

TANKS COMPLIANCE ISSUES (Update On Requirements)

Past

Present

Future

BACKGROUND

- 20 YEARS OF TANK RULES
- RELEASES STILL OCCURING
- OWNERS STILL UNSURE OF WHAT TYPE OF EQUIPMENT THEY OWN
- OWNERS UNAWARE OF REQUIREMENTS
- OVERALL COMPLIANCE RATE IS 50%

MAJOR PROVISIONS OF ENERGY BILL OF 2005

- INSPECTION FREQUENCY
- GROUND WATER PROTECTION
- REPORTS
- PUBLIC DATA
- DELIVERY PROHIBITION (RED TAG)
- TRAINING (upcoming)

INSPECTION FREQUENCY

- **FEDERALLY REGULATED UST SITES
MUST BE INSPECTED EVERY 3 YEARS**
 - 7500 ACTIVE UST sites
(4000 ACTIVE AST sites)

GROUNDWATER PROTECTION

- UST RULE REVISION 2007
- EFFECTIVE DATE OF 3/28/08

- **NEW AND REPLACEMENT USTS,
ASSOCIATED PIPING AND
DISPENSERS MUST HAVE
SECONDARY CONTAINMENT**

REPORTS

- **ONE TIME REPORT TO CONGRESS ON THE COMPLIANCE OF GOVERNMENT TANKS**
 - List of government sites
 - Last compliance inspection date
 - Number of sites out of compliance

PUBLIC RECORD

- **MAINTAIN, UPDATE ANNUALLY, AND MAKE AVAILABLE TO PUBLIC**
 - A) NUMBER, SOURCES, AND CAUSES OF UST RELEASES IN THE STATE
 - B) RECORD OF COMPLIANCE
 - C) DATA ON THE NUMBER OF UST EQUIPMENT FAILURES

LEAK AUTOPSY-FLORIDA

- SPILL BUCKETS—60%
- PIPING—13%
- TANKS—11%
- DISPENSERS—9%

OTHER STATE SPECIFIC REQUIREMENTS

- **ALL SUMPS, SPILL CATCHMENT BASINS MUST BE VISUALLY INSPECTED ON A MONTHLY BASIS**
- **OUT OF SERVICE TANKS MUST BE REMOVED AFTER 5 YEARS**

Violations

RELEASE PREVENTION—57% COMPLIANCE

- ❖ **OVERFILL PREVENTION**
- ❖ **SPILL PREVENTION**
- ❖ **CORROSION PROTECTION (O&M)**

RELEASE DETECTION—64% COMPLIANCE

- ❖ **CHECKING TANKS/LINES FOR LEAKS**

50% IN COMPLIANCE WITH BOTH

OPERATION & MAINTENANCE

- **633 VIOLATIONS IDENTIFIED**
4/1/05—3/31/06

CORROSION PROTECTION RELATED----61%

SPILL CONTAINMENT---22%

OVERFILL—6%

PROPOSED RULE REVISION

- OPERATOR EXAMINATION FOR CLASS A, B & C OPERATORS
- MINOR "HOUSEKEEPING" RULE CLARIFICATIONS
- PLAN TO PUBLISH IN WINTER 08
- EFFECTIVE SPRING-SUMMER 09

OPERATOR TRAINING REQUIREMENT SPECIFICS

- EACH FACILITY MUST DESIGNATE AT LEAST ONE OF EACH CLASS A, B, AND C OPERATOR
- ALL OPERATORS NEED TO BE TESTED AND PASS AN EXAM BY 2012 OR WITHIN 30 DAYS OF ASSUMING THEIR RESPONSIBILITIES
 - IF DURING INSPECTION, SIGNIFICANT OPERATIONAL COMPLIANCE ISSUES—APPROVED MPCA TRAINING AND RETEST
 - FAILED TEST, APPROVED TRAINING AND RETEST
- KEEP RECORDS AVAILABLE FOR INSPECTORS

Class A Operator

- Primary responsibility to operate and maintain UST.
- Focus on regulatory requirements and standards
- Responsibilities include managing resources and personnel to achieve and maintain compliance

Class B Operator

- Has more in-depth understanding of operation and maintenance aspects for the facility
- Implements applicable regulatory requirements and standards; day-to-day aspects of operating, maintaining, and recordkeeping at the facility

Class C Operator

- Controls/monitors the dispensing or sale of regulated substances
- Responsible for initial response to alarms or releases

ONLINE EXAMINATION

- Link to tanks data base to pull up site specific information
- Class A—Complete exam on tank management
- Class B--Complete exam designed around site specifics
- Class C—No exam needed

PROPOSED RULE SCHEDULE

- Spring of 08—formed stakeholder group
- 3 public meetings on training/testing ideas
- 6 public meetings on initial drafts

- Publish rule in state register winter of 08
- 30 day formal comment period
- Effective Summer/Fall of 09

HOW YOU CAN HELP

- Be cognizant of new and proposed requirements
- Spread the word that operator testing is coming
- Provide comments on operator testing

QUESTIONS?

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