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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460
Mail Code 5401P

May 7 2007

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

MEMORANDUM

SUBJECT: FY 2007 Mid-Year Activity Report

FROM: Cliff Rothenstein, Director
Office of Underground Storage Tanks

A handwritten signature in black ink, appearing to read "Cliff Rothenstein", is written over the "FROM:" line.

TO: UST/LUST Regional Division Directors, Regions 1-10

This memo provides you with the FY 2007 semi-annual Mid-Year Activity Report (see attached) for the Underground Storage Tank program. I want to thank you and your staff for providing the information to OUST and conducting a quality assurance/quality control review of the numbers reported.

I am pleased that we are continuing to make progress in cleaning up petroleum leaks, in reducing the cleanup backlog, and in preventing future releases. As you know, for FY 2007, our GPRA goals include: (1) completing 13,000 cleanups; (2) completing 30 cleanups in Indian Country; (3) increasing our significant operational compliance rate to 67 percent; and (4) decreasing newly reported confirmed releases to fewer than 10,000.

At mid-year FY 2007, we:

- Completed 6,743 cleanups;
- Completed 16 cleanups in Indian Country;
- Achieved 62 percent significant operational compliance; and
- Confirmed 3,500 new releases.

These numbers indicate that the program is continuing to make incremental progress in preventing and cleaning up releases. While we are below our GPRA goal for the significant operational compliance rate, some states are targeting inspections at previously uninspected facilities in response to the Energy Policy Act which may account for the decrease in compliance rates.

As I requested last year, we will need your states' estimates of the FY 2007 End-of-Year LUST cleanups completed data by September 14, 2007. As you are aware, the LUST cleanups completed data is an element of the organizational assessment for the national LUST program and we must report the data no later than September 30, 2007. Further details will be forthcoming in my FY 2007 End-of-Year Request Memorandum for Semi-Annual Reporting Data, which will be sent to each of you by the end of July.

Attachments:

Updated LUST and UST Performance Measures, March 26, 2003

UST Corrective Action Measures for Mid-Year 2007 (Cumulative as of March 31, 2007)

UST Compliance Measures for Mid-Year 2007 (as of March 31, 2007)

States with Requirements More Stringent than the Federal Significant Operational Compliance Requirements

Chart - UST National Backlog: FY 1989 through Mid-Year FY 2007

cc: Susan Bodine, OSWER
Scott Sherman, OSWER
Barry Breen, OSWER
Susan Bromm, OECA
Walker Smith, OECA
Dave Kling, OECA
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UST/LUST Regional Deputy Directors, Regions 1-10
UST/LUST Regional Branch Chiefs, Regions 1-10
UST/LUST Regional Program Managers, Regions 1-10
OUST Staff

Table of Contents for Attachments

Updated LUST and UST Performance Measures, March 26, 2003

UST Corrective Action Measures for Mid-Year 2007 (Cumulative as of March 31, 2007):

This attachment provides the regions', states', territories' and tribal cumulative reported information, as well as the "actions this period" for Confirmed Releases and Cleanups Completed and the national totals.

UST Compliance Measures for Mid-Year 2007 (as of March 31, 2007): This attachment provides the regions', states', territories' and tribal annual compliance reported information and the national total.

States with Requirements more Stringent than the Federal Significant Operational Compliance Requirements: This attachment provides a brief synopsis for those states that report more stringent compliance requirements than the federal compliance requirements.

Chart - UST National Backlog: FY 1989 through Mid-Year 2007: This attachment provides an illustration of historical cleanup backlog trends.

Updated LUST Performance Measures

1. Number Of Confirmed Releases: The cumulative number of incidents (not UST systems) where the owner/operator has identified a release from a Subtitle I regulated petroleum UST system, reported the release to the state/local or other designated implementing agency and the state/local implementing agency has verified the release according to state procedures such as a site visit (including state contractors), phone call, follow-up letter, or other reasonable mechanism that confirmed the release.

***Clarification:** “Confirmed Releases” is a cumulative category—even as a cleanup is initiated and is completed, it is still counted in the “Confirmed Releases” category. For a site undergoing closure activities, a confirmed release is counted only if petroleum contamination is discovered and verified. In that case, the release is counted under both the “Confirmed Releases” and “Closed Petroleum UST Systems” categories. A release which requires no further action as determined by the implementing agency would still be counted as a confirmed release.*

***Example:** A confirmed release is identified by the incident, not by the receptor(s). For example, ten contaminated residential wells would be considered one release if the contamination was caused by a leaking tank at a single gasoline station. This accounting would be true even if it were discovered that more than one tank at that station was leaking. If tanks at three gasoline stations were found to be leaking, however, then three confirmed releases would be recorded, regardless of the number of receptors. Additionally, the initiation of a new cleanup response indicates a separate confirmed release. The discovery of a leaking tank at the gasoline station, for example, two years after completion of the original cleanup would be classified as a new confirmed release.*

2. Number Of Cleanups Initiated: The cumulative number of confirmed releases at which the state or responsible party (under supervision as designated by the state) has **evaluated the site and initiated 1) management of petroleum-contaminated soil, 2) removal of free product (from the surface or subsurface environment), 3) management or treatment of dissolved petroleum contamination, 4) monitoring of the groundwater or soil being remediated by natural attenuation or 5) the state has determined that no further actions are currently necessary to protect human health and the environment.** [Subset of Measure 1]

***Clarification:** “Cleanups Initiated” is a cumulative category—sites should never be deleted from this category. Even as a cleanup progresses and is completed, it is still counted in the cleanups initiated category. “Cleanups Initiated” indicates that physical activity (e.g., pumping, soil removal, recovery well installation) has begun at the site, **unless a state has evaluated the site and has determined that no physical activity is currently necessary to protect human health and the environment. Site investigations and emergency responses DO NOT qualify as a cleanup initiated unless one of the five actions listed in the definition has occurred.** Sites being remediated by natural attenuation can be counted in this category when site characterizations, monitoring plans, and site-specific cleanup goals are established for these*

sites. It is no longer necessary to report separately those cleanups initiated that are state-lead sites using state money and those that are responsible-party lead sites. It is, however, still necessary to report the number of cleanups initiated that are state lead with Trust Fund money.

3. Number Of Cleanups Completed: The cumulative number of confirmed releases where cleanup has been initiated and where the state has determined that no further actions are currently necessary to protect human health and the environment. This number includes sites where post-closure monitoring as long as site-specific (e.g., risk-based) cleanup goals have been met. Site characterization, monitoring plans, and site-specific cleanup goals must be established and cleanup goals must be attained for sites being remediated by natural attenuation to be counted in this category. [Subset of Measure 2]

Clarification: “Cleanups Completed” is a cumulative category—sites should never be deleted from this category. It is no longer necessary to report separately cleanups completed that are state lead with state money and cleanups completed that are responsible party lead. It is, however, still necessary to report the number of cleanups completed that are state lead with Trust Fund money. A “no further action” determination made by the state that satisfies the “cleanups initiated” measure above, also satisfies this “cleanups completed” measure. This determination will allow a confirmed release that does not require further action to meet the definition of both an initiated and completed cleanup.

4. Number Of Emergency Responses: The cumulative number of sites where the implementing agency takes immediate action to mitigate imminent threats to human health and the environment posed by an UST system release (e.g., venting of explosive vapors, providing bottled water).

Clarification: “Emergency Responses” is a cumulative category—sites should never be deleted from this category. In a situation where petroleum contamination is found during an emergency response, the site is counted under both the “Emergency Responses” and “Confirmed Releases” categories. “Emergency Responses,” however, are not included as cleanups initiated or cleanups completed unless activities listed under those categories has occurred.

Updated UST Performance Measures

1. Percentage of UST Facilities in Significant Operational Compliance with the UST Spill, Overfill, and Corrosion Protection Regulations (the “1998” Regulations): The percentage of underground storage tank (UST) facilities deemed to be in significant operational compliance with the UST spill, overfill, and corrosion protection requirements.

Clarification: This is a percentage (rather than a number) based on the initial inspections at facilities during the respective reporting period. This measure applies to the spill, overfill, and corrosion protection requirements that were phased in through 12/22/1998. Reports should reflect the “operational” instead of “equipped” compliance; is reported on a facility basis rather than per tank; is based on inspections conducted within the past 12 months; and is based on an initial (instead of follow-up) inspection at a facility. Significant operational compliance generally means that the UST systems at a facility have the proper equipment/procedures in place, and are being properly operated and maintained in order to detect a release.

2. Percentage of UST Facilities in Significant Operational Compliance with the UST Leak Detection Regulations: The percentage of underground storage tank (UST) facilities deemed to be in significant operational compliance with the UST leak detection requirements.

Clarification: This is a percentage (rather than a number) based on the initial inspections at facilities during the respective reporting period. This measure applies to the leak detection requirements that were phased in through 1993. Reports should reflect the “operational” instead of “equipped” compliance; is reported on a facility basis rather than per tank; is based on inspections conducted within the past 12 months; and is based on an initial (instead of follow-up) inspection at a facility. Significant operational compliance generally means that the UST systems at a facility have the proper equipment/procedures in place, and are being properly operated and maintained in order to detect a release.

UST Corrective Action Measures for Mid-Year FY 2007 (Cumulative as of March 31, 2007)

Region / State	Number of Active Tanks	Number of Closed Tanks	Confirmed Releases		Cleanups Initiated	Cleanups Completed		Cleanups Backlog	Emergency Responses
			Actions This Period	Cumulative		Actions This Period	Cumulative		
ONE									
CT	11,335	20,603	12	2,509	2,451	24	1,695	814	111
MA	11,116	22,611	41	6,227	6,023	112	5,342	885	5,094
ME	3,253	12,406	35	2,296	2,261	44	2,217	79	471
NH	2,925	11,057	35	2,310	2,275	67	1,516	794	638
RI	1,642	7,181	11	1,297	1,297	17	1,023	274	26
VT	3,048	5,308	10	1,955	1,943	14	1,190	765	293
SUBTOTAL	33,319	79,166	144	16,594	16,250	278	12,983	3,611	6,633
TWO									
NJ	17,198	55,766	79	9,968	9,112	44	5,933	4,035	52
NY	28,935	84,013	320	25,255	25,232	579	22,515	2,740	1,309
PR	4,614	5,462	0	1,026	893	11	469	557	188
VI	144	278	0	22	14	0	6	16	14
SUBTOTAL	50,891	145,519	399	36,271	35,251	634	28,923	7,348	1,563
THREE									
DC	704	3,119	8	849	849	15	619	230	242
DE	1,510	6,759	29	2,366	2,243	25	2,120	246	407
MD	9,234	30,895	93	10,696	10,524	233	9,873	823	336
PA	24,872	61,069	103	14,274	13,735	336	10,560	3,714	28
VA	21,261	56,827	130	10,782	10,571	182	10,136	646	63
WV	5,802	19,112	43	3,031	2,814	53	1,926	1,105	10
SUBTOTAL	63,383	177,781	406	41,998	40,736	844	35,234	6,764	1,086

¹ The terms "confirmed release," "cleanup initiated," and "cleanup completed" are defined terms available on the OUST website at <http://www.epa.gov/oust/cat/pm032603.pdf> and attached to this memo. In March 2003 OUST clarified these definitions (see website) to include as a cleanup initiated and cleanup completed a site where a state has determined no cleanup action is necessary to meet a states risk-based cleanup levels.

UST Corrective Action Measures for Mid-Year FY 2007 (Cumulative as of March 31, 2007)

Region / State	Number of Active Tanks	Number of Closed Tanks	Confirmed Releases		Cleanups Initiated	Cleanups Completed		Cleanups Backlog	Emergency Responses
			Actions This Period	Cumulative		Actions This Period	Cumulative		
FOUR									
AL	18,995	29,030	77	11,136	10,859	87	9,537	1,599	362
FL	29,488	97,586	134	24,459	15,307	351	9,776	14,683	204
GA	30,142	45,615	163	11,506	11,136	212	9,165	2,341	12
KY	12,609	36,250	126	13,584	13,555	157	11,208	2,376	165
MS	8,812	22,436	57	6,683	6,580	59	6,361	322	123
NC	29,017	64,942	131	23,942	22,575	272	17,788	6,154	599
SC	11,999	31,994	72	8,923	8,412	124	5,697	3,226	99
TN	17,448	34,697	125	13,249	13,362	294	12,625	624	69
SUBTOTAL	158,510	362,550	885	113,482	101,786	1,556	82,157	31,325	1,633
FIVE									
IL	22,859	63,138	251	23,122	21,781	394	15,752	7,370	1,838
IN	13,854	36,051	68	8,475	7,889	152	5,639	2,836	260
MI	20,305	66,300	92	21,221	20,800	101	12,161	9,060	83
MN	14,458	28,064	67	9,863	9,830	134	8,889	974	561
OH	23,383	43,334	336	24,452	23,471	432	21,842	2,610	417
WI	13,810	65,858	65	18,534	18,087	223	15,736	2,798	390
SUBTOTAL	108,669	302,745	879	105,667	101,858	1,436	80,019	25,648	3,549

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UST Corrective Action Measures for Mid-Year FY 2007 (Cumulative as of March 31, 2007)

Region / State	Number of Active Tanks	Number of Closed Tanks	Confirmed Releases		Cleanups Initiated	Cleanups Completed		Cleanups Backlog	Emergency Responses
			Actions This Period	Cumulative		Actions This Period	Cumulative		
SIX									
AR	9,536	20,209	26	1,350	1,046	26	1,032	318	17
LA	14,090	29,624	70	3,180	3,180	61	1,962	1,218	802
NM	4,073	12,285	8	2,498	1,828	48	1,754	744	85
OK	11,282	24,967	70	4,445	4,445	84	3,936	509	141
TX	55,647	111,517	156	24,811	21,753	399	21,536	3,275	539
SUBTOTAL	94,628	198,602	330	36,284	32,252	618	30,220	6,064	1,584
SEVEN									
IA	7,455	22,442	16	5,852	5,546	38	4,181	1,671	0
KS	7,093	19,779	34	4,768	4,569	128	2,952	1,816	119
MO	10,232	28,978	36	6,283	5,901	53	4,998	1,285	361
NE	6,933	14,234	17	6,040	4,405	80	4,103	1,937	11
SUBTOTAL	31,713	85,433	103	22,943	20,421	299	16,234	6,709	491
EIGHT									
CO	7,986	21,104	71	6,813	6,777	119	5,943	870	43
MT	3,290	12,260	4	2,967	2,607	21	1,842	1,125	44
ND	2,167	7,010	5	819	808	0	789	30	4
SD	3,037	6,826	3	2,360	2,360	40	2,237	123	21
UT	4,046	12,798	45	4,296	4,232	29	3,833	463	3
WY	2,018	7,869	3	1,998	1,592	55	1,066	932	67
SUBTOTAL	22,544	67,867	131	19,253	18,376	264	15,710	3,543	182

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UST Corrective Action Measures for Mid-Year FY 2007 (Cumulative as of March 31, 2007)

Region / State	Number of Active Tanks	Number of Closed Tanks	Confirmed Releases		Cleanups Initiated	Cleanups Completed		Cleanups Backlog	Emergency Responses
			Actions This Period	Cumulative		Actions This Period	Cumulative		
NINE									
AS	16	52	0	7	7	0	7	0	1
AZ	6,880	20,103	19	8,292	5,783	119	6,907	1,385	2
CA	37,750	122,909	98	45,065	45,065	406	31,271	13,794	0
CNMI	75	21	0	9	8	0	4	5	0
GU	271	418	1	136	136	1	112	24	0
HI	1,743	5,122	16	1,891	1,799	30	1,605	286	0
NV	3,739	6,792	2	2,422	2,421	11	2,225	197	52
SUBTOTAL	50,474	155,417	136	57,822	55,219	567	42,131	15,691	55
TEN									
AK	1,137	6,301	2	2,293	2,263	61	1,697	596	48
ID	3,360	9,731	6	1,370	1,341	10	1,215	155	12
OR	6,141	25,522	36	6,960	6,732	100	5,746	1,214	56
WA	10,198	35,508	35	6,279	5,946	60	4,330	1,949	38
SUBTOTAL	20,836	77,062	79	16,902	16,282	231	12,988	3,914	154

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UST Corrective Action Measures for Mid-Year FY 2007 (Cumulative as of March 31, 2007)

Region / State	Number of Active Tanks	Number of Closed Tanks	Confirmed Releases		Cleanups Initiated	Cleanups Completed		Cleanups Backlog	Emergency Responses
			Actions This Period	Cumulative		Actions This Period	Cumulative		
REGIONAL CORRECTIVE ACTIONS FOR INDIAN COUNTRY									
REGION 1	12	1	0	0	0	0	0	0	0
REGION 2	179	21	0	7	1	0	0	7	2
REGION 3	0	0	0	0	0	0	0	0	0
REGION 4	61	59	0	12	12	0	4	8	0
REGION 5	393	988	2	209	202	1	139	70	0
REGION 6	305	220	2	50	50	1	43	7	1
REGION 7	82	97	0	20	15	1	9	11	0
REGION 8	531	1,928	0	442	415	2	279	163	5
REGION 9	707	1,257	2	219	168	8	140	79	0
REGION10	375	925	2	156	156	3	133	23	3
SUBTOTAL	2,645	5,496	8	1,115	1,019	16	747	368	11
	Number of Active Tanks	Number of Closed Tanks	Confirmed Releases		Cleanups Initiated	Cleanups Completed		Cleanup Backlog	Emergency Responses
			Actions This Period	Cumulative		Actions This Period	Cumulative		
NATIONAL TOTAL	637,612	1,657,638	3,500	468,331	439,450	6,743	357,346	110,985	16,941

¹ The terms "confirmed release," "cleanup initiated," and "cleanup completed" are defined terms available on the OUST website at <http://www.epa.gov/oust/cat/pm032603.pdf> and attached to this memo. In March 2003 OUST clarified these definitions (see website) to include as a cleanup initiated and cleanup completed a site where a state has determined no cleanup action is necessary to meet a states risk-based cleanup levels.

UST Compliance Measures for Mid-Year FY 2007 (as of 3/31/07)

Region/ State	% in Significant Operational Compliance with Release Prevention Regulations	% in Significant Operational Compliance with Release Detection Regulations	% of UST Facilities in SOC w/UST Release Detection and Release Prevention
ONE			
*CT	98%	62%	62%
ME	78%	69%	66%
MA	78%	55%	39%
NH	72%	69%	56%
*RI	88%	65%	63%
*VT	67%	68%	59%
SUBTOTAL	84%	62%	54%
TWO			
*NJ	22%	2%	2%
NY	80%	77%	68%
PR	88%	87%	83%
VI	90%	69%	60%
SUBTOTAL	61%	53%	47%
THREE			
DE	74%	82%	66%
DC	44%	63%	44%
MD	89%	89%	81%
PA	83%	76%	66%
VA	70%	68%	54%
WV	84%	78%	72%
SUBTOTAL	79%	75%	64%

Region/ State	% in Significant Operational Compliance with Release Prevention Requirements	% in Significant Operational Compliance with Release Detection Regulations	% of UST Facilities in SOC w/UST Release Detection and Release Prevention
FOUR			
AL	84%	77%	71%
FL	88%	87%	85%
GA	88%	77%	74%
KY	57%	58%	42%
MS	78%	75%	71%
NC	74%	73%	67%
SC	86%	83%	74%
TN	90%	91%	85%
SUBTOTAL	82%	79%	73%
FIVE			
*IL	61%	51%	44%
IN	75%	85%	75%
MI	75%	46%	39%
MN	58%	67%	51%
OH	75%	65%	61%
*WI	80%	79%	67%
SUBTOTAL	70%	63%	55%
SIX			
AR	64%	68%	52%
LA	89%	76%	69%
NM	91%	88%	86%
OK	85%	77%	70%
TX	47%	47%	41%
SUBTOTAL	61%	59%	52%

These compliance rates indicate the percentage of recently-inspected facilities found to be in significant operational compliance (SOC) with federal UST requirements. In accordance with EPA guidelines, states are allowed to report based on requirements more stringent than the federal SOC requirements. Connecticut, Illinois, New Jersey, Rhode Island, Vermont, and Wisconsin indicated they had done so, as described in the addendum on the next page. Furthermore, states have different approaches to targeting inspections. For example, some states focus inspections on suspected non-compliant facilities, while other states conduct random inspections. In FY 2006 and FY 2007 many states focused inspections on previously uninspected facilities in response to the inspection requirements in the Energy Policy Act of 2005.

* States reporting based on requirements more stringent than the federal SOC requirements.

** DNA = Data Not Available N/A = Not Applicable

UST Compliance Measures for Mid-Year FY 2007 (as of 3/31/07)

Region/ State	% in Significant Operational Compliance with Release Prevention Regulations	% in Significant Operational Compliance with Release Detection Regulations	% of UST Facilities in SOC w/UST Release Detection and Release Prevention
SEVEN			
IA	80%	84%	70%
KS	75%	86%	66%
MO	**DNA	**DNA	**DNA
NE	63%	58%	47%
SUBTOTAL	73%	76%	61%
EIGHT			
CO	84%	70%	64%
MT	94%	91%	86%
ND	87%	82%	72%
SD	75%	74%	55%
UT	81%	73%	64%
WY	94%	95%	89%
SUBTOTAL	85%	78%	69%
NINE			
AS	**DNA	**DNA	**DNA
AZ	80%	81%	78%
CA	79%	84%	73%
GU	100%	100%	100%
HI	99%	89%	88%
CNMI	**DNA	**DNA	**DNA
NV	93%	86%	80%
SUBTOTAL	81%	84%	75%

Region/ State	% in Significant Operational Compliance with Release Prevention Requirements	% in Significant Operational Compliance with Release Detection Regulations	% of UST Facilities in SOC w/UST Release Detection and Release Prevention
TEN			
AK	79%	60%	56%
ID	79%	61%	54%
OR	89%	88%	80%
WA	75%	59%	53%
SUBTOTAL	80%	68%	61%
INDIAN COUNTRY			
REGION 1	**DNA	**DNA	**DNA
REGION 2	**DNA	**DNA	**DNA
REGION 3	**N/A	**N/A	**N/A
REGION 4	86%	28%	28%
REGION 5	86%	56%	54%
REGION 6	67%	53%	41%
REGION 7	**DNA	**DNA	**DNA
REGION 8	96%	76%	74%
REGION 9	66%	51%	43%
REGION10	84%	53%	47%
SUBTOTAL	80%	57%	52%
NATIONAL TOTAL			
National Total	75%	69%	62%

These compliance rates indicate the percentage of recently-inspected facilities found to be in significant operational compliance (SOC) with federal UST requirements. In accordance with EPA guidelines, states are allowed to report based on requirements more stringent than the federal SOC requirements. Connecticut, Illinois, New Jersey, Rhode Island, Vermont, and Wisconsin indicated they had done so, as described in the addendum on the next page. Furthermore, states have different approaches to targeting inspections. For example, some states focus inspections on suspected non-compliant facilities, while other states conduct random inspections. In FY 2006 and FY 2007 many states focused inspections on previously uninspected facilities in response to the inspection requirements in the Energy Policy Act of 2005.

* States reporting based on requirements more stringent than the federal SOC requirements.

** DNA = Data Not Available N/A = Not Applicable

States With Requirements More Stringent Than The Federal Significant Operational Compliance Requirements

CONNECTICUT

Release Prevention: Operation and Maintenance of Cathodic Protection

- Lining not allowed.

Release Detection: Testing

- Tanks and piping require weekly and monthly monitoring for releases and records must be available (for 2 of the most recent consecutive months and for 8 of the last 12 months).
- Statistical Inventory Reconciliation (SIR) not allowed as a stand-alone method.

ILLINOIS

Release Detection: Testing

- Owner/operator must produce records within 30 minutes of arrival of inspector.

NEW JERSEY

Release Prevention: Spill Prevention

- Hydrostatic test required when spill bucket full of debris/liquid or otherwise appears compromised.

RHODE ISLAND

Release Prevention: Operation and Maintenance

- All tanks and piping are required to be tightness tested after a repair. No exemptions.

Release Prevention: Operation and Maintenance of Cathodic Protection

- Impressed current cathodic protection systems are required to be tested every 2 years.
- Sacrificial anode systems are required to be tested every 3 years.

Release Detection: Testing

- Records required for the past 36 months.
- Inventory control is required for all tanks (single-walled and double-walled).
- The automatic tank gauge (ATG) has to be checked monthly and have an annual test conducted.
- Tightness testing schedule is different than the federal requirement; it depends on the type of tank.
 - o Tank tightness must be performed on all single walled tanks.
 - o Tightness tests must be performed every 5 years after the installation of the ATG until the tank has been installed for 20 years and every 2 years thereafter.
 - o UST systems upgraded with interior lining and/or cathodic protections are not required to have an ATG for 10 years after the upgrade. Tank tightness testing must be conducted annually during these 10 years. After 10 years, an ATG is required and tank tightness testing must be performed every 5 years until the tank has been installed for 20 years and then every 2 years thereafter. The results of all tightness tests shall be maintained for 3 years beyond the life of the facility.
- Groundwater or vapor monitoring not accepted as a method of leak detection.
- SIR not accepted.

VERMONT

Release Prevention: Operation and Maintenance of Cathodic Protection

- Lining not allowed unless with impressed current.

Release Detection: Method Presence and Performance Requirements

- Weekly monitoring required for tank and piping. Records must be available for the two most recent consecutive months and for 8 of the last 12 months.

Release Detection: Testing

- Inventory control /Tank Tightness Testing (TTT) not allowed as a release detection method after 6/30/98.
- Manual Tank Gauge (MTG) allowed alone up to 550 gallons; 551-1,000 gallons, MTG with annual TTT.

WISCONSIN**Release Prevention: Operation and Maintenance of Cathodic Protection**

- Require annual cathodic protection test.

Release Prevention: Spill Prevention

- Require USTs to be equipped with overfill prevention equipment that will operate as follows (NFPA 30-2.6.1.4 – 2000 and 2003 version):
 - o Automatically shut off the flow of liquid into the tank when the tank is no more than 95% full;
 - o Alert the transfer operator when the tank is no more than 90% full by restricting the flow of liquid into the tank or triggering the high-level alarm; and,
 - o Other methods approved by the authority having jurisdiction.

Release Detection: Testing

- Require NFPA 30A09.2.1 (2000 and 2003 versions). Accurate daily inventory records shall be maintained and reconciled for all liquid fuel storage tanks for indication of possible leakage from tanks or piping. The records shall be kept on the premises or shall be made available to the authority having jurisdiction for the inspection within 24 hours of a written or verbal request. The records shall include, as a minimum and by product, daily reconciliation between sales, use, receipts, and inventory on hand. If there is more than one storage system serving an individual pump or dispensing device for any product, the reconciliation shall be maintained separately for each system.

Release Detection: Deferment

- No exclusion or deferment for "remote" emergency generator tanks.

Other

- Require annual permit to operate that includes verification of financial responsibility.

UST National Backlog: FY 1989 Thru Mid-Year FY 2007

