements are more

stringent than the federal rules, including regulation of underground piping and piping attached to aboveground storage tanks; and regulation of farm and residential tanks installed after April 27, 1995, or if they are greater than 1,100 gallons in capacity.

Regulations have been promulgated for permitting and installer licensing and certification. The UST program also is authorized by the state's Fire Marshal to administer the Uniform Fire Code (UFC), Section 79.601, addressing USTs.

Program Requirements:

Scope: Farm and residential tanks and underground piping attached to aboveground tanks are covered if installed after April 27, 1995, or if they are greater than 1,100 gallons in capacity.

Aboveground tanks with capacities of less than 30,000 gallons and aboveground pipes connected to tanks also are required to report releases and conduct remediations if owners or operators claim compensation under the state's trust fund for corrective action performed through the UST program.

Notification: Obtain a state-modified EPA notification form from WMD at the phone number and address listed above. Once the form is completed, return it to WMD.

Other Related Provisions:

The Fire Marshal has adopted UFC Section 79.601, addressing USTs.

Local Programs:

Many local fire departments regulate USTs through the UFC. These cities include Billings, Bozeman, Butte, Glendive, Great Falls, Havre, Helena, Kalispell, Miles City and Missoula.

Some cities require permits for tank installations, retrofits and closures. Great Falls requires installers to be certified.

Montana does not require Stage II vapor recovery; there are no designated nonattainment areas within the state.

For more information, contact:

Bob Raisch
Air Quality Bureau
P.O. Box 200901
Helena, Mont. 59620-0901
(406) 444-3454

Last Revision Date: December, 1995

Nebraska

State Contact(s):

For regulatory information and emergency release reporting:
Underground Storage Tanks
Clark Conklin, Manager
Flammable Liquid Storage Division
Nebraska State Fire Marshal's Office
246 S. 14th St.
Lincoln, Neb. 68508-1804
(402) 471-9465
(402) 471-3118 (fax)

Program Description:

The state regulates USTs under Title 159: Rules and Regulations Concerning Nebraska USTs. The state adopted cleanup regulations before federal provisions passed. Nebraska also regulates USTs under NFPA Codes 30 and 30A, which the state adopted verbatim.

Program Requirements:

Scope: State provisions cover heating oil tanks in addition to hazardous substance and petroleum tanks.

Notification and Registration: Send to State Fire Marshal's Office at the address listed above. There are two state registration forms: one is for farm, residential and heating oil tanks with storage capacities of less than 1,100 gallons. The other is for heating oil tanks with capacities of more than 1,100 gallons. A modified version of the EPA notification form is used for all other regulated tanks.

Tank Upgrades: Tank tightness testing is required prior to upgrading.

Local Programs:

Some cities require a permit for both tank removal and repair. Seven cities—Omaha, Lincoln, Grand Island, North Platte, Norfolk and Bellevue—enforce the state regulations as delegated authorities of the Nebraska State Fire Marshal. Notification still goes to the state office.

The state currently has no nonattainment areas and does not require Stage II vapor recovery.

For information, contact:

Clark Conklin, Manager
Flammable Liquid Storage Division
Nebraska State Fire Marshal's Office

Last Revision Date: May, 1995

Nevada

State Contact(s):

For regulatory information:
Jim Najima, Supervisor
LUST Trust Fund
Bureau of Corrective Action
Division of Environmental Protection (DEP)
333 W. Nye Lane
Capitol Complex
Carson City, Nev. 89710
(702) 687-5872, ext. 3037
(702) 687-5856 (fax)

Program Description:

The state adopted the federal regulations in 1989. In addition, the legislature also passed SB 238, establishing a trust fund. Nevada's UST program received EPA approval effective March 31, 1993.

Program Requirements:

Notification: Send EPA notification form to the above address.

Other Related Provisions:

The state fire marshal adopted NFPA 30 in 1965 and updated it in 1984. The fire marshal approves tank installation plans and follows Article 79 of the 1985 Uniform Fire Code for tank inspection.

Local Programs:

The Clark County District Health Department and Washoe County District Health Department regulate USTs.

Stage II Vapor Recovery:

Stage II vapor recovery currently is required in Las Vegas and Reno.

For information, contact:

Edward Glick
Bureau of Air Quality
Division of Environmental Protection
(702) 687-5065

Regional Offices:

Roy Soffe
Permitting Section
Air Pollution Control Division
Clark County District Health Department
625 Shadow Lane
Las Vegas, Nev. 89127
(702) 383-1276

Chris Ralph
Permitting Section
Air Quality Management Division
Washoe County District Health Division
401 Ryland, Ste. 331
Reno, Nev. 89502
(702)784-7200

Last Revision Date: November, 1995

New Hampshire

State Contact(s):

For regulatory information:
Thomas Beaulieu
New Hampshire Department of Environmental Services (DES)
Water Supply and Pollution Control Division
Attn: UST Registration
6 Hazen Drive
P.O. Box 95
Concord, N.H. 03301
(603) 271-3644
(603) 271-2181 (fax)

For fire code information:
Office of the State Fire Marshal
10 Hazen Drive
Concord, N.H. 03301
(603) 271-3294

Program Description:

New Hampshire's tank regulations became effective in September 1985. Effective November 1990, the state amended its regulations to incorporate certain federal requirements. EPA granted final approval to New Hampshire's UST program, effective July 19, 1991.

Program Requirements:

Scope: New Hampshire regulates hazardous substance, motor fuel and lubricating oil tanks greater than 110 gallons in capacity. Heating oil tanks greater than 1,100 gallons in capacity are also regulated.

Notification: Send NHDES notification form to DES at the address listed above.

Tank Standards: Secondary containment and continuous monitoring are required for new petroleum tanks and piping.

Leak Detection and Monitoring: All steel, single-wall, motor-fuel tanks are required to have release detection. New Hampshire also requires all tanks to have overfill protection and inventory control.

Other Related Provisions:

The State Fire Marshal administers a code similar to the National Fire Protection Association Code and the Building Officials and Code Administrator's National Fire Prevention Code.

Local Programs:

Underground and above ground storage tanks must be registered with local fire departments. A few localities have UST regulations.

Stage II Vapor Recovery:

The state requires facilities that pump more than 420,000 gallons of gasoline a year in Hillsborough, Rockingham, Merrimack and Strafford counties to have Stage II vapor recovery controls. All four counties are within areas designated nonattainment for ozone; portions of Hillsborough and Rockingham are classified as serious, Merrimack and Strafford are classified as moderate. The state is in the northeast ozone transport region.

For information, contact:

Kent Finemore
Air Resources Division
64 N Main St., Caller Box 2033
Concord, N.H. 03302-2033
(603) 271-1370

Last Revision Date: June, 1995

New Jersey

State Contact(s):

Kevin Kratina, Chief
Bureau of Underground Storage Tanks (BUST)
Division of Responsible Party Site Remediation (CN-028)
Trenton, N.J. 08625
Department of Environmental Protection (DEP)
(609) 984-3156

(609) 292-5604 (fax)

Mike Tompkins, Chief
Bureau of Field Operations (BFO)
DEP

Program Description:

In 1986, legislation (N.J.S.A. 58:10A-21 et seq.) was passed to enable New Jersey to write regulations for UST registration, fees, permitting, operation, monitoring, construction standards, installation, closure, release reporting, investigation and corrective action. Regulations for the registration of tanks have been in effect since December 1987. Technical rules to administer all other aspects of the program (except financial responsibility) became effective on Sept. 4, 1990. Financial responsibility requirements will be proposed in the near future.

Program Requirements:

Scope: New Jersey's program covers all federally regulated USTs, as well as commercial heating oil tanks and non-residential heating oil tanks with capacities of more than 2,000 gallons used for onsite consumption. New Jersey's list of regulated hazardous chemicals is more extensive than EPA's.

Notification: The state uses its own notification form. Send the form to BUST at the address listed above.

Tank Upgrade Requirements: New Jersey requirements for new tanks and piping standards are the same as those required by EPA.

New Installations: An installation permit is required for all new installations, except secondarily-contained tanks and piping. A building permit from the local construction office is required for all UST systems. Submit permit application form, engineer drawings and certifications to BFO 45 days prior to initiating activity. A registration questionnaire must be submitted even if a permit is not required. Tanks must be anchored if groundwater will be present in the excavation. Follow EPA rules.

Loan Program: New Jersey has a low-interest loan program, called the Underground Storage Tanks Improvement Fund, that makes money available to tank owners who can demonstrate credit-worthiness but are economically unable to afford the required upgrades to their UST systems. Interest rates are not more than 6 percent a year and are issued for a term of not more than 10 years. The minimum loan award to any one business is \$5,000 and the maximum is \$100,000. For more information, contact BAC at the above-listed number.

Other Related Provisions:

The Uniform Construction Code (UCC, N.J.S.A. 52:27D-119 et seq.) also regulates the installation and closure of USTs at the local level. The reference standard is National Fire Protection Association (NFPA) Code 30. The UCC has been amended to include the UST program.

Local Programs:

Local jurisdictions use the UCC and NFPA 30 to regulate installation and closure of tanks. The UCC was amended when technical UST regulations were adopted on Sept. 4, 1990.

Stage II Vapor Recovery:

Stage II vapor recovery controls are required throughout New Jersey.

For information, contact:

DEPE
401 East State Street
CN 027
Trenton, N.J. 08625
(609) 292-6716

Last Revision Date: December, 1995

New Mexico

State Contact(s):

For regulatory and trust fund information and for release reporting:
Anna Richards
Underground Storage Tank Bureau (USTB)
New Mexico Environment Department
Harold Runnels Building
1190 St. Francis Drive
P.O. Box 26110
Santa Fe, N.M. 87502
(505) 827-0188
(505) 827-0310 (fax)

Program Description:

New Mexico has an active underground storage tank program that includes technical tank standards, financial responsibility requirements, installer certification and corrective action requirements. New regulations to bring the state's UST program in line with the federal program became effective July 13, 1990. Effective Nov. 16, 1990, U.S. EPA granted final approval to New Mexico's UST program.

The UST Part XV Regulations, adopted on June 13, 1991, by the New Mexico Environmental Improvement Board to implement the Ground Water Protection Act, became effective on July 17, 1991. Corrective Action Fund regulations adopted Sept. 24, 1992, implement the reimbursement facet of the State Fund.

Program Requirements:

Scope: New Mexico regulates tanks covered by federal UST regulations.

Notification: Send form to the address listed above. A state notification form is used.

Other Related Provisions:

All flammable liquids coming into the state are regulated. State groundwater provisions authorize the cleanup of spills by the remedial action staff of the Underground Storage Tank Program of the Environmental Protection Division.

Local Programs:

Local programs are pre-empted by state requirements.

New Mexico currently does not have an ozone nonattainment area that requires Stage II controls.

For information, contact:

James Davis
Air Programs Branch
Air, Pesticides and Toxics Division
U.S. EPA, Region VI
1445 Ross Ave.
Dallas, Texas 75202-2733
(214) 665-7584

Last Revision Date: August, 1995

New York

State Contact(s):

For regulatory information:
Paul Sausville, Chief
Bulk Storage Section
New York State Department of Environmental Conservation
(DEC)
50 Wolf Road, Room 348
Albany, N.Y. 12233-3520
(518) 457-4351
(518) 457-4332 (fax)

For technical information:
Bulk Storage Helpline
(518) 457-4351

Program Description:

New York adopted a petroleum bulk storage law in 1983. Regulations under the law became effective Dec. 27, 1985. These regulations, along with hazardous substances regulations, which became effective Aug. 11, 1994, and regulations governing major oil storage terminals having a capacity of 400,000 gallons or more, form New York's state program. Both aboveground and underground storage tanks are covered by these programs.

Requirements for new petroleum storage tanks include leak monitoring, overfill protection and secondary containment. New underground tanks must be double-walled. New pipes must be fiberglass or cathodically protected steel. Existing tanks must be in proper working condition, and owners must implement a tank testing program.

The state's hazardous substances regulations require owners to register all tanks containing any of 1,000 hazardous chemicals. New chemical storage regulations, which became final Aug. 11, 1994, address facility inspections; design, construction and operating standards; proper closure; release reporting; corrective action; and new construction standards.

Program Requirements:

Scope: Any petroleum bulk storage facility with a combined capacity that exceeds 1,100 gallons is regulated. Chemical storage tanks with a capacity of 185 gallons or more are also regulated.

Notification: DEC must be notified of the installation of new tanks or modifications to existing tanks (including replacing, repairing or reconditioning a tank) before work begins.

Leak Detection and Monitoring: Petroleum storage tanks (including pipes) must be tested for leaks, and the tester must be certified by the manufacturer. All tanks which require testing must be re-tested every five years from the date of the last test.

Unprotected tanks, such as bare steel, asphalt coated, or painted steel tanks, must be tested when 10 years old. Corrosion-resistant tanks, such as fiberglass or cathodically protected tanks, must be tested when 15 years old. Corrosion-resistant tanks and pipes equipped with leak monitoring systems do not require testing, but do require periodic monitoring.

Other Related Provisions:

Aboveground tanks also are regulated under petroleum and chemical bulk storage regulations. An aboveground storage facility with a combined capacity of 400,000 gallons or more also is licensed under the Major Oil Storage Facility Program.

Local Programs:

Tank owners must notify the city, town or village building or fire code enforcement official of proposed construction of storage tanks. Local building permits also may be required.

Nassau, Suffolk, Rockland and Cortland counties have individual programs through the Fire Commission or Department of Health. These regulations are equal to or more stringent than state requirements and operate in lieu of state regulations.

New York City's Fire Department regulates the installation, alteration, testing and repairing of motor vehicle fuel storage tank systems. Heating oil storage systems are excluded from these regulations. Annual permits are issued for the operation of service stations and the use of heating oil tanks. The NYC regulations are additional to the state requirements. NYC requires the following:

- Witnessed inspections and tests by a fire department representative are required.
- Plans must be examined and accepted by the fire department.
- Maximum tank size is 4,000 gallons and maximum storage per site is 20,000 gallons.
- All tanks must be tested every 10 years.
- Discharge piping is required to be tested every two years.
- Various fees are charged for witnessed inspections.
- Only fire department-licensed persons or companies can install, repair, modify or test storage systems.
- No obstructions are permitted in vent lines, including pressure/vacuum relief valves.
- Piping and fitting must be of galvanized steel or fiberglass; malleable iron fittings are acceptable with leak monitoring systems for piping.
- Equipment such as pumps, overfill prevention devices, leak monitoring systems, and vapor recovery devices must be approved by either the fire department or the Board of Standards and Appeals. Storage tanks must also be approved.
- Aboveground storage tanks used to fuel motor vehicles are prohibited.
- Test wells (stick boxes) to gauge liquid level are prohibited on tanks located inside buildings.
- Precision test equipment requires fire department approval, and can be used in place of a hydrostatic or air pressure test.

- A 12-inch concrete base is required to support tanks; and the 9-inch reinforced concrete slab must be supported by concrete block, not pea gravel.
- Newly installed storage tanks must be double walled.
- Existing single-wall storage tanks must be embedded or encased in 12 inches of concrete.

Fire department rules and regulations, Rules of the City of New York (R.C.N.Y.), Title III, Chapter 21, are contained in the NYC Fire Law Handbook, which may be obtained from Gould Publications, 199/300 State St., Binghamton, N.Y. 13901-2782, (607) 724-3000. R.C.N.Y. Volume 2, Titles III-V, Chapter 21, which covers flammable liquids, may be obtained from Lenz & Riecker Inc., Legal Publication Division, One Columbia Place, Albany, N.Y. 12207; (518) 436-8647.

For more information on the NYC regulations, contact:

Harold Ott, Supervising Inspector
Motor Fuel Safety Unit
FDNY Bureau of Fire Prevention
250 Livingston St.
Brooklyn, N.Y. 11201-5884
(718) 694-2462
(718) 694-2688 (fax)

Stage II Vapor Recovery:

Stage II Vapor recovery controls are required in all three New York regions, which are listed below.

For information, contact:

Region I
Long Island
DEC
N.Y. State SUNY Bldg. 40
Stonybrook, N.Y. 11790-2356
(516) 444-0205

Region II
New York City
DEC
47-40 21st Street
Hunter's Point Plaza
Long Island City, N.Y. 11101
(718) 482-4944

Region III
Patrick Dunn
Westchester, Rockland and lower Orange County
DEC
21 South Putt Corners Rd.
Newpaltz, N.Y. 12561-1696
(914) 256-3046

Last Revision Date: August, 1995

North Carolina

State Contact(s):

For regulatory and trust fund information:
Dr. Burrie Boshoff, Assistant Chief
Groundwater Section

Division of Environmental Management (DEM)
P.O. Box 29535
Raleigh, N.C. 27626-0535
(919) 733-8486
(919) 733-9413 (fax)

Program Description:

Legislation authorizing the promulgation of UST regulations was enacted in 1985. The state adopted regulations, effective Jan. 1, 1991, which are similar to EPA regulations with some differences.

Program Requirements:

Scope: All tanks covered by the federal program are covered by the state program.

Notification: North Carolina has specific forms for notification of new and existing underground storage tanks. Send notifications to DEM at the above address.

Other Related Provisions:

The North Carolina Farmers Home Administration (FHA) has adopted a policy that requires USTs to be removed prior to the issuance of a loan. FHA states that an exception to this requirement may be granted if the seller can show the tank is not leaking, is in serviceable condition, the tank's remaining life expectancy will exceed the term of the loan, and there is no contamination on the property.

Local Programs:

Some local fire departments administer their own programs, which may have requirements more stringent than the state's.

Stage II Vapor Recovery:

Stage II vapor recovery currently is not required in North Carolina. However, there are certain requirements for facilities located in various regions. These requirements are listed in sections .0953 and .0954 of Part 2D of the Administrative Code. Section .0953, effective July 1, 1994, requires that certain facilities install necessary piping for future installations of the California Resources Board (CARB) certified Stage II vapor recovery systems. Section .0954, effective May 1, 1995, lists certain Stage II requirements and their time frames.

The Greensboro/Winston Salem area was redesignated for ozone on Nov. 8, 1993. The Raleigh/Durham area was redesignated for ozone on June 17, 1994. The Charlotte area still is in question.

For information, contact:

Donny Redmond, Supervisor
Mobile Sources
Department of Environment, Health and Natural Resources (DEHNR)
Air Quality Section
P.O. Box 29535
Raleigh, N.C. 27626-0535
(919) 733-1481

Carl Dunn
DEHNR

(919) 733-1484

Last Revision Date: November, 1995

North Dakota

State Contact(s):

For regulatory information:

Gary Berreth

UST Program Coordinator

North Dakota Department of Health (NDDH)

Division of Waste Management

1200 Missouri Ave., Room 302

P.O. Box 5520 (for mailing)

Bismarck, N.D. 58506-5520

(701) 328-5166

(701) 328-5200 (fax)

Program Description:

New regulations virtually identical to federal regulations took effect in December 1989 and were updated in 1992. Effective Dec. 10, 1991, EPA granted final approval to North Dakota's UST program. The new program is implemented by NDDH. The State Insurance Commission administers the trust fund.

Program Requirements:

Scope: North Dakota regulates tanks covered by the federal UST program.

Notification: Send to NDDH at the above-listed address. The state has its own notification form.

Other Related Provisions:

The state has adopted the National Fire Protection Association (NFPA) Code verbatim.

Local Programs:

Some city fire departments regulate USTs using the Uniform Fire Code.

There are no ozone nonattainment areas in North Dakota, the state does not require Stage II vapor recovery.

For information, contact:

Cindy Reynolds

U.S. EPA Region VIII/8ATAP

999 18th St., Suite 500

Denver, Colo. 80202-1603

(303) 293-1755

Last Revision Date: February, 1995

Ohio

State Contact(s):

For regulatory information:

Jearl Quick

Chief, Bureau of Underground Storage Tank Regulations (BUSTR)

Division of State Fire Marshal

Department of Commerce

P.O. Box 687

Reynoldsburg, Ohio 43068-0687

(614) 752-7938

(614) 752-7942 (fax)

Program Description:

Ohio's UST regulations are contained in Ohio Administrative Code Chapter 1301:7-9. The various rules were adopted at different times, beginning in 1990. BUSTR regulations cover UST system design, construction, installation, registration, upgrading, operation, leak detection requirements and methods, installer certification and training, financial responsibility, out-of-service tanks, closure, release reporting, corrective action, inspections, reporting and recordkeeping, designation of sensitive areas, delegation of authority, UST systems located in sensitive areas and petroleum-contaminated soils.

Program Requirements:

Scope: BUSTR regulates USTs storing petroleum and certain hazardous substances.

Leak Detection and Monitoring: Ohio's UST regulations require all UST systems to have leak detection. The state requires daily inventories to detect leaks.

Loan Program: The state assists small businesses in locating financial institutions that provide loans. Contact the Ohio Petroleum Underground Storage Tank Financial Assurance Fund for qualifications for obtaining Linked Deposit reduced-rate loans for UST replacements and/or upgrades.

Local Programs:

Most localities regulate USTs.

Stage II Vapor Recovery:

Stage II vapor recovery is required in the 18 counties in Ohio that are designated as moderate nonattainment areas. The affected counties surround Cincinnati, Cleveland, Dayton and Toledo. They are: Astabula, Butler, Clark, Clermont, Cuyahoga, Geauga, Greene, Hamilton, Lake, Lorain, Lucas, Medina, Miami, Montgomery, Portage, Summit, Warren and Wood. Stage II vapor recovery rules currently are suspended for the two counties surrounding Toledo-Lucas and Wood-while that area is applying for redesignation.

For more information, contact:

Jim Orleman

Division of Air Pollution Control

Ohio Environmental Protection Agency

1600 Water Mark

P.O. Box 1049

Columbus, Ohio 43266-0149

(614) 644-3592

Last Revision Date: May, 1995

Oklahoma

State Contact(s):

Tana Walker

Fuel Storage Manager

Fuel Division
Oklahoma Corporation Commission
P.O. Box 52000-2000
Oklahoma City, Okla. 73152-2000
(405) 521-3107 (405) 521-6576 (fax)

Program Description:

In April 1989, technical regulations were adopted and a state trust fund was established. Financial responsibility rules were promulgated in August 1989. Oklahoma's regulations are the same as the federal requirements, except for the state's regulation of ethylene glycol-based antifreeze tanks and an installer-licensing program.

Effective Oct. 14, 1992, EPA granted final approval to Oklahoma's underground storage tank (UST) program. In 1993, legislation was passed and regulations were promulgated, implementing requirements for certification of UST consultants.

Program Requirements:

Scope: All tanks covered by the federal program are covered by the state program. Ethylene glycol-based antifreeze tanks are regulated. Certain aboveground storage tanks are also regulated.

Local Programs:

Tulsa and some other localities regulate USTs.

Oklahoma currently does not require Stage II controls; there are no designated ozone nonattainment area in the state .

For information, contact:

James Davis
Air Programs Branch
Air, Pesticides and Toxics Division
U.S. EPA Region 6
1445 Ross Ave.
Dallas, Texas 75202-2733
(214) 665-7584*

Last Revision Date: June, 1995

Oregon

State Contact(s):

For regulatory information:
Laurie McCulloch, Manager
UST Compliance Section
Waste Management and Cleanup Division
Department of Environmental Quality (DEQ)
811 S.W. Sixth Ave.
Portland, Ore. 97204
(503) 229-5733
(503) 229-6954 (fax)

Program Description:

Oregon established an UST program in 1985 to register tanks throughout the state. In 1987, legislation authorizing promulgation of regulations was enacted. In 1991, the state adopted UST rules covering permitting; prevention (leak detection, spill and overfill protection and corrosion protection); permanent closure and corrective action procedures.

One of the primary differences between the federal and state programs is Oregon's permit system. Other differences include state requirements concerning leak detection methods, cathodic protection installation, notice before starting work on USTs, approval of groundwater monitoring well design and documentation of tank decommissioning.

The state established rules effective March 1989 to license UST service providers and certify supervisors.

Program Requirements:

Notification: Tank owners must provide at least a three-working-day advance notice to DEQ before starting work to install, replace, upgrade or decommission an UST.

Leak Detection: Groundwater and soil vapor leak detection systems must be monitored daily or continuously instead of monthly. DEQ also must approve the design of groundwater monitoring systems prior to installation.

Grant Programs:* Small, rural motor fuel marketers in financial need are eligible for Oregon's financial assistance program. Financial assistance is available for testing and cleanup of motor fuel contamination discovered during upgrading or replacing of USTs; installation of leak detection and spill and overfill prevention equipment; replacement or upgrading of tanks and piping to meet DEQ corrosion protection requirements; and installation of Stage I and II vapor recovery systems, including hoses and nozzles. To be eligible, work must be performed between Dec. 22, 1988, and March 1, 1997. Eligibility for the program depends on location, financial need and number of tanks.

Tax Credit Programs: The state has established a pollution control tax credit program available to all owners or operators of regulated USTs. This program covers the cost of equipment, materials and installation for eligible pollution control equipment.

Other Related Provisions:

Oregon has adopted the Uniform Fire Code. The State Fire Marshal's Office enforces AST regulations. AST cleanup provisions are enforced by DEQ. UST spills are often covered in the broad definition of "spill" in the Spill Response and Cleanup of Hazardous Materials Act. The state also has groundwater provisions.

All groundwater monitoring wells at USTs, whether within or outside the tank excavation, must meet the Water Resources Department rules that took effect Jan. 1, 1991.

The Oregon Occupational Safety and Health Division requires tank owners, businesses providing UST services, municipalities and contractors to follow occupational safety and health standards when USTs are upgraded, removed or decommissioned.

Local Programs:

No localities regulate USTs.

Stage II Vapor Recovery:

Stage II vapor recovery is required in Multnomah, Clackamas and Washington counties.

For information, contact:

Kevin McCrann

Northwest Region
DEQ
(503) 229-5473

Last Revision Date: November, 1995

Pennsylvania

State Contacts:

For regulatory information:
Karl Sheaffer, Division Chief
Division of Storage Tanks
Department of Environmental Protection (DEP)
Bureau of Water Quality Management
400 Market Street
P.O. Box 8762
Harrisburg, Pa. 17105-8762
(717) 772-5599
(800) 42-TANKS (in state)
(717) 772-5156 (fax)

Program Description:

Pennsylvania enacted in July 1989 the "Storage Tank and Spill Prevention Act" (Act 32 of 1989), a comprehensive storage tank law, that covers both underground and aboveground storage tanks. The law also established a trust fund and transferred regulatory authority from the State Fire Marshal's office to DEP.

DEP has promulgated the Administration of Storage Tank and Spill Prevention Program (Chapter 245) and the Corrective Action Process Regulations, which took effect Aug. 21, 1993. Final regulations on financial responsibility took effect Dec. 24, 1994. The Environmental Quality Board proposed contractor certification regulations in November 1994. Aboveground and underground permitting standards are expected to be proposed by Jan. 1, 1996.

Program Requirements:

Scope: All USTs with capacities of more than 110 gallons are covered as required by federal law. Effective Feb. 17, 1994, certain requirements in Act 32 are no longer applicable to commercial heating oil tanks, such as: 502(b), interim standards for new installations and modifications regarding corrosion protection, spill prevention, overfill prevention and tank lining compatibility; and 502(c), closure requirements.

Aboveground tanks with capacities greater than 250 gallons are covered, excluding farm tanks holding motor fuel/oil of 1,100 gallons or less and heating oil tanks used to heat homes or businesses.

Tank Installations: Send applications for site approval and plot plans to the State Fire Marshal Division, Pennsylvania State Police, 1800 Elmerton Ave., Harrisburg Pa. 17110.

Loan Program: Pennsylvania's Storage Tank Loan Fund assists small storage tank facility owners or operators identified by DEP as potentially liable for a release or danger of a release from a storage tank. The fund provides ten-year loans at 2 interest to help finance the cost of corrective actions ordered by DEP, including the cost of repair or replacement of aboveground and underground storage tanks and any necessary reme-

diation resulting from a release. Effective July 1, 1993, loans are limited to \$50,000. Contact the Bureau of Loans at (717) 783-5046 with specific questions or requests for applications.

Local Programs:

State policy regulates 65 of 67 counties. Local fire departments may follow National Fire Protection Association Code 30 standards. Allegheny and Philadelphia counties have their own regulations. In Allegheny County, contact the city Fire Marshal for more information. In Philadelphia County, contact James Gavarone of the Philadelphia Department of Licensing and Inspection at (215) 686-1776.

Stage II Vapor Recovery:

Stage II controls are required in the Pitts-burgh area counties of Allegheny, Armstrong, Beaver, Butler, Fayette, Washington and Westmoreland, which are designated as moderate nonattainment for ozone. Stage II controls also are required in the Philadelphia area counties of Berks, Bucks, Chester, Delaware, Montgomery and Philadelphia, which are designated as severe nonattainment for ozone.

DEP has suspended enforcement of Stage II requirements indefinitely for moderate ozone nonattainment areas.

For information, contact:

Scott Kepner
Department of Environmental Protection
Bureau of Air Quality
Rachel Carson State Office Building, 12th Floor
400 Market Street
P.O. Box 8468
Harrisburg, Pa. 17105-8468
(717) 787-1663

Last Revision Date: September, 1995

Rhode Island

State Contact(s):

For regulatory information:
Eric Beck, Supervisor
UST Section
Division of Waste Management
Rhode Island Department of Environmental Management (RIDEM)
291 Promenade Street
Providence, R.I. 02908
(401) 277-2797
(401) 277-2017

Program Description:

Rhode Island drafted emergency underground storage tank regulations in 1984; permanent regulations were adopted in 1985 and amended in 1987 and 1989. RIDEM rewrote the regulations and adopted new ones effective July 21, 1992, which supersede the 1985-amended rules. The latest amendments to the program became effective Aug. 25, 1993, and Dec. 30, 1993.

Effective March 5, 1993, EPA issued final approval granting Rhode Island's UST program the authority to operate in lieu of the federal program.

Program Requirements:

Scope: State regulations apply to proposed, new and existing petroleum or hazardous material UST facilities. Heating oil tanks (farm and residential) with capacities greater than 1,100 gallons as well as heating oil tanks that serve more than three family dwellings are regulated. Such tanks with less than or equal to a 1,100 gallon capacity are prohibited from abandonment; are subject to release reporting and abatement action requirements. Certain regulated USTs are exempt from specific requirements in the rules.

Leak Detection and Monitoring:

Existing USTs: All tanks installed prior to Jan. 1, 1965, or of unknown age, were required to be precision tested by May of 1986. Tanks installed on or after Jan. 1, 1965, were required to be precision tested by May of 1987. All tanks and piping for which the date of installation is known and verifiable that do not meet the new facility requirements must be precision tested at the ages of five, eight, 11 and 13 years, and annually 13 years after the date of installation. Tank systems of unknown age must be precision tested annually.

New USTs: All new systems must be precision tested upon completion of installation but before operation. All leak monitoring devices must be tested annually to insure proper operation. All continuous monitoring systems must be tested by the owner/operator on a monthly basis.

All results of precision testing must be submitted to RIDEM at the above address within 15 days after the test. RIDEM recently initiated-and will incorporate into its program-regular leak detection compliance inspections.

Tank Standards: All new UST systems must be equipped with secondary containment of the tank and associated piping and must be constructed in accordance with specific national codes and requirements listed in the Rhode Island regulations. New USTs must have steel wear plates centered under all openings with minimum dimensions of 8 inches x 8 inches in area and at least 1/4 inch thick.

Except for USTs used to store heating fuels consumed on-site, all USTs must be retrofitted with overfill protection by Jan. 1, 1996. All fill pipes had to be labeled with product identification no later than Jan. 1, 1993.

For new USTs located in environmentally sensitive areas, one or more groundwater monitoring wells may be required. RIDEM does not allow new UST installations in wellhead-protected areas.

Loan Program: Rhode Island had a low-interest, revolving loan program for replacement of USTs, which is currently inactive.

Stage II Vapor Recovery:

Stage II vapor recovery controls are required throughout Rhode Island for stations with throughputs of more than 10,000 gallons a month after November 1991. Stations constructed or substantially modified after Nov. 15, 1992, also must comply

regardless of throughput. The entire state is classified as serious nonattainment for ozone. The state is part of the northeast ozone transport region.

For information, contact:

Allen Burns
Air Quality Engineer
R.I. Department of Environmental Management
Division of Air Resources
(401) 277-2808

Last Revision Date: June, 1995

South Carolina

State Contact(s):

For regulatory information and release reporting:
Bob Hutchinson
Manager, UST Section
David Baize
Manager, Technical Section
UST Program
Department of Health and Environmental Control (DHEC)
2600 Bull St.
Columbia, S.C. 29201
(803) 734-5335
(803) 734-3604 (fax)

Program Description:

South Carolina's UST regulations have been in effect since May 1985. The state modified its program on March 23, 1990, to conform to the federal UST program. State requirements for tank placement, site assessments and permitting are more stringent than federal requirements. Trust fund legislation was passed in May 1988.

Program Requirements:

Notification: Send to DHEC at the address listed above. The state has its own notification form.

Tank Installation: A tank may not be installed within 100 feet of a water supply well, unless it has secondary containment.

Other Related Provisions:

Well standards and regulations apply when installing a monitoring well for leak detection if the well is installed by drilling. If the well is installed in the tank pit without drilling, the standards and regulations do not apply. Water classifications and standards apply for groundwater quality in the event of a leak.

Local Programs:

State law pre-empts local programs.

There are no ozone nonattainment areas in South Carolina that require Stage II vapor recovery.

For information, contact:

Alan Powell
U.S. EPA Region IV/APTMD
345 Courtland St., N.E.
Atlanta, Ga. 30365

(404) 347-2864

Last Revision Date: August, 1995

South Dakota

State Contact(s):

For regulatory information:

Douglas L. Miller

UST Coordinator

Groundwater Quality Program

Department of Environment and Natural Resources (DENR)

Joe Foss Building

523 East Capitol

Pierre, S.D. 57501

(605) 773-3296

Program Description:

State UST regulations are in force. Tank closure procedures contained in NFPA 30 and API 1604 have been adopted.

Program Requirements:

Scope: Same as the federal UST program.

Notification: Facilities must submit tank notifications and certificates of compliance. Send to the Groundwater Quality Program. The EPA notification form is used.

Tank Standards/Upgrades: Construction specification plans must have prior approval from DENR. Owners of new and upgraded tanks must submit plans and specifications. The state's upgrade deadline is sooner than the federal one-USTs must be upgraded or replaced to contain spill, overfill and corrosion protection by Nov. 30, 1997.

Loan Program: Although the state established a loan program to assist small businesses in upgrading tanks, the Petroleum Release Compensation Board is not allocating funds for the program, and it is therefore inactive. Contact the director of the Petroleum Release Compensation Fund for more information.

Other Related Provisions:

Aboveground provisions are similar to underground provisions. The state has groundwater quality standards for the levels of hydrocarbons and benzene in the water.

Local Programs:

Many local fire departments regulate USTs. Some local regulations are stricter than state rules; for example, some require double containment for petroleum tanks.

There are no ozone nonattainment areas in South Dakota that require Stage II vapor recovery.

For information, contact:

Cindy Reynolds

U.S. EPA Region VIII/8ATAP

999 18th St., Suite 500

Denver, Colo. 80202-1603

(303) 293-1755

Last Revision Date: March, 1995

Tennessee

State Contact(s):

For regulatory information:

Chuck Head, Director

Division of Underground Storage Tanks

Department of Environment & Conservation (DEC)

4th Floor, L & C Tower

401 Church Street

Nashville, Tenn. 37243-1541

(615) 532-0945

Program Description:

Tennessee did not have regulations before passage of federal provisions, though it did adopt NFPA 30 by reference. In 1988, the state passed the UST Petroleum Act. The state also adopted UST regulations, which became effective April 15, 1990. The regulations established the state's trust fund and special requirements for tank removal and/or disposal and for leak detection and monitoring.

Program Requirements:

Scope: Tennessee's program only covers petroleum tanks.

EPA's Region IV administers federal regulations for chemical tanks.

Notification: Tank owners or operators must notify the division 15 days prior to startup of a new UST system.

Leak Detection and Monitoring: The state will not permit groundwater monitoring as a leak detection method in areas where tank excavation is in bedrock. Statistical inventory reconciliation (SIR) is an approved method; however, owner/operators must use a state-approved vendor to perform SIR. For a list of approved vendors, contact Lamar Bradley at (615) 532-0945.

Other Related Provisions:

The state has adopted NFPA 30 by reference.

Local Programs:

State law pre-empts local provisions, unless they were in effect before the UST Petroleum Act was passed.

Stage II Vapor Recovery:

Stage II vapor recovery is required in Davidson, Sumner, Rutherford, Williamson and Wilson counties.

For information, contact:

Ray Stubblefield

Division of Air Pollution Control

Department of Environment & Conservation

9th Floor, L & C Annex

401 Church Street

Nashville, Tenn. 37243-1531

(615) 532-0554

Last Revision Date: September, 1994

Texas

State Contacts:

For regulatory information:
Joe Woodard, Director
Petroleum Storage Tank (PST) Division
Texas Natural Resource Conservation Commission (TNRCC)
P.O. Box 13087
Austin, Texas 78711-3087
(512) 239-2000

Anton Rozsypal, Manager
Technical Services Section
(512) 239-2152

Program Description:

Laws and regulations governing Texas' PST program are contained in Chapter 26, Subchapter I of the Texas Water Code and Title 30, Texas Administrative Code (TAC), Chapter 334, respectively. The state also adopted rules in 1993, amending 30 TAC, Chapter 334, Subchapter J, concerning tank consultants.

Rules governing USTs were promulgated Sept. 15, 1989. Rules governing the storage, treatment and disposal of any petroleum substance waste resulting from a release from an aboveground storage tank (AST) were adopted June 14, 1991. In 1993, the Texas Water Commission merged into TNRCC, which now oversees the PST program.

The state's UST program is generally similar to the federal program but has more stringent requirements, including release detection and cathodic protection. Texas also requires spill and overfill compliance by 1994, notification prior to tank construction and registration of tanks.

The U.S. EPA granted final approval to Texas' UST program March 17, 1995, allowing it to operate in lieu of the federal program.

Program Requirements:

Scope: The scope of Texas' program is generally the same as that of the federal UST program. There are also provisions for ASTs.

Leak Detection and Monitoring: Texas will not allow tank tightness testing as a method of release detection after 1998.

Tank Standards and Upgrades: All tanks must have spill and overfill protection by Dec. 22, 1994, rather than EPA's 1998 deadline.

Other Related Provisions:

The state references National Fire Protection Association Code 30, as well as industry standards from the American Petroleum Institute, the Association for Composite Tanks, the Petroleum Equipment Institute and Underwriters Laboratories.

Local Programs:

All localities follow the state tank regulations. In addition to the state regulations, Austin requires double-wall tanks, continuous leak monitoring, and removal of abandoned tanks. Localities near Edwards Aquifer have specific groundwater regulations.

These counties are Keny, Uvalde, Medina, Bexar, Williamson, Comal and Hayes.

Stage II Vapor Recovery:

Stage II controls are required in Collin, Dallas, Denton, Tarrant, El Paso, Hardin, Jefferson, Orange, Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery and Waller counties.

Gasoline dispensing facilities constructed prior to Nov. 15, 1992, that consistently dispense less than 10,000 gallons of gasoline a month are exempt from Stage I and Stage II equipment installation requirements. Also, gasoline dispensing facilities constructed prior to Nov. 15, 1990, that are owned by qualified "independent small business marketers of gasoline" that consistently dispense less than 50,000 gallons of gasoline a month may conditionally qualify for a temporary deferral of Stage II equipment installation requirements until as late as Dec. 22, 1998.

For information, contact:

The appropriate TNRCC Regional Waste Program Office:
Dallas/Ft. Worth Area: Region 4-Duncanville: (214) 298-6171
El Paso Area: Region 6-El Paso: (915) 778-9634
Beaumont/Pt. Arthur Area: Region 10-Beaumont: (409) 898-3838
Houston/Galveston Area: Region 12-Houston: (713) 625-7900

Or contact the TNRCC Statewide Stage II Vapor Recovery Program Office:

Stage II Vapor Recovery Section, Petroleum Storage Tank Division, Austin
(512) 239-2038
(512) 239-1422 (fax)

Last Revision Date: June, 1995

Utah

State Contact(s):

For regulatory and trust fund information:
Bryan Whitaker, Manager
Underground Storage Tank (UST) Branch
Division of Environmental Response and Remediation
Department of Environmental Quality (DEQ)
168 North, 1950 West
First Floor
P.O. Box 144840
Salt Lake City, Utah 84114-4840
(801) 536-4100
(801) 359-8853 (fax)

Program Description:

In 1989, Utah enacted the Petroleum Storage Tank Act. Amendments were made to the act in January 1994 and became effective July 1, 1994. Utah adopts by reference the federal regulations, with the addition of closure and certification requirements. A state trust fund also has been established. EPA approved Utah's UST program effective April 7, 1995.

Program Requirements:

Notification: The EPA notification form is used. Send to Kent Gray at the above address.

Loan Program: The state legislature created the Petroleum Storage Tank Loan Fund in the Spring of 1994 to make low-interest loans available for tank upgrades. Applications were accepted from July 3, 1995 to Aug. 1, 1995, from all tank owners or operators in compliance with UST regulations. The program provides 3-percent loans for tank work for as long as ten years. Rural petroleum marketers and "mom and pop" stations will receive priority.

Applicants are eligible if they are in substantial compliance with state and federal UST laws and their tanks present a threat to the environment. For more information, contact Cory Bird or Terry Vergin of DEQ at the phone number and address listed above.

Local Programs:

The Department of Environmental Quality contracts with local health districts to assist in the implementation of the state's UST program. Local UST ordinances may be more stringent than state rules.

Stage II Vapor Recovery:

Utah includes Stage II requirements as part of its air quality contingency plan, but currently is not implementing these requirements.

For information, contact:

Ursula Truman
Division of Air Quality
Department of Environmental Quality
1950 West North Temple
P.O. Box 144820
Salt Lake City, Utah 84114-4820
(801) 536-4015

Last Revision Date: September, 1995

Vermont

State Contact(s):

For regulatory information:
Ted Unkles, Coordinator
Underground Storage Tank Program
Hazardous Materials Management Division
Department of Environmental Conservation (DEC)
Vermont Agency of Natural Resources
103 South Main Street, West Building
Waterbury, Vt. 05761-0404
(802) 241-3888
(802) 241-3296 (fax)

Program Description:

Vermont enacted a UST law in 1985 that provided authorization and funding for the program. Regulations were amended to meet federal requirements. Effective Feb. 3, 1992, U.S. EPA granted final approval to Vermont's UST program. New regula-

tions updating Vermont's UST program are expected in early 1996.

Program Requirements:

Scope: Vermont regulates all types of USTs. Tanks used exclusively for heating with capacities of more than 1,100 gallons are subject to closure and site assessment requirements upon removal, and must be registered.

Tank Standards: New or replacement farm or residential motor fuel tanks with capacities of more than 1,100 gallons must meet new construction standards. New construction standards require tanks to be double walled and cathodically protected with spill and overflow prevention equipment.

Piping also must be cathodically protected and secondarily contained, with the following exceptions: (1) suction piping with a vertical check valve and the proper slope does not require secondary containment; and (2) fiberglass piping with a vertical check valve and the proper slope does not require secondary containment or cathodic protection. Secondary containment is required for all new USTs except heating oil tanks, which still can be single-walled.

Loan Program: Vermont has a zero-interest loan program to assist small businesses and small municipalities with populations of 2,500 or less in upgrading and replacing USTs to meet new construction standards. The loan may be as much as \$40,000 and is administered by the state through a contract with a lending institution.

Other Related Provisions:

National Fire Protection Association (NFPA) Code 30 is enforced by the State Fire Marshal. Aboveground tanks used by industry are regulated by the Department of Labor and Industry, Fire Prevention Division. For more information, contact Glen Smith at (802) 828-2106.

Local Programs:

No local programs exist.

Stage II Vapor Recovery:

Stage II vapor recovery currently is not required in Vermont. Because of toxic chemical exposure concerns, the Agency of Natural Resources currently is in the process of writing regulations requiring Stage II controls statewide. There is no set date when these regulations will become available.

For information, contact:

Harold Garabedian,
Assistant Director
Air Pollution Control Division
Department of Environmental Conservation
103 South Main Street
Waterbury, Vt. 05671-0402
(802) 241-3840

Last Revision Date: September, 1995

Virginia

State Contacts:

For regulatory information:

Russell P. Ellison III, P.G.

UST Regulation Program

Underground Storage Tank Program

Water Division

Department of Environmental Quality (DEQ)

629 East Main St.

Richmond, Va. 23240-0009

(804) 762-4269

(804) 762-4266 (fax)

Mailing Address:

P.O. Box 10009

Richmond, Va. 23240-0009

Program Description:

Virginia law (VA 62.1-44.34:8) regulated oil discharges and spill cleanup before federal regulations were adopted. State UST laws (VA 62.1-44.34:8-12) were enacted in 1987. State technical regulations went into effect Oct. 25, 1989, and financial responsibility regulations became effective May 9, 1990.

State rules are similar to federal requirements. In certain areas they are more stringent than the federal program, requiring permits for corrective action plans; notification for USTs that went out-of-service before 1974, yet remain in the ground; and regulating heating oil tanks greater than 5,000 gallons in capacity.

Program Requirements:

Scope: State law covers heating oil tanks with greater than 5,000-gallon capacity, as well as tanks covered by federal regulations.

Notification: Tank owners must notify DEQ of all tank installations, upgrades, repairs and closures. Send amended or new forms to the mailing address listed above. A state notification form (DEQ Form 753001) is used.

Other Related Provisions:

Legislation effective July 1, 1992, allows owners or operators of facilities with aboveground storage tanks (ASTs) or heating oil USTs and ASTs to recover some of the cost of spill cleanup.

Local Programs:

Enforcement of the Uniform Statewide Building Code and the state fire prevention code is performed by local building/fire officials who issue permits to install, upgrade, repair and close USTs. The Uniform Statewide Building Code references the State Water Control Board's UST regulations.

Stage II Vapor Recovery:

Stage II controls currently are required in Charles City, Chesterfield, Hanover, Henrico, Arlington, Fairfax, Loudoun, Prince William and Stafford Counties, and in the cities of Colonial Heights, Hopewell, Richmond, Alexandria, Fairfax, Falls Church, Manassas and Manassas Park.

For information, contact:

Richard Stone (Central Virginia area)

Department of Environmental Quality (DEQ)

Piedmont Regional Office

P.O. Box 6030

Glen Allen, Va. 23058

(804) 527-5088

Russ Batchelor (Northern Virginia area)

Department of Environmental Quality (DEQ)

Northern Virginia Regional Office/Fredericksburg Office

300 Central Road

Suite B

Fredericksburg, Va. 22401

(703) 899-4600

Last Revision Date: December, 1995

Washington

State Contact(s):

Pat Melone

UST/LUST Section

Toxics Cleanup Program

Washington Department of Ecology (WDOE)

P.O. Box 47655

Olympia, Wash. 98504-7655

(206) 407-7179

(800) 826-7716 (in-state)

Program Description:

In 1989, the state enacted legislation, creating a comprehensive program for the regulation of USTs and a reinsurance program to assist owners and operators in demonstrating financial assurance under EPA's financial responsibility requirements. Effective Sept. 8, 1993, EPA granted final approval to Washington's UST program.

State regulations incorporating federal requirements were adopted Nov. 28, 1990. Amendments were adopted Nov. 30, 1991. New state rules include new tank standards and requirements for upgrading, operating and closing tanks as well as for detecting and reporting leaks and spills.

The UST law (Chapter 90.76 RCW) emphasizes delegation of all or part of the regulatory program to local authorities. Jurisdictions wishing to protect environmentally sensitive areas may establish programs more strict than the state program if certain criteria are met.

Permits are required under the Uniform Fire Code to install, alter, remove, abandon, or place temporarily out of service any underground tanks containing flammable or combustible liquids. The Uniform Fire Code and WDOE both impose standards on the design, construction and installation of these tanks.

Program Requirements:

Notification: The state has its own notification form, which may be obtained by calling WDOE at the above-listed phone number.

Other Related Provisions:

Washington also regulates underground storage tanks through the Water Pollution Control Act, the Dangerous Waste Regulations and other laws that prohibit or penalize groundwater contamination that may occur as a result of a leaking tank.

Local Programs:

Local governments enforce the Uniform Fire Code, which is adopted as part of the state building code. In addition, there are local ordinances that address underground storage tanks. Both Spokane County and the city of Spokane have storage tank ordinances, as do the cities of Renton and Tacoma. The Redmond Fire Department has developed standards for tank installation and removal. Double-walled tanks are not required by the state but some localities may require them.

The 1989 UST law permits local jurisdictions wishing to protect environmentally sensitive areas to establish programs more strict than the state program if certain criteria are met. Contact local officials for information concerning any local requirements.

Stage II Vapor Recovery:

Stage II vapor recovery is required in the cities of Bellingham, Everett, Seattle, Tacoma and Vancouver, and in the counties of Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, King, Kitsap, Lewis, Mason, Pacific, Pierce, San Juan, Skagit, Skamania, Snohomish, Thurston, Wahkiakum and Whatcom.

For information, contact:

John Raymond
WDOE
Air Program
P.O. Box 47600
Olympia, Washington 98504-7600
(206) 470-6856/ 470-6800

Last Revision Date: December, 1995

West Virginia**State Contact(s):**

For regulatory information:
Kenneth Ellison, Assistant Chief
UST Section
Office of Waste Management
Division of Environmental Protection (DEP)
1356 Hansford Street
Charleston, W.Va. 25302-1401
(304) 558-6371
(304) 558-2387 (fax)

Program Description:

In 1988, the state enacted the Underground Storage Tank Act (1988 S.B. 85), which authorized a state UST program. The UST Section administers the program.

The UST law gave broad regulatory authority to DEP to promulgate regulations applicable to USTs. On March 19, 1990, West Virginia passed S.B. 608, which amended the state's UST Act,

authorizing DEP to establish an UST insurance fund to satisfy federal financial responsibility requirements.

Program Requirements:

Notification: Send the EPA notification form (7530-1) to the UST Section at the above-listed address. Forms are available from the UST Section.

Installation, Upgrading and Closure: Tank owners must notify the UST Section 30 days prior to tank installation, upgrading or closure.

Other Related Provisions:

The State Fire Marshal is involved with USTs only if one poses a safety, fire or explosive hazard. Tank owners also must comply with the state Groundwater Act.

Local Programs:

Some localities, such as Beckley, regulate tank abandonment or prohibit abandonment in place. Before proceeding with abandonment, contact the Beckley fire department at (304) 256-1782 for more information.

Stage II controls currently are not required in West Virginia.

For information, contact:

John Benedict
Office of Air Quality, Planning Branch
1558 Washington Street, East
Charleston, W.Va. 25311-2599
(304) 558-1213 or (304) 558-0430

Last Revision Date: November, 1995

Wisconsin**State Contact(s):**

For regulatory compliance information:
Bill Morrissey, Director
Bureau of Petroleum Inspection and Fire Protection
Sheldon Schall, Chief
Fire Prevention and USTs/ASTs
Darla LeGrade, Chief
Petroleum Inspection
Department of Industry, Labor & Human Relations (DILHR)
P.O. Box 7969
Madison, Wis. 53707
(608) 266-7605

Program Description:

Effective May 1, 1991, Wisconsin adopted regulations incorporating the federal rules. The new regulations are codified in the Wisconsin Administrative Code, Chapter 10, Industry, Labor and Human Relations (ILHR). The most recent amendments became effective Feb. 1, 1993.

Program Requirements:

Scope: The state regulates all underground and aboveground petroleum storage tank systems. Requirements differ, according to the size and use of a tank.

Installation: Tank owners must submit a Flammable and Combustible Liquid Tanks Installation and Plan Review Application Form to DILHR and obtain plan review and written approval before performing any tank work, including installation, changes in operation and upgrades. In addition, a certified inspector must review plans for compliance with groundwater protection provisions. Any changes that deviate from an already approved plan must be submitted to DILHR for review as a revision.

DILHR, or an authorized agent of the department, conducts site inspections during installation, which must be performed by a certified installer.

After DILHR grants review and approval, the installer must notify the local authorized agent of the department in writing at least five days before beginning installation. The local agent will inspect the installation and grant notice of approval or disapproval through the Underground Storage Tank Installation Inspection Checklist. A certified tank installer may fill out the form when the inspector is unable to do so.

Tank/upgrade standards: For new UST systems-those installed after Dec. 22, 1988-the state requires corrosion protection for, in addition to federally regulated tanks, farm and residential motor fuel, and heating oil USTs. Spill and overflow protection also is required for farm and residential motor fuel tanks. Heating oil tanks with capacities of 4,000 gallons or less must have vent whistles as overflow devices.

Existing farm and residential motor fuel USTs and heating oil USTs with capacities of more than 4,000 gallons must be upgraded or replaced to have corrosion, spill and overflow protection by May 1, 2001.

Leak Detection and Monitoring: The regulations require leak detection for federally regulated USTs, and heating oil tanks with capacities of more than 4,000 gallons. Heating oil tanks with less capacity must have leak detection by May 1, 2001.

Other Related Provisions:

The 1987 versions of National Fire Protection Association Code 30 and 30A have been incorporated by reference in state regulations.

Local Programs:

A few localities regulate tanks. Some have more stringent tank regulations.

Stage II Vapor Recovery:

Wisconsin's Stage II vapor recovery rules took effect Feb. 1, 1993. Facilities located in the counties of Kenosha, Kewaunee, Manitowoc, Milwaukee, Ozaukee, Racine, Sheboygan, Washington and Waukesha that distribute more than 10,000 gallons of gasoline per month must have Stage II controls because these counties are in areas that are designated as moderate or worse nonattainment for ozone.

In addition, Stage II vapor recovery is required statewide for large petroleum retailers-those who distribute more two million gallons of gasoline per year-to control benzene emissions.

DNR has a program intended to offset some of the capital costs incurred by retail gasoline facilities that are required to install Stage II equipment. The grants, which are available only to facilities located in ozone nonattainment areas, cover up to 95 percent of the installation costs, with a maximum of \$37,250 per facility.

For information, contact:

Steve Dunn
DNR
(608) 267-0566

Last Revision Date: July, 1994

Wyoming

State Contact(s):

For technical/regulatory information:
LeRoy Feusner P.E., D.E.E., Engineering Supervisor
AUST/LAUST Program
Water Quality Division
Department of Environmental Quality (DEQ)
Herschler Building, 4W
122 W. 25th St.
Cheyenne, Wyo. 82002
(307) 777-7781
(307) 777-5973 (fax)

Program Description:

Wyoming's UST program is implemented under W.S. 35-11-1414-1428. The statute includes provisions for soil and groundwater quality; third-party liability; site remediation criteria; and tank installations, modifications, removal inspections and closures. USTs that have been registered with the department and for which tank fees have been paid are eligible for the state corrective action program, which provides for 100 percent remediation funding and management by the state for tank system releases into the environment. State rules and regulations, Chapter XVII, Underground Storage Tanks, were promulgated Nov. 2, 1994.

Program Requirements:

Scope: All USTs that would be regulated by the federal program are governed by the state program. In addition, certain aboveground storage tanks (ASTs) owned by dealers who sell gasoline or diesel fuel to the general public are regulated by the program office.

Notification: Notification must be provided to the department 30 days prior to a tank closure or installation/modification operation to schedule a mutually agreeable time for a state program representative to be on-site.

Other Related Provisions:

Certain petroleum ASTs that are used by dealers to sell gasoline or diesel fuel to the general public are regulated by the department for tank registration, fees, installations, modifications, closures, environmental restoration actions and financial responsibility. As of July 1995, specific DEQ rules and regulations have not been established. AST siting and electrical safety

matters are regulated by the State Fire Marshals' Office or local fire authority if the local government has home rule authority for fire protection matters.

Local Programs:

Cheyenne and Casper require permits for tank removals.

There are no ozone nonattainment areas in Wyoming that require Stage II vapor recovery.

For information, contact:

Scott Lee or Jeff Houk
U.S. EPA Region VIII/8ATAP
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