

US EPA ARCHIVE DOCUMENT

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Self-Certification Program is Here!

Self-Certification Due By End of Year!

Owners of underground storage tanks should take note of new requirements for tank inspections. UST owners will have to conduct an inspection of their facility **by December 31, 2007**, and certify they are in compliance with regulations, or submit plans on how the facility will return to compliance. The due date was pushed back from 9/14/07 at the request of industry.

“We hope the annual inspection reveals potential problems before they happen, so that any existing problems are corrected,” said Vermont ANR’s UST Section Chief Ted Unkles. “This program is an advantage to facility owners who can make repairs and upgrades under their own timeframe instead of having to work in an emergency mode or under an enforcement time table. We firmly believe that arming owner/operators with more knowledge about how their UST system works will result in better management and fewer releases”.

Self-certification requires facilities inspect their UST system annually, make needed repairs, and then certify the facility is in compliance with UST, hazardous waste, underground injection control (floor drains) and Stage I and II Vapor recovery regulations. The certification is signed by the owner or a corporate official. If a facility is not in compliance by the certification deadline, the owner must identify what items need work and submit a schedule for completing those items. Failure to conduct the inspections could result in a state inspection or an enforcement action.

The UST Section has prepared a workbook specific to Vermont’s requirements to help owners/operators answer the questions on the certification checklist. You can file a

paper certification or file your certification on-line. To download the checklist or workbook, or file a self-certification on-line, visit:

<http://www.anr.state.vt.us/dec/wastediv/ust/selfcert.htm>

To request a printed copy of the workbook and/or checklist, call the UST Program at 802-241-3888.

Certifications done as far as 6 months prior to the due date will be valid. Don’t wait until the last minute to conduct your inspection, since problems you find may take several weeks to get corrected.

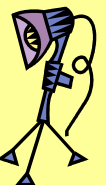
Spotlight on BMPs Electronic Liquid Sensors

Perhaps you are like many Vermont UST owners and your UST system uses electronic liquid sensors to monitor for tank or piping leaks. You check your electronic monitoring system once a week to make sure it is working and to see if there are any alarms, and you document your findings—great! But what your system may not tell you is whether a sensor is still fully functional.

The UST Program strongly recommends as a Best Management Practice (BMP) that tank owners test their electronic liquid sensors periodically, such as once a year, to make sure they are still working. Sensor components can sometimes get stuck, corrode, or develop other problems with age. You will rest easier knowing that all your sensors really will detect a leak once you’ve tested them.

There are many different types of electronic sensors. Contact your tank contractor to get help in accessing the sensor and determining how to test it properly.

For more BMPs, check out the UST Operation and Maintenance Manual (a.k.a. ERP Self-Certification Workbook) on our website, <http://www.anr.state.vt.us/dec/wastediv/ust/home.htm>



OPEN LETTER RE COMPLIANCE RATE AT UST FACILITIES



Mr. Joseph Choquette III
VT Petroleum Association
c/o Downs Rachlin Martin

Dear Joe:

This letter serves as follow-up to our conversation on 2/5/07 regarding the compliance rate of the UST sector. To further understand the reported compliance rate for UST facilities operations, you requested we review the Notices of Alleged Violation (NOAVs) that we sent as a result of on-site inspections to specifically identify areas of facility operation that are problematic.

Please note that the UST program issues NOAVs for situations that could result (or has resulted) in releases. In general, these are situations where release prevention equipment is either missing, not-functioning properly, or not being operated or maintained properly. We do not issue NOAVs for strictly "paper" violations (e.g. permit card not posted); however, if "paper" violations exist in addition to the violations noted above, they are added to the NOAV.

All inspections were inspected in 2006. Inspections were carried out by VT UST inspectors and EPA Region I inspectors. The inspections conducted by VT personnel were all pre-announced and scheduled with owners/operators. EPA inspections were pre-announced as to a time period (e.g. between April 10 and 30) but were not scheduled to a set date and time. 540 inspections were conducted, resulting in 221 NOAVs. The table below summarizes the specific situations that resulted in NOAVs:

Violation	Total	Comments
Operational Problems		
No Interstitial Monitoring - Manual	84	Cannot open port, not being done, no records
No Interstitial Monitoring - Electronic	31	Sensor removed from interstitial space, sensor installed improperly, sensor not connected, no sensor, equipment removed, system not working
No Piping Monitoring- Manual	42	No Documentation, not being done, no bottom to sump, water/fuel in sump, crack in sump, no sump
No Piping Monitoring- Electronic	52	Sensors in alarm, crack in sump, test boot engaged isolating piping from sensors, water in sump, sensor broken, sensor too high, sumps cemented over, no annual test, no sensor present but EMS present
Dispenser leak	23	Pet. impacted soil beneath dispenser b/c no sump
Overfill protection	37	ASD missing, incompatible ball float valve, alarm and light inside bldg, incompatible vent whistle
Spill Bucket	112	Water and debris, improperly installed, hole in bucket, product in bucket, no bucket
Shear Valves	15	Improperly installed, not present
Incompatible equipment	2	PVC piping
No secondary (tank)	1	Single-wall tank
Cathodic protection		Failed, piping not tested
Paper Violations		
No Permit posted	27	
No IM E Weekly Record	34	No printer, not done, not kept
Cathodic protection	9	3-yr test overdue
No Product ID	96	No diagram, no paint
LLD test	4	Annual test overdue
Auto Tank Gage/ In-Tank Monitor	6	No weekly test, printer not working, no passing test
Impressed current	3	No 60-day inspection

(Continued from page 2)

Note that many NOAVs listed multiple violations. In all cases there was at least one operational violation. We did not issue NOAVs for "paper" violations for the most part (2 were issued early in the inspection season).

We also examined the data to determine if there was a certain type of facility more prone to be out of compliance versus another type – for example, single owner/operator facility vs. multiple facility owner/operator. The facility types receiving NOAVs and totals are:

Industrial / Commercial = 63	Bulk plants = 1	Federal = 3	Town/Schools = 24
Single owners = 68	Multi-tank owner I.e. Distributors = 48	State = 17	Institutional i.e.. UVM = 3

Note: we did not calculate compliance rates for individual groups (e.g. State owned facilities).

In summation, we hope this information helps you and your members better understand the compliance issues our inspection program has revealed. We look forward to working with you and the industry to improve this compliance rate and are confident the compliance rate will improve this compliance rate. We are confident that with your help, we'll see substantial improvement. We are available to further discuss the data or provide more information. Thanks for your assistance and attention!

Sincerely,



Marc Roy, Chief
Underground Storage Tank Program

New UST Rules Adopted August 1st

As anyone who has read this newsletter over the past several years is aware, the Vermont UST Program has been working on an extensive re-write of the UST Rules. The rewrite is now complete and the new rules became effective on August 1, 2007.

Vermont's UST Rules were last updated in 1991, so this re-write was long overdue. Many requirements have changed, so it is important that everyone who owns or operates a regulated underground storage tank be familiar with the new rules.

There are several ways you can get a copy of the new Vermont Underground Storage Tank Rules:

- You can jump on the Internet and download a PDF version of the rules by going here: http://www.anr.state.vt.us/dec/wastediv/ust/ust_regs.htm
- You can e-mail ted.unkles@state.vt.us, and he will send you a PDF version by e-mail;
- If you have a dial-up internet connection and don't want to wait while you download the rules, you can e-mail Ted Unkles at the address above, and he can send you a PDF version on CD; or
- You can call or e-mail the UST Program, and we can mail you a paper copy

See front page of this newsletter for email address and phone numbers.



2007 LEGISLATIVE CHANGES:

(1) UNDERGROUND STORAGE TANK PERMIT FEE

As of July 1, 2007 the **UST permit fee is \$100 per tank per year. The fee is an annual fee and can no longer be prepaid for the term of the permit.** Permits are usually issued for five years. **Note:** Municipalities (schools & towns) remain exempt!

(2) PETROLEUM CLEANUP FUND TANK ASSESSMENT FEE

As of July 1, 2007 the **tank assessment fees have been decreased by 50%.** Invoices for fiscal year 2008 will be mailed in September 2007 for payment on or before October 1, 2007. The fee structure is now:

Type of Facility	New Assessment	Previous Assessment
Commercial/industrial	\$100	\$200
Municipality/school district	\$50	\$100
State	\$100	\$200
<u>Retail based on motor fuel sales</u>		
Greater than 40K gallons per month	\$100	\$200
Greater than 20K less than 40K gallons per month	\$50	\$100
Less than 20K per month	\$50 maximum \$100	\$100 maximum \$200

(3) UNDERGROUND STORAGE TANK LOANS

Increased to \$75,000 from \$40,000

- ✧ Repayable up to 10 years
- ✧ 0% interest to tank owners who own less than 5 facilities.
- ✧ 4% interest to tank owners who own more than 5 facilities.
- ✧ Can be used for removal of underground storage tanks
- ✧ Now available for the replacement of failed double wall tanks

Loans are processed in accordance with normal banking practices.

