

<h2 style="margin: 0;">Regulatory Analysis Form</h2> <p style="margin: 0;">(Completed by Promulgating Agency)</p> <p style="margin: 0; font-size: small;">(All Comments submitted on this regulation will appear on IRRC's website)</p>	<p><b>INDEPENDENT REGULATORY REVIEW COMMISSION</b></p> <div style="display: flex; flex-direction: column; align-items: center;"> <p style="writing-mode: vertical-rl; transform: rotate(180deg); font-weight: bold;">RECEIVED IRRC</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg); font-weight: bold;">2018 FEB 13 PM 3:19</p> </div> <p style="font-size: 2em; margin: 10px 0;">3199</p> <p>IRRC Number: <u>3199</u></p>
<p>(1) Agency Environmental Protection</p>	
<p>(2) Agency Number: Identification Number: 7-530</p>	
<p>(3) PA Code Cite: 25 Pa. Code Chapter 245</p>	
<p>(4) Short Title: Administration of the Storage Tank and Spill Prevention Program</p>	
<p>(5) Agency Contacts (List Telephone Number and Email Address):                      Primary Contact: Laura Edinger, 717-783-8727, ledinger@pa.gov                      Secondary Contact: Jessica Shirley, 717-783-8727, jessshirley@pa.gov</p>	
<p>(6) Type of Rulemaking (check applicable box):</p> <p><input checked="" type="checkbox"/> Proposed Regulation</p> <p><input type="checkbox"/> Final Regulation</p> <p><input type="checkbox"/> Final Omitted Regulation</p>	<p><input type="checkbox"/> Emergency Certification Regulation;</p> <p><input type="checkbox"/> Certification by the Governor</p> <p><input type="checkbox"/> Certification by the Attorney General</p>
<p>(7) Briefly explain the regulation in clear and nontechnical language. (100 words or less)</p> <p>These proposed amendments to 25 Pa. Code Chapter 245 strengthen the underground storage tank (UST) requirements by increasing the emphasis on properly operating and maintaining equipment in accordance with recent federal regulatory requirements. Currently, UST owners and operators are required to have spill prevention, overfill prevention, and release detection equipment in place but are not required to periodically verify the functionality of some of that equipment. This proposal also adds a new certification category that is to be limited to the performance of minor modifications of UST systems. Due to a history of non-compliance, these amendments propose to shorten the in-service inspection cycle for aboveground storage tanks (ASTs) in underground vaults and small ASTs. With the last comprehensive rulemaking occurring nearly 10 years ago, the program will also look to address a number of areas of Chapter 245 that have lacked clarity, or simply need correction.</p>	
<p>(8) State the statutory authority for the regulation. Include <u>specific</u> statutory citation.</p> <p>The proposed rulemaking is being made under the authority of section 106 of the Storage Tank and Spill Prevention Act (act) (35 P.S. § 6021.106), which authorizes the Board to adopt rules and regulations governing ASTs and USTs to accomplish the purposes and carry out the provisions of the act; section 301 of the act (35 P.S. § 6021.301), which authorizes the Department of Environmental Protection (Department) to establish program requirements for ASTs; section 501 of the act (35 P.S. § 6021.501), which authorizes the Department to establish program requirements for USTs; and section 1920-A of</p>	

The Administrative Code of 1929 (71 P.S. § 510-20), which authorizes the Board to formulate, adopt and promulgate rules and regulations that are necessary for the proper work of the Department.

(9) Is the regulation mandated by any federal or state law or court order, or federal regulation? Are there any relevant state or federal court decisions? If yes, cite the specific law, case or regulation as well as, any deadlines for action.

Comprehensive federal regulations for USTs exist at 40 CFR Part 280. These regulations were initially promulgated in 1988. On July 15, 2015, the first revisions to 40 CFR Part 280 were published in the *Federal Register* as final (80 FR 41566). These changes include: adding secondary containment requirements for new and replaced tanks and piping; adding operator training requirements; adding periodic operation and maintenance requirements for UST systems; removing certain deferrals; adding new release prevention and detection technologies; updating codes of practice; and making editorial and technical corrections. The Department incorporated secondary containment and operator training requirements that meet the current federal requirements into Chapter 245 in 2007 and 2009, respectively, to reflect EPA grant guidelines after the passage of the federal Energy Policy Act of 2005.

On July 15, 2015, the U. S. Environmental Protection Agency (EPA) also updated the state program approval requirements in 40 CFR Part 281. Under these changes, EPA is requiring that states revise their UST regulations and apply for initial or revised state program approval within 3 years of the effective date of the final EPA rule. The effective date of the final EPA rule was October 13, 2015 (90 days after publication in the *Federal Register*). Currently, Pennsylvania has state program approval. Therefore, the Department will need to revise Chapter 245 to be no less stringent than the federal requirements and apply for revised state program approval by October 13, 2018. In states that do not have state program approval and in Native American territories, the EPA regulations took effect on October 13, 2015. EPA has not established a companion federal AST program.

Failure to revise Chapter 245 and apply for revised state program approval could jeopardize receipt of future federal funding and result in the rescission of state program approval. Pennsylvania receives federal funding under Section 9014 of the Solid Waste Disposal Act (42 U.S.C. § 6991m) in the form of the Leaking Underground Storage Tank Prevention and Leaking Underground Storage Tank Cleanup grant. Under both grants, Pennsylvania currently receives approximately \$2.3 million annually from EPA.

(10) State why the regulation is needed. Explain the compelling public interest that justifies the regulation. Describe who will benefit from the regulation. Quantify the benefits as completely as possible and approximate the number of people who will benefit.

Since the beginning of the UST program, preventing petroleum and hazardous substance releases from UST systems into the environment has been one of the primary goals of the program. Although EPA and our state partners have made significant progress in reducing the number of new releases, approximately 5,600 releases were discovered nationwide for the federal fiscal year that ended September 30, 2016. In comparison, using the same parameters (underground storage tank system releases only and October 1, 2015 through September 30, 2016), Pennsylvania had 209 confirmed releases. Lack of proper operation and maintenance of UST systems is the main cause of new releases. Information on sources and causes of releases shows that releases from tanks are less common than they once were. However, releases from piping and spills and overfills associated with deliveries have emerged as more common problems. In addition, releases at the dispenser are one of the leading sources of releases. Finally, data show that release detection equipment is only detecting approximately

50 percent of releases it is designed to detect. These problems are partly due to improper operation and maintenance.

The primary purpose of these amendments is to strengthen the UST requirements by increasing the emphasis on properly operating and maintaining equipment. These revisions require that UST equipment be operated and maintained properly, which will help to further reduce the number of releases from USTs and in turn protect public health and the environment. Incorporation of these UST revisions into Chapter 245 will enable Pennsylvania to retain state program approval from EPA and remain eligible for continued substantial federal funding for the UST program.

A substantial portion of the beneficial impacts associated with this proposed rulemaking are avoided cleanup costs as a result of preventing releases and reducing the severity of releases from USTs. EPA, in the analysis of the potential benefits associated with their final UST regulation, which became effective on October 13, 2015, estimated the typical cost of a small-extent, soil-only remediation to be \$25,300, and the typical cost of a large-extent, groundwater-contamination remediation to be \$428,200. These costs are in 2008 dollars. During calendar year 2016, the average cost per closed claim paid by the Underground Storage Tank Indemnification Fund (USTIF) was \$360,807, and the total paid for all claims was \$31,672,157.

While not able to be quantified, a decrease in release frequency and severity is expected to result in both a reduction of the average cost per closed claim and the total annual claim payments made by the USTIF. This is because groundwater contamination incidents and vapor intrusion remediation costs could be avoided. This in turn will have a positive impact on the health of the USTIF and further decrease the unfunded liability of the USTIF for future claim payments. In addition, capacity and throughput fees paid by UST owners into the USTIF would not have to be increased and could potentially decrease over time. Throughput fees paid by UST owners are typically passed on to the public at motor fuel retail locations.

The Department was unable to quantify or monetize other benefits associated with a decrease in release frequency and severity, including avoidance of human health risks, protection of ecological receptors, protection of gallons of groundwater each year, and avoided property devaluation.

This rulemaking proposes to add a new UST certification category (Underground storage tank system minor modification (UMI)) to allow individuals to perform tank handling activities such as repairs that do not involve excavation without having to obtain the (full) certification (Underground storage tank system installation and modification (UMX)) to install and modify storage tank systems, and to perform tests of UST systems required by this proposed rulemaking. Creation of this new certification category will afford UST owners with the opportunity to employ individuals who specialize in modifications only. Hiring UMI-certified individuals as opposed to UMX-certified individuals could potentially save UST owners some of the costs associated with minor modification and system testing work. The UMI certification category will also provide opportunities for existing certified companies to employ individuals who specialize in minor modification work. In addition, persons interested in only performing "minor modification" work can become certified and establish their own company. In either case, the establishment of this new certification category is expected to mean the creation of a significant number of jobs within the certified installer community.

Lastly, these proposed amendments would require all ASTs in underground vaults that require an in-service inspection to be inspected within 6 and 12 months of installation and at least every 3 years thereafter due to their history of non-compliance. This mirrors the inspection requirement for USTs.

Also, the initial inspection requirement and in-service inspection cycle for small ASTs would be shortened from 10 years to 5 years. Based on current in-service inspections, the compliance rate with regulatory requirements is less than 50%. The Department shortened the facility operations inspection cycle for USTs from 5 years to 3 years in a prior rulemaking which has resulted in increased regulatory compliance. Increased compliance with regulatory requirements means less Department staff time needed to follow-up on non-compliant facilities, fewer releases and a reduction in the severity of releases from ASTs.

(11) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulations.

Nearly all the provisions in this proposed rulemaking are consistent with the revisions to the federal UST regulations in 40 CFR Part 280 that took effect on October 13, 2015. EPA has no companion federal AST regulations.

Subsection 245.306(e) is proposed to be added to require a responsible party to notify the Department by telephone or electronic mail as soon as practicable, but no later than 24 hours, after the initiation of interim remedial actions. For releases associated with USTs, 40 CFR § 280.62 of the federal regulations does not require the initiation of initial abatement measures to be reported. However, § 280.62(b) does require a report to be submitted within 20 days after release confirmation summarizing the initial abatement steps taken. This requirement is not proposed to be added, but it is imperative that the Department be aware that interim remedial actions are initiated. If the Department has not been notified that interim remedial actions are being undertaken following a release, the Department can contact the facility owner to assure that this requirement is being met. These initial corrective actions are extremely important in limiting the complexity of the release, the amount of corrective action that must be undertaken, and the ultimate cost of the corrective action.

Subsection 245.309(c)(24) is proposed to be added and would require the responsible party to notify the Department by telephone or electronic mail as soon as practicable, but no later than 24 hours, after the initiation of site characterization activities. Concurrent with the implementation of interim remedial actions, site characterization activities are to be initiated. This provision would assure the Department that responsible parties are proceeding with the required site characterization tasks. Too often, responsible parties delay the implementation of site characterization activities and find themselves requesting an extension to submit the site characterization report. It is believed that this proposal would have responsible parties immediately on track to complete the site characterization and result in significantly fewer site characterization report extension requests being submitted to the Department. The federal requirements at 40 CFR Part 280 do not include such a provision. However, § 280.63(b) and § 280.64(d) do require that owners and operators submit an initial site characterization report and a free product removal report within 45 days of release confirmation, respectively. This federal requirement is not proposed to be added to Chapter 245.

The definition of "Underground storage tank" is proposed for revision to be consistent with the federal definition contained in 40 CFR § 280.12. In revising the definition of "Underground storage tank," the exclusion for "Tanks containing radioactive materials or coolants that are regulated under The Atomic Energy Act of 1954 (42 U.S.C.A. §§ 2011—2297)," and "An underground storage tank system that is part of an emergency generator system at nuclear power generation facilities regulated by the Nuclear Regulatory Commission under 10 CFR Part 50, Appendix A (relating to general design criteria for nuclear power plants)" would be deleted. The exclusion for "A wastewater treatment tank system" is proposed to be revised to read "A wastewater treatment tank system that is part of a wastewater

treatment facility regulated under Section 307(b) or 402 of the Clean Water Act.” EPA has always regulated these UST systems and owners and operators have been required to comply with requirements for interim prohibition and release response and corrective action (40 CFR Part 280, Subparts A and F) since the effective date of the 1988 federal UST regulation. In its final rulemaking promulgated in 2015, EPA maintained its position that these regulated USTs only need to comply with Subparts A and F. The Department currently excludes these UST systems from regulation but is now proposing to regulate these USTs. In doing so, the Department is proposing in § 245.403(c) that these USTs would need to meet the same requirements that all other regulated UST systems must meet. However, with regard to Subchapter E (relating to technical standards for underground storage tanks), these UST owners will not need to comply with §§ 245.411, 245.421(b)(3), 245.421(b)(4)(ii)-(iii), 245.422(d), 245.432(g), and 245.436 – 245.446. These UST owners will not be required to conduct facility inspections, install spill and overfill prevention equipment, check for water in petroleum storage tanks, implement operator training, conduct periodic operation and maintenance walkthrough inspections, and perform release detection. However, the Department believes that it is important for owners of these USTs to register the USTs, utilize DEP-certified installers and inspectors, and maintain financial responsibility. In addition, specifically with regard to Subchapter E, provisions concerning variances, applicable codes and standards, performance standards for new UST systems, upgrade requirements for existing UST systems, reuse of removed USTs, spill and overfill control, operation and maintenance including corrosion protection, compatibility, repairs allowed, reporting and recordkeeping, and closure, are proposed to apply to these UST systems.

With regard to subsection 245.421(b)(3)(i)(B)(III), this subsection is proposed for deletion. In 1991, EPA finalized a minor technical amendment to the federal UST regulations (Section 280.20(c)(1)(ii)(C)) allowing this alternative overfill prevention equipment to be utilized closer to the tops of larger tanks if it was able to be done in a manner that achieved certain minimum levels of performance. Since this overfill prevention equipment option is proposed for deletion, it can be viewed as being more stringent than EPA requirements. This overfill prevention equipment option is proposed to be deleted as there is no known testing procedure to adequately evaluate the effectiveness of this equipment. While EPA did not delete this equipment option from its recent rulemaking, EPA is also not aware of an adequate testing procedure. Further, Department records indicate that there are no facilities that utilize this method of overfill prevention. The Department is interested in hearing public comment as to whether there are known facilities that utilize this particular overfill prevention method, and if so, what testing procedure is utilized to evaluate the effectiveness of the equipment.

Subsection 245.434(5)(ii) is proposed for deletion. This subsection states that the repaired portion of the UST system can be monitored monthly for releases in lieu of tightness testing. The proposal is more stringent than the federal requirement at 40 CFR § 280.33(d)(2) (relating to repairs allowed) as EPA allows this option in lieu of tightness testing. The fact is that most manufacturer’s specifications and nationally-recognized codes of practice call for tightness testing of the UST system to determine competency prior to placing product in the UST system.

(12) How does this regulation compare with those of the other states? How will this affect Pennsylvania’s ability to compete with other states?

On July 15, 2015, EPA revised the federal UST program requirements in 40 CFR Part 280. At the same time, EPA also updated the state program approval requirements in 40 CFR Part 281. Under these changes, EPA is requiring that states revise their UST regulations and apply for initial or revised state program approval by October 13, 2018. Currently, Pennsylvania has state program approval. Therefore, the Department, along with all other states seeking initial or revised state program approval,

will need to revise their UST program regulations to be no less stringent than the federal requirements. In states that do not have state program approval, the revised EPA regulations took effect on October 13, 2015. Therefore, in general, all states will have the same UST program requirements. EPA has no companion federal AST program. Pennsylvania's AST program was developed and based strictly on the authorities provided for in the act. For these reasons, this proposed rulemaking will not put the Commonwealth or the regulated community at a competitive disadvantage with other states.

(13) Will the regulation affect any other regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

The proposed rulemaking will not affect any other existing regulations of the Department or any regulations promulgated by other state agencies.

(14) Describe the communications with and solicitation of input from the public, any advisory council/group, small businesses and groups representing small businesses in the development and drafting of the regulation. List the specific persons and/or groups who were involved. ("Small business" is defined in Section 3 of the Regulatory Review Act, Act 76 of 2012.)

The Department worked with the Storage Tank Advisory Committee (STAC) during development of this proposed rulemaking. The STAC, which was established by section 105 of the act (35 P. S. § 6021.105), consists of persons representing a cross-section of organizations having a direct interest in the regulation of storage tanks in this Commonwealth. As required by section 105 of the act, the STAC has been given the opportunity to review and comment on the draft proposed annex. Initially, STAC members were provided with the opportunity to review Department concepts and present concepts that they would like to see incorporated into Chapter 245. This occurred at the December 8, 2015, and June 7, 2016, meetings. The STAC was also afforded the opportunity to review and discuss draft proposed regulatory language at the December 6, 2016, and March 7, 2017, meetings. On March 7, 2017, the STAC voted to unanimously support the amendments and recommended that the Board consider the amendments for publication as proposed rulemaking. The STAC chairperson, John Arnold, subsequently prepared a written report to the Board on the proposed rulemaking. A listing of STAC members and minutes of STAC meetings are available on the Department's website at <http://www.dep.pa.gov/>. The Citizens Advisory Council was kept apprised of developments in the regulatory process every month.

(15) Identify the types and number of persons, businesses, small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012) and organizations which will be affected by the regulation. How are they affected?

The proposed rulemaking would affect approximately 7,100 storage tank owners at over 12,600 storage tank facilities. Industry sectors potentially affected by the proposed rulemaking include retail motor fuel sales, commercial, institutional, manufacturing, transportation, communications and utilities, and agriculture. Federal, state and local government operations would also be affected.

All 7,772 UST facilities would be affected by the periodic walkthrough inspections. At a minimum of every 30 days, spill prevention and release detection equipment must be checked. However, spill prevention equipment associated with UST systems receiving deliveries at intervals greater than every 30 days, may be checked prior to each delivery. Containment sumps and handheld release detection equipment must be checked a minimum of every 12 months.

All 22,456 UST would be affected by the overfill prevention equipment inspections. All UST systems have overfill prevention equipment. Overfill prevention equipment is to be evaluated at least once every three years to ensure that the equipment is set to activate at the correct level and will activate when the regulated substance stored reaches that level.

All 22,456 UST systems would be affected by the spill prevention equipment tests. Spill prevention equipment is to be tested once every three years to ensure the equipment is liquid-tight.

Thirty-nine percent or 8,835 UST systems would be affected by the containment sump testing requirement. Containment sump testing is only required when the containment sump is used for interstitial monitoring of piping. Containment sump testing is to be conducted once every three years to ensure the equipment is liquid-tight.

This proposed rulemaking prohibits flow restrictors (ball float valves) as an option for overfill prevention when these devices need to be replaced. A total of 3,588 UST systems are reported to have ball float valves as the current form of overfill prevention and will be affected by this requirement.

All 22,456 UST systems would be affected by the annual operability testing of electronic and mechanical components of release detection equipment. The required tests shall apply to automatic tank gauges and other controllers, probes and sensors, automatic line leak detectors, vacuum pumps and pressure gauges, and hand-held electronic sampling equipment associated with groundwater and vapor monitoring.

The removal of the release detection deferral for emergency generator tanks would only affect 629 or 2.8 percent of the UST systems.

The number of UST systems that would be affected by the removal of the regulatory deferral by EPA for field-constructed tanks is unknown. However, this would only affect existing underground field-constructed storage tanks installed on or before October 11, 1997, that are currently exempt from regulation under Chapter 245 in accordance with Department technical guidance titled, "Policy for Existing Field-Constructed Hazardous Substance Underground Storage Tanks at Facilities Regulated under the Safe Drinking Water Act."

Wastewater treatment tank systems subject to regulation under Section 402 or 307(b) of the Clean Water Act would remain excluded from regulation under Chapter 245.

The number of UST systems that would be affected by the removal of the regulatory exclusion for USTs containing radioactive material and emergency generator UST systems at nuclear power generation facilities regulated by the Nuclear Regulatory Commission is not known. Since owners and operators of these UST systems had to meet federal UST regulations dating back to 1988 that require systems to be designed and constructed to prevent releases during the operating life of the facility due to corrosion or structural failure, these systems may already be in compliance.

The Department is aware of 31 AST systems in underground vaults that would be affected by the requirement to have an in-service inspection conducted within 6 and 12 months of installation and at least every 3 years thereafter.

The Department has 6,847 small AST systems registered that would be affected by the shortened initial inspection requirement and in-service inspection cycle from 10 years to 5 years.

**(16) List the persons, groups or entities, including small businesses, that will be required to comply with the regulation. Approximate the number that will be required to comply.**

There are approximately 7,100 storage tank owners who would be directly affected and required to comply with the regulation. In general, industry sectors potentially affected by the proposed rulemaking include retail motor fuel sales, commercial, institutional, manufacturing, transportation, communications and utilities, and agriculture. Federal, state and local government operations would also be affected. Retail motor fuel sales is the industry sector most impacted by these regulations. For the most part, these are gasoline stations with convenience stores and other gasoline stations. Other specific entities and groups affected include: wholesale trade; retail trade; accommodation; food services; hospitals; refineries; chemical manufacturers; air, water, truck, transit, pipeline and airport operations; wired telecommunications carriers; electric power generation, transmission and distribution, crop and animal production, volunteer fire companies, and emergency medical service organizations.

Department-certified storage tank installers, inspectors and companies would also be required to comply with this proposed rulemaking. At the current time, there are nearly 900 certified individuals and approximately 350 certified companies.

Responsible parties as currently defined are responsible for complying with the proposed rulemaking in terms of the corrective action provisions contained in Subchapter D. Responsible parties include the tank owners and operators, landowners and occupiers, and product distributors.

**(17) Identify the financial, economic and social impact of the regulation on individuals, small businesses, businesses and labor communities and other public and private organizations. Evaluate the benefits expected as a result of the regulation.**

In general, the proposed UST regulatory requirements focus on additional testing and inspection of existing equipment, and do not reflect large-scale investments in equipment or significant changes to operations at the facility level. The same can be said of the proposed AST regulatory requirements which focus on an increased inspection frequency for small ASTs and ASTs in vaults. The only exception are the one-time costs to replace all ball float valves with alternate overfill prevention equipment and to add release detection to those emergency generator USTs that were previously deferred from regulation. However, these one-time costs apply to a limited number of UST systems. Currently, there are only 3,588 UST systems that have ball float valves for overfill prevention and 629 emergency generator UST systems that are without a form of release detection. Further, ball float valves will only be required to be replaced when they fail.

It is important to note that the Department needs to revise Chapter 245 to be no less stringent than the federal requirements for USTs in order to retain state program approval. If Chapter 245 was not revised, the Department would lose state program approval and EPA would then implement the UST program in the Commonwealth. Therefore, the increased costs for UST facilities detailed below would occur even if Chapter 245 was not revised due to EPA's revised regulations for USTs at 40 CFR Part 280.

The primary purpose of these amendments is to strengthen the UST requirements by increasing the emphasis on properly operating and maintaining equipment. These revisions require that UST equipment be operated and maintained properly, which will help to further reduce the number of releases from USTs and in turn protect public health and the environment. Incorporation of these UST revisions into Chapter 245 will enable Pennsylvania to retain state program approval from EPA and remain eligible for continued substantial federal funding for the UST program.

A substantial portion of the beneficial impacts associated with this proposed rulemaking are avoided cleanup costs as a result of preventing releases and reducing the severity of releases from USTs. EPA, in the analysis of the potential benefits associated with their final UST regulation, which became effective on October 13, 2015, estimated the typical cost of a small-extent, soil-only remediation to be \$25,300, and the typical cost of a large-extent, groundwater-contamination remediation to be \$428,200. These costs are in 2008 dollars. During calendar year 2016, the average cost per closed claim paid by the USTIF was \$360,807, and the total paid for all claims was \$31,672,157.

While not able to be quantified, a decrease in release frequency and severity is expected to result in both a reduction of the average cost per closed claim and the total annual claim payments made by the USTIF. This is because groundwater contamination incidents and vapor intrusion remediation costs could be avoided. This in turn will have a positive impact on the health of the USTIF and further decrease the unfunded liability of the USTIF for future claim payments. In addition, capacity and throughput fees paid by UST owners into the USTIF would not have to be increased and could potentially decrease over time. Throughput fees paid by UST owners are typically passed on to the public at motor fuel retail locations.

The Department was unable to quantify or monetize other benefits associated with a decrease in release frequency and severity, including avoidance of human health risks, protection of ecological receptors, protection of gallons of groundwater each year, and avoided property devaluation.

This rulemaking proposes to add a new UST certification category (Underground storage tank system minor modification (UMI)) to allow individuals to perform tank handling activities such as repairs that do not involve excavation without having to obtain the (full) certification (Underground storage tank system installation and modification (UMX)) to install and modify storage tank systems, and to perform tests of UST systems required by this proposed rulemaking. Creation of this new certification category will afford UST owners with the opportunity to employ individuals who specialize in modifications only. Hiring UMI-certified individuals as opposed to UMX-certified individuals could potentially save UST owners some of the costs associated with minor modification and system testing work. The UMI certification category will also provide opportunities for existing certified companies to employ individuals who specialize in minor modification work. In addition, persons interested in only performing "minor modification" work can become certified and establish their own company. In either case, the establishment of this new certification category is expected to mean the creation of a significant number of jobs within the certified installer community. This in turn may help to drive down the cost of UST system testing.

Lastly, these proposed amendments would require all ASTs in underground vaults that require an in-service inspection to be inspected within 6 and 12 months of installation and at least every 3 years thereafter due to their history of non-compliance. This mirrors the inspection requirement for USTs. Also, the initial inspection requirement and in-service inspection cycle for small ASTs will be shortened from 10 years to 5 years. Based on current in-service inspections, the compliance rate with regulatory requirements is less than 50%. The Department shortened the facility operations inspection cycle for USTs from 5 years to 3 years in a prior rulemaking which has resulted in increased regulatory compliance. Increased compliance with regulatory requirements means less Department staff time needed to follow-up on non-compliant facilities, fewer releases and a reduction in the severity of releases from ASTs.

(18) Explain how the benefits of the regulation outweigh any cost and adverse effects.

Since the beginning of the UST program, preventing petroleum and hazardous substance releases from UST systems into the environment has been one of the primary goals of the program. Although EPA and our state partners have made significant progress in reducing the number of new releases, approximately 5,600 releases were discovered nationwide for the federal fiscal year that ended September 30, 2016. In comparison, using the same parameters (underground storage tank system releases only and October 1, 2015 through September 30, 2016), Pennsylvania had 209 confirmed releases. Lack of proper operation and maintenance of UST systems is the main cause of new releases. Information on sources and causes of releases shows that releases from tanks are less common than they once were. However, releases from piping and spills and overfills associated with deliveries have emerged as more common problems. In addition, releases at the dispenser are one of the leading sources of contamination at UST facilities. Finally, data show that release detection equipment is only detecting approximately 50 percent of releases it is designed to detect. These problems are partly due to improper operation and maintenance.

Through increased emphasis on properly operating and maintaining UST equipment as proposed by this rulemaking, on-going problems with release detection practices and routine operation and maintenance will significantly improve. In time, this will result in a higher rate of UST facility compliance with regulatory requirements and fewer releases of regulated substances in the Commonwealth. Last year, the USTIF paid nearly \$32 million on cleanup of releases from USTs. The projected annual cost of these UST amendments is insignificant compared to the cost of cleanup of released regulated substances. Further, the Department stands to lose approximately \$2.3 million annually in federal LUST Trust Fund Prevention and Cleanup grant funds if it fails to implement an UST program that meets the federal requirements.

With regard to the AST program, an increased inspection frequency is needed for all ASTs in underground vaults and small ASTs due to their history of non-compliance. Based on current in-service inspections, the compliance rate with regulatory requirements is less than 50%. The Department shortened the facility operations inspection cycle for USTs from 5 years to 3 years in a prior rulemaking which has resulted in increased regulatory compliance. Increased compliance with regulatory requirements means less Department staff time needed to follow-up on non-compliant facilities, fewer releases and a reduction in the severity of releases from ASTs.

(19) Provide a specific estimate of the costs and/or savings to the **regulated community** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

In general, the proposed UST and AST regulatory requirements focus on additional testing and inspection of existing equipment and do not require large-scale investments in equipment or significant changes to operations at the facility level. The only exception are the one-time costs to replace ball float valves following failure of the overfill prevention evaluation with alternate overfill prevention equipment and to add release detection to those emergency generator USTs that were previously deferred from regulation. However, these one-time costs apply to a limited number of UST systems. Currently, there are only 3,588 UST systems that have ball float valves for overfill prevention and 629 emergency generator UST systems that are without a form of release detection.

It is important to note that the Department needs to revise Chapter 245 to be no less stringent than the federal requirements for USTs in order to retain state program approval. If Chapter 245 was not revised,

the Department would lose state program approval and EPA would then implement the UST program in the Commonwealth. Therefore, the increased costs for UST facilities detailed below would occur even if Chapter 245 was not revised due to EPA's revised regulations for USTs at 40 CFR Part 280.

For purposes of determining compliance costs for the proposed UST regulatory requirements, this analysis assumes that the typical UST facility consists of:

- 3 UST systems, each UST is 10,000 gallon capacity, 2 USTs store gasoline, 1 UST stores diesel
- 1 piping run of 100-foot length per UST system
- 1 fill port per UST system
- 1 spill prevention equipment per UST system
- 2 drop tube shut-off devices and 1 ball float valve for overfill prevention equipment
- 4 dispensers each with an under-dispenser containment sump
- 1 submersible turbine pump sump/tank top sump per UST system
- 1 automatic tank gauge (ATG) per facility with each UST system having an ATG probe

The Department reached out to five Department-certified companies from various sectors of the Commonwealth to determine an estimated cost for the various requirements of this proposed rulemaking based on a typical UST facility. Where costs are presented on a facility basis, the costs were adjusted for the fact that each UST facility has on average 2.89 UST systems. There are 7,772 UST facilities and 22,456 UST systems statewide.

EPA's state program approval requires a walkthrough inspection of UST facilities which involves a visual inspection of spill prevention equipment and release detection every 30 days and a visual inspection of containment sumps and handheld release detection devices annually. All 7,772 UST facilities will require 30-day walkthrough inspections. There are only 5,817 UST facilities that have containment sumps and will require the annual inspection. These inspections can be performed by the UST owner, operator, or other employee of the UST owner resulting in no cost other than the necessary time to conduct the inspections. However, some UST owners may choose to utilize third-party companies to conduct the walkthrough inspections. If a UST owner chose to hire a third party company, the owner would incur costs. However, this action would be voluntary and is not required by the proposed regulations.

Testing of spill prevention equipment and containment sumps and inspection of overfill prevention equipment at UST facilities are required every 3 years. All 22,456 UST systems have overfill prevention equipment and will require inspection. Likewise, all UST systems will require spill prevention equipment tests. Thirty-nine percent, or 8,835 UST systems at 3,245 UST facilities, have containment sumps used for interstitial monitoring of piping and will need to be tested. These tests and inspections must be conducted by appropriate Department-certified individuals to include completion of Department-provided forms. The cost range and average cost for each inspection or test per facility on an annual basis are summarized in the table below:

<b>Inspection or Test</b>	<b>Range of Costs</b>	<b>Average Annual Cost</b>
Overfill Prevention Equipment	\$96 - \$161	\$112
Spill Prevention Equipment	\$88 - \$209	\$127
Containment Sump	\$257 - \$899	\$546

Based on the average cost, the annualized cost to a UST facility owner for this every-3-year requirement is estimated to range from \$239 - \$785. The lower cost is for a facility that does not have containment sumps used for interstitial monitoring of piping. Based on the average cost, the annualized cost to inspect and test equipment at all UST facilities is estimated to be \$3,629,278.

This proposed rulemaking would prohibit flow restrictors (ball float valves) as an option for overfill prevention when these devices need to be replaced. A total of 3,588 UST systems are reported to have ball float valves as the form of overfill prevention. The increased cost to repair a ball float valve or replace a ball float valve with the same versus providing another form of overfill prevention (e.g. shut-off device or alarm) is estimated to range from \$975 - \$1,100 with the average cost to be \$1,038. The average cost represents the one-time increased cost to a UST owner for this overfill prevention equipment replacement. Replacement of a ball float valve would only be necessary when the equipment no longer functions as originally designed and fails the 3-year overfill evaluation requirement. Based on the average cost, the total one-time increased cost to replace ball float valves with another form of overfill prevention for all UST systems is estimated to be \$3,724,344.

Annual release detection equipment testing would be required by this proposed rulemaking for all 22,456 UST systems. Operability tests will need to be conducted of the electronic and mechanical components of release detection equipment. The annualized cost to a UST facility owner for this release detection testing requirement is estimated to range from \$337 - \$1,036, with the average cost to be \$592. Based on the average cost, the annual cost to test release detection equipment at all UST facilities is estimated to be \$4,601,024. These costs are based on an average underground storage tank facility consisting of three UST systems and four dispensers. Facilities that have fewer UST systems are expected to have lower costs.

This proposed rulemaking would require release detection for emergency generator USTs. Previously, emergency generator USTs were deferred from having to meet release detection requirements. There are an estimated 629 UST systems that are reported as not having any form of release detection. It is assumed that UST owners will utilize an ATG as the form of release detection for these systems, however, other lower cost methods of tank release detection could be chosen by the UST owner depending on type and location of UST system. The addition of these systems will also require annual operability tests to be conducted. The cost for the operability tests for these systems are included in the paragraph above pertaining to release detection equipment testing. The cost for the addition of an ATG ranges from \$4,000 - \$30,000 with the average estimated cost to be \$16,875. Cost estimates are dependent on several factors including amount of excavation required to install wiring and conduit, access to the UST system and location of the UST system to utilities and buildings. The average cost represents the one-time cost to a UST owner to add an ATG for release detection. Based on the average cost, the total one-time cost to add release detection to those emergency generator USTs that were previously deferred is estimated to be \$10,614,375.

The table below summarizes all increased costs as a result of the proposed UST regulatory requirements assuming UST owners, operators, or other employees of the UST owner conduct all walkthrough inspections:

	Annualized O&M <sup>1</sup> Costs <sup>2</sup>	One-Time Costs <sup>3</sup>	Number of Potentially Affected Facilities/Systems	Total Annualized O&M <sup>1</sup> Costs <sup>4</sup>	Total One-Time Costs <sup>5</sup>
Walkthrough inspections	\$0	\$0	7,772 facilities	\$0	\$0
Periodic testing/inspection of: overfill prevention equipment, spill prevention equipment, and containment sumps <sup>6</sup>	\$239 - \$785	\$0	7,772 facilities	\$3,629,278	\$0
Eliminate ball float valves when overfill prevention equipment is replaced	\$0	\$1,038	3,588 UST systems	\$0	\$3,724,344
Operability tests for release detection	\$592	\$0	7,772 facilities	\$4,601,024	\$0
Remove release detection deferral for emergency generator USTs	\$0	\$16,875	629 UST systems	\$0	\$10,614,375
	\$831 - \$1,377			\$8,230,302	\$14,338,719

<sup>1</sup> Operation and Maintenance.

<sup>2</sup> Per UST facility.

<sup>3</sup> Per UST system. One-time costs do not apply to all UST systems.

<sup>4</sup> For all UST facilities.

<sup>5</sup> For all UST systems. One-time costs do not apply to all UST systems.

<sup>6</sup> The lower range of the annualized O&M costs is for facilities that do not have containment sumps used for interstitial monitoring of piping.

The annualized increased operation and maintenance (O&M) costs to conduct walkthrough inspections, inspect overfill prevention equipment, test spill prevention equipment and containment sumps, and test release detection equipment per UST facility is estimated to range from \$831 - \$1,377. The total annualized increased costs for these inspections and tests at all UST facilities are estimated to be \$8,230,302.

The total one-time costs to replace all ball float valves with alternate overfill prevention equipment and to add release detection to those emergency generator USTs that were previously deferred is estimated to be \$14,338,719. These one-time costs apply to a limited number of UST systems. Currently, less than 16% of all UST systems have ball float valves for overfill prevention and less than 3% of all UST systems are emergency generator USTs. Owners of emergency generator UST systems will be afforded one to two years under this proposal to make an informed decision to either add the necessary release detection, close the UST system, or close the UST system and install a new AST.

The proposed AST regulatory requirements focus on an increased inspection frequency for small ASTs and ASTs in vaults. As with the proposed UST regulatory requirements, the Department reached out to five Department-certified companies from various sectors of the Commonwealth to determine an estimated increased cost to AST owners for the increased inspection frequencies.

This proposed rulemaking would require all ASTs in underground vaults that require an in-service inspection to be inspected within 6 to 12 months of installation and at least every 3 years thereafter. ASTs with a capacity greater than 5,000 gallons, and ASTs storing highly hazardous substances with a capacity greater than 1,100 gallons, are subject to this requirement.

The frequency of in-service inspections on large ASTs in underground vaults is proposed to increase from once every 5 years to once every 3 years. At the current time, there are no large ASTs in underground vaults registered with the Department. The in-service inspection frequency on small ASTs in underground vaults is proposed to increase from once every 10 years to once every 3 years.

Currently, the reported cost range and average cost for an in-service inspection of a vaulted AST on an annual basis is \$78 to \$315, and \$179, respectively. The average size of a vaulted AST is approximately 9,800 gallons. Under this proposal, the cost range and average cost for an in-service inspection of a vaulted AST on an annual basis is estimated to be \$260 to \$1,050, and \$595, respectively. Based on the average cost, the annualized increased cost to an AST owner of a vaulted AST for an in-service inspection is estimated to be \$416.

The number of AST systems in underground vaults subject to this requirement is estimated to be 31. The total annualized increased cost to all AST owners subject to this proposed requirement is estimated to be \$12,896.

This proposal would also shorten the initial inspection requirement and in-service inspection cycle for small ASTs (other than small ASTs in underground vaults) from 10 years to 5 years. The number of small ASTs subject to this requirement includes ASTs with a capacity greater than 5,000 gallons, and ASTs storing highly hazardous substances with a capacity greater than 1,100 gallons. Currently, the reported cost range and average cost for an in-service inspection of a small AST on an annual basis is \$44 to \$200, and \$98, respectively. The average size of a small AST is approximately 11,500 gallons. Under this proposal, the cost range and average cost for an in-service inspection of a small AST on an annual basis is estimated to be \$88 to \$400, and \$196, respectively. Based on the average cost, the annualized increased cost to an AST owner of a small AST is estimated to be \$98.

The number of small ASTs subject to this requirement is estimated to be 6,847. The total annualized increased cost to all AST owners subject to this proposed requirement is estimated to be \$671,006.

The table below summarizes all increased costs as a result of the proposed AST regulatory requirements:

	Annualized O&M Costs	One-Time Costs	Number of Potentially Affected Systems	Total Annualized O&M Costs	Total One-Time Costs
Increased inspection frequency for vaulted ASTs	\$416	\$0	31 AST systems	\$12,896	\$0
Increased inspection frequency for small ASTs	\$98	\$0	6,847 AST systems	\$671,006	\$0
		\$0		\$683,902	\$0

Costs associated with the removal of the regulatory deferral by EPA for UST systems which are field constructed, and the removal of the regulatory exclusion for "Tanks containing radioactive materials or

coolants that are regulated under The Atomic Energy Act of 1954 (42 U.S.C.A. §§ 2011—2297),” “A wastewater treatment tank system that is part of a wastewater treatment facility regulated under Section 307(b) or 402 of the Clean Water Act (underlined language is proposed in this rulemaking)” and “An underground storage tank system that is part of an emergency generator system at nuclear power generation facilities regulated by the Nuclear Regulatory Commission under 10 CFR Part 50, Appendix A (relating to general design criteria for nuclear power plants)” are not included in this analysis.

Under this Chapter, field-constructed USTs installed after October 11, 1997, were always regulated. This proposed rulemaking adds only existing field-constructed USTs installed on or before October 11, 1997, to the community of regulated USTs. The number of field-constructed USTs installed on or before October 11, 1997, is not known and will not be known until these USTs are registered with the Department. Registration is required within 30 days after the date of adoption of the final-form rulemaking. These tanks are temporarily excluded from other regulatory requirements of Chapter 245 until one year after the date of adoption of the proposed rulemaking. Upon registration of a UST, the Department will work with the tank owner to determine what is necessary to bring the UST into regulatory compliance. Due to the unique nature of these USTs, the necessary steps to bring the USTs into compliance are expected to vary widely. Thus, it is impossible to estimate the compliance costs associated with the regulation of this universe of USTs.

Wastewater treatment tank systems subject to regulation under Section 402 or 307(b) of the Clean Water Act will remain excluded from regulation under Chapter 245.

USTs containing radioactive material and emergency generator UST systems at nuclear power generation facilities regulated by the Nuclear Regulatory Commission (NRC) are subject to U. S. Department of Energy Orders and NRC regulations that are comparable to the Chapter 245 requirements for new and existing USTs regarding spill and overflow control, operation and maintenance of corrosion protection, and release detection. Since owners and operators of these UST systems had to meet federal UST regulations dating back to 1988 that require systems to be designed and constructed to prevent releases during the operating life of the facility due to corrosion or structural failure, these systems may already be in compliance and therefore incur no additional costs.

A substantial portion of the beneficial impacts associated with this proposed rulemaking are avoided cleanup costs as a result of preventing releases and reducing the severity of releases from USTs. While not able to be quantified, a decrease in release frequency and severity is expected to result in both a reduction of the average cost per closed claim and the total annual claim payments made by the USTIF. This is because groundwater contamination incidents and vapor intrusion remediation costs could be avoided. This in turn will have a positive impact on the health of the USTIF and further decrease the unfunded liability of the USTIF for future claim payments. In addition, capacity and throughput fees paid by UST owners into the USTIF would not have to be increased and could potentially decrease over time. Throughput fees paid by UST owners are typically passed on to the public at motor fuel retail locations. Any decrease in release frequency will result in fewer deductibles being paid by UST owners for corrective action.

The proposed rulemaking does not require legal, accounting or consulting procedures for implementation of the regulation.

(20) Provide a specific estimate of the costs and/or savings to the **local governments** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

Because local governments own and operate regulated ASTs and USTs, the costs are a subset of the costs to the regulated community.

The table below summarizes all increased costs as a result of the proposed UST regulatory requirements assuming UST owners, operators, or other employees of the UST owner conduct all walkthrough inspections:

	Annualized O&M <sup>1</sup> Costs <sup>2</sup>	One-Time Costs <sup>3</sup>	Number of Potentially Affected Facilities/Systems	Total Annualized O&M <sup>1</sup> Costs <sup>4</sup>	Total One-Time Costs <sup>5</sup>
Walkthrough inspections	\$0	\$0	499 facilities	\$0	\$0
Periodic testing/inspection of: overfill prevention equipment, spill prevention equipment, and containment sumps <sup>6</sup>	\$239 - \$785	\$0	499 facilities	\$186,419	\$0
Eliminate ball float valves when overfill prevention equipment is replaced	\$0	\$1,038	53 UST systems	\$0	\$55,014
Operability tests for release detection	\$592	\$0	499 facilities	\$295,408	\$0
Remove release detection deferral for emergency generator USTs	\$0	\$16,875	66 UST systems	\$0	\$1,113,750
	\$831 - \$1,377			\$481,827	\$1,168,764

<sup>1</sup> Operation and Maintenance.

<sup>2</sup> Per UST facility.

<sup>3</sup> Per UST system. One-time costs do not apply to all UST systems.

<sup>4</sup> For all UST facilities.

<sup>5</sup> For all UST systems. One-time costs do not apply to all UST systems.

<sup>6</sup> The lower range of the annualized O&M costs is for facilities that do not have containment sumps used for interstitial monitoring of piping.

The table below summarizes all increased costs as a result of the proposed AST regulatory requirements:

	Annualized O&M Costs	One-Time Costs	Number of Potentially Affected Systems	Total Annualized O&M Costs	Total One-Time Costs
Increased inspection frequency for vaulted ASTs	\$416	\$0	1 AST systems	\$416	\$0
Increased inspection frequency for small ASTs	\$98	\$0	295 AST systems	\$28,910	\$0
		\$0		\$29,326	\$0

A substantial portion of the beneficial impacts associated with this proposed rulemaking are avoided cleanup costs as a result of preventing releases and reducing the severity of releases from USTs. While not able to be quantified, a decrease in release frequency and severity is expected to result in both a reduction of the average cost per closed claim and the total annual claim payments made by the USTIF. This is because groundwater contamination incidents and vapor intrusion remediation costs could be avoided. This in turn will have a positive impact on the health of the USTIF and further decrease the unfunded liability of the USTIF for future claim payments. In addition, capacity and throughput fees paid by UST owners into the USTIF would not have to be increased and could potentially decrease over time. Any decrease in release frequency will result in fewer deductibles being paid by UST owners for corrective action.

The proposed rulemaking does not require legal, accounting or consulting procedures for implementation of the regulation.

(21) Provide a specific estimate of the costs and/or savings to the **state government** associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required. Explain how the dollar estimates were derived.

Because state government owns and operates regulated ASTs and USTs, the costs are a subset of the costs to the regulated community.

The table below summarizes all increased costs as a result of the proposed UST regulatory requirements assuming UST owners, operators, or other employees of the UST owner conduct all walkthrough inspections:

	Annualized O&M <sup>1</sup> Costs <sup>2</sup>	One-Time Costs <sup>3</sup>	Number of Potentially Affected Facilities/Systems	Total Annualized O&M <sup>1</sup> Costs <sup>4</sup>	Total One-Time Costs <sup>5</sup>
Walkthrough inspections	\$0	\$0	218 facilities	\$0	\$0
Periodic testing/inspection of: overfill prevention equipment, spill prevention equipment, and containment sumps <sup>6</sup>	\$239 - \$785	\$0	218 facilities	\$129,634	\$0
Eliminate ball float valves when overfill prevention equipment is replaced	\$0	\$1,038	2 UST systems	\$0	\$2,076
Operability tests for release detection	\$592	\$0	218 facilities	\$129,056	\$0
Remove release detection deferral for emergency generator USTs	\$0	\$16,875	99 UST systems	\$0	\$1,670,625
	\$831 - \$1,377			\$258,690	\$1,672,701

<sup>1</sup> Operation and Maintenance.

<sup>2</sup> Per UST facility.

<sup>3</sup> Per UST system. One-time costs do not apply to all UST systems.

<sup>4</sup> For all UST facilities.

<sup>5</sup> For all UST systems. One-time costs do not apply to all UST systems.

<sup>6</sup> The lower range of the annualized O&M costs is for facilities that do not have containment sumps used for interstitial monitoring of piping.

The table below summarizes all increased costs as a result of the proposed AST regulatory requirements:

	Annualized O&M Costs	One-Time Costs	Number of Potentially Affected Systems	Total Annualized O&M Costs	Total One-Time Costs
Increased inspection frequency for vaulted ASTs	\$416	\$0	3 AST systems	\$1,248	\$0
Increased inspection frequency for small ASTs	\$98	\$0	92 AST systems	\$9,016	\$0
		\$0		\$10,264	\$0

A substantial portion of the beneficial impacts associated with this proposed rulemaking are avoided cleanup costs as a result of preventing releases and reducing the severity of releases from USTs. While not able to be quantified, a decrease in release frequency and severity is expected to result in a reduction of costs because groundwater contamination incidents and vapor intrusion remediation costs could be avoided.

The proposed rulemaking does not require legal, accounting or consulting procedures for implementation of the regulation.

(22) For each of the groups and entities identified in items (19)-(21) above, submit a statement of legal, accounting or consulting procedures and additional reporting, recordkeeping or other paperwork, including copies of forms or reports, which will be required for implementation of the regulation and an explanation of measures which have been taken to minimize these requirements.

The proposed rulemaking does not require legal, accounting or consulting procedures for implementation of the regulation. The following new notification, reporting and other paperwork requirements are proposed in this rulemaking:

- Certified installers and inspectors shall report regulated substance observed in a containment structure or facility within 48 hours on a form provided by the Department.
- Certified installers or inspectors shall report failed tests of UST spill prevention equipment, containment sumps, and overfill prevention equipment within 48 hours on a form provided by the Department. A copy of the test results shall also be provided to the Department with the notification report.
- Responsible parties shall notify the Department by telephone or electronic mail as soon as practicable, but no later than 24 hours, after the initiation of interim remedial actions in response to a release.
- Responsible parties shall notify the Department, by telephone or electronic mail, within 24 hours of providing an alternate source of water to the owner of an affected or diminished water supply in response to a release.
- Responsible parties shall notify the Department by telephone or electronic mail as soon as practicable, but no later than 24 hours after the initiation of site characterization activities in response to a release.

- Owners and operators shall notify the Department of the proposed installation of specific UST system components such as the piping system and dispenser, and not just when a tank or tank system is being installed, on a form provided by the Department.
- Certified installers and inspectors shall document tests or evaluations of UST spill prevention and overfill prevention equipment, containment sumps, and release detection equipment on a form provided by the Department. Owners and operators shall maintain test or evaluation results onsite at the storage tank facility or at a readily available alternative site and shall provide the forms to the Department upon request.
- Surveys of UST cathodic protection systems shall be documented on a form provided by the Department and shall be provided to the Department upon request.
- Owners and operators of USTs storing alternative fuel blends or biodiesel or biodiesel blended fuel shall submit, on a form provided by the Department, information verifying that all system components are compatible with the proposed substance to be stored, prior to storing the substance in the UST.
- Owners and operators shall maintain documentation showing that their UST systems are continuously participating in the USTIF.
- Owners and operators shall maintain documentation of the last test of UST spill prevention equipment and containment sumps used for interstitial monitoring of piping and evaluation of overfill prevention equipment.
- For containment sumps used for interstitial monitoring of piping and spill prevention equipment not required to be tested, UST owners and operators shall maintain documentation showing that the equipment is double-walled and the integrity of both walls is periodically monitored.
- UST owners and operators shall maintain records of walkthrough inspections for the past 12 months.
- Owners shall ensure that Class A, Class B and Class C operators are identified on a form provided by the Department prior to placing the UST system into use.
- Owners and operators of AST facilities with an aggregate aboveground storage capacity greater than 21,000 gallons shall maintain a written log book. Each log book entry is to identify the name of the individual performing tank handling and inspection activities, the individual's signature, the company name, the date of work, start and end times, and a brief description of work performed, including tank identification.
- In addition to routine monthly inspections, AST owners and operators shall maintain 72-hour maintenance inspections for the past 12 months.
- AST owners and operators shall maintain documentation of investigations of suspected releases.
- Should a high-level alarm with a manned operator shutdown procedure be utilized, owners and operators of ASTs shall document the shutdown procedure and provide it to the Department upon request.
- When an overfill alarm or prevention device or monitoring gauge is utilized, owners and operators of ASTs shall document the shutdown procedure.

Aside from the requirements to notify the Department by telephone or electronic mail, the Department is providing the regulated community with a significant number of forms to facilitate compliance with the proposed notification and reporting requirements. In addition, one form is being proposed for deletion.

(22a) Are forms required for implementation of the regulation?

As identified in the response to (22) above, new forms are being required for implementation of the proposed regulation. In addition, it is necessary to revise several existing forms to implement this

rulemaking. One form is proposed for deletion. All new and revised forms, and the deleted form, are identified in the response to (22b) below.

(22b) If forms are required for implementation of the regulation, **attach copies of the forms here**. If your agency uses electronic forms, provide links to each form or a detailed description of the information required to be reported. **Failure to attach forms, provide links, or provide a detailed description of the information to be reported will constitute a faulty delivery of the regulation.**

The attached new forms are as follows:

- Underground Storage Tank Groundwater/Vapor Monitoring System Functionality Testing Form
- Underground Storage Tank Sensor Functionality Testing Form
- Underground Storage Tank Automatic Line Leak Detector Functionality Testing Form
- Underground Storage Tank Pressure/Vacuum Monitoring Functionality Testing Form
- Underground Storage Tank Spill Prevention Equipment/Containment Sump Integrity Testing Form
- Underground Storage Tank Automatic Tank Gauge Functionality Testing Form
- Underground Storage Tank Overfill Prevention Evaluation Form
- Aboveground Storage Tank Lining Inspection Summary and Instructions

The attached revised forms are as follows:

- Underground Storage Tank Facility Operations Inspection Report Form Instructions (2630-FM-BECB0501)
- Underground Storage Tank Facility Operations Inspection (2630-FM-BECB0501a)
- Underground Storage Tank System Installation/Closure Notification Form (2630-FM-BECB0127)
- Planning for Permanent Closure Checklist - Underground Storage Tank Systems (2630-FM-BECB0126)
- Underground Storage Tank Modification Report (2630-FM-BECB0575)
- Underground Storage Tank System Closure Report Form (2630-FM-BECB0159)
- Aboveground Storage Tank Integrity Inspection Summary and Instructions (2630-FM-BECB0150)
- Aboveground Storage Tank System Closure Report Form (2630-FM-BECB0514)
- Planning for Permanent Closure Checklist - Aboveground Storage Tank Systems (2630-FM-BECB0512)
- Aboveground Storage Tank System Closure Notification Form (2630-FM-BECB0513)
- Notification of Release/Notification of Contamination (2620-FM-BECB0082)
- Storage Tanks Registration/Permitting Application Form and Instructions (2630-PM-BECB0514)
- Storage Tank Installer/Inspector Certification Application Form and Instructions (2630-PM-BECB0506)
- Storage Tank Training Course Approval Application and Instructions (2630-PM-BECB0402)
- Storage Tank Site-Specific Installation Permit Application Instructions (2630-PM-BECB0002)
- Initial Qualifications – Storage Tank Installer and Inspector Certification (2630-PM-BECB0506b)

- Renewal Qualifications – Storage Tank Installer and Inspector Certification (2630-PM-BECB0506b2)
- Instructions – Storage Tank Installer and Inspector Certification – Attachment A (2630-PM-BECB0506c)

The following form is proposed for deletion:

- Aboveground Storage Tank Installation Inspection Summary (2630-FM-BECB0602). This form is being incorporated into the Aboveground Storage Tank Integrity Inspection Summary (2630-FM-BECB0150).

(23) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

Costs assume an effective date of January 1, 2019, for the final-form rulemaking, no increase/decrease in the number of storage tank facilities/systems subject to regulation, replacement of ball float valves at the rate of 20 percent of UST systems per year, and all owners of emergency generator USTs will add an ATG as the form of release detection. Since local and state governments own and operate regulated ASTs and USTs, the costs associated with each are a subset of the costs to the regulated community and not included in the total costs.

It is important to note that the Department needs to revise Chapter 245 to be no less stringent than the federal requirements for USTs in order to retain state program approval. If Chapter 245 was not revised, the Department would lose state program approval and EPA would then implement the UST program in the Commonwealth. Therefore, the increased costs for UST facilities detailed below would occur even if Chapter 245 was not revised due to EPA's revised regulations for USTs at 40 CFR Part 280.

	<b>Current FY 2017/18</b>	<b>FY +1 2018/19</b>	<b>FY +2 2019/20</b>	<b>FY +3 2020/21</b>	<b>FY +4 2021/22</b>	<b>FY +5 2022/23</b>
<b>SAVINGS:</b>	\$	\$	\$	\$	\$	\$
<b>Regulated Community</b>	0	0	Unable to monetize	Unable to monetize	Unable to monetize	Unable to monetize
<b>Local Government</b>	0	0	Unable to monetize	Unable to monetize	Unable to monetize	Unable to monetize
<b>State Government</b>	0	0	Unable to monetize	Unable to monetize	Unable to monetize	Unable to monetize
<b>Total Savings</b>	0	0	Unable to monetize	Unable to monetize	Unable to monetize	Unable to monetize
<b>COSTS:</b>	\$	\$	\$	\$	\$	\$
<b>Regulated Community</b>	0	0	3,081,448	18,695,171	8,981,619	8,988,067
<b>Local Government</b>	0	0	132,461	1,572,830	493,038	493,246
<b>State Government</b>	0	0	132,525	1,862,230	259,729	260,353
<b>Total Costs</b>	0	0	3,081,448	18,695,171	8,981,619	8,988,067

<b>REVENUE LOSSES:</b>	\$	\$	\$	\$	\$	\$
<b>Regulated Community</b>	0	0	0	0	0	0
<b>Local Government</b>	0	0	0	0	0	0
<b>State Government</b>	0	0	0	0	0	0
<b>Total Revenue Losses</b>	0	0	0	0	0	0

(23a) Provide the past three-year expenditure history for programs affected by the regulation.

The below figures only represent the expenditures from the Storage Tank Fund. Program expenditures from the federal Leaking Underground Storage Tank (LUST) Trust Fund Prevention and Cleanup grants, and the Underground Storage Tank Indemnification Fund are not included.

<b>Program</b>	<b>FY -3 (2014/15)</b>	<b>FY -2 (2015/16)</b>	<b>FY -1 (2016/17)</b>	<b>Current FY (2017/18)</b>
Storage Tank and Spill Prevention	\$ 9,052,000	\$ 9,026,000	\$ 8,622,000	\$ 8,372,699

(24) For any regulation that may have an adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), provide an economic impact statement that includes the following:

a) An identification and estimate of the number of small businesses subject to the regulation.

One or more of these revisions will affect approximately 7,100 storage tank owners, 7,800 UST facilities, and 17,900 AST systems throughout the Commonwealth. Section 3 of the Regulatory Review Act defines “Small business” in accordance with the size standards described by the United States Small Business Administration’s Small Business Size Regulations under 13 CFR Chapter 1 Part 121. A review of the regulations under 13 CFR Chapter 1, Part 121 provides a standard for determining what constitutes a small business for each North American Industry Classification System (NAICS) industry. These standards are based on number of employees or annual receipts. For the storage tank facilities regulated under the act, the Department has very little information pertaining to the NAICS for those facilities in the Environmental Facility Application Compliance Tracking System (eFACTS) database.

In the Regulatory Impact Analysis to support the federal UST final rulemaking, EPA estimated that motor fuel retailers represent approximately 80 percent of the 577,981 conventional UST systems in operation nationwide. Further, EPA estimated that there are approximately 79,700 firms operating roughly 148,000 facilities in the U.S. retail motor fuel sales sector. Based on the Small Business Administration’s annual revenue thresholds for NAICS 447110 (Gasoline Stations with Convenience Stores, \$29.5 million) and 447190 (Other Gasoline Stations, \$15 million), approximately 77,400 or 97 percent of these firms meet the Small Business Administration’s definition of small entity. The remaining 20 percent of conventional UST systems consist of emergency generator tanks, tanks used for storing and dispensing fuel in commercial settings, hospitals, manufacturing, transportation, communications and utilities, and agriculture. EPA did not evaluate these firms in terms of meeting or not meeting the definition of small business.

In support of EPA's findings, the Department's Bureau of Air Quality proposed a rulemaking to the Board on October 18, 2016 that would repeal 25 Pa. Code Chapter 126, Subchapter C (relating to gasoline volatility requirements) as codified in §§ 126.301—126.303 (relating to compliant fuel requirements; recordkeeping and reporting; and compliance and test methods) to remove requirements for gasoline with a Reid vapor pressure (RVP) of 7.8 pounds per square inch (psi) or less (low RVP gasoline) to be sold in the Pittsburgh-Beaver Valley Area between May 1 and September 15 of each year. The seven-county Pittsburgh-Beaver Valley Area includes Allegheny, Armstrong, Beaver, Butler, Fayette, Washington, and Westmoreland Counties. The Department requested that the Pennsylvania Small Business Development Center's (SBDC) Environmental Management Assistance Program (EMAP) provide a list of businesses, including annual sales, for NAICS codes 447110 and 447190 for the Pittsburgh-Beaver Valley Area. The SBDC EMAP provided the Department with a list of 501 businesses for the requested NAICS codes. Of the 501 businesses, 385 were determined to be a small business. Of the remaining 116 businesses, there was no sales data available.

The Department had the SBDC EMAP provide a list of businesses, including annual sales and number of employees, for additional NAICS codes 424710 (Bulk gasoline stations; Gasoline, bulk stations and terminals), 424720 (Gasoline merchant wholesalers (except bulk stations, terminals)), and 493190 (Bulk petroleum storage) for the seven-county area. The annual revenue and employee thresholds for NAICS codes 424710, 424720 and 493190 are 200 employees, 200 employees, and \$27.5 million, respectively. The SBDC EMAP provided a list of 179 businesses, 171 of which were determined to be a small business. Of the remaining eight businesses, one was determined not to be a small business and seven had no available sales data. It is believed that some businesses identified in this additional NAICS code retrieval have ASTs as well.

While this data is only representative of the seven-county Pittsburgh-Beaver Valley area, and considering the EPA analysis, the Department is of the opinion that a very high percentage of the UST and AST facilities subject to this proposed rulemaking are a small business.

Department-certified storage tank installers, inspectors and companies will also be required to comply with this proposed rulemaking. At the current time, there are nearly 900 certified individuals and approximately 350 certified companies. It is believed that all certified companies are small businesses.

b) The projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation, including the type of professional skills necessary for preparation of the report or record.

While this proposed rulemaking adds additional notification, reporting and recordkeeping requirements, some of the notification is simply verbal or electronic notification. Where information is required to be documented, the Department is providing a significant number of forms in order to facilitate compliance with the various requirements. The majority of these forms will be completed by DEP-certified installers and inspectors who will be instructed by Department staff as to how to complete the forms. In general, any costs associated with these requirements should be minimal.

c) A statement of probable effect on impacted small businesses.

The annualized increased O&M costs to conduct walkthrough inspections, inspect overfill prevention equipment, test spill prevention equipment and containment sumps, and test release detection equipment per UST facility is estimated to range from \$831 - \$1,377. The total annualized increased costs for

these inspections and tests at all UST facilities is estimated to be \$8,232,713. These costs are based on the UST owner, operator, or other employee of the UST owner conducting the walkthrough inspections. The Department is committed to providing UST owners with proper guidance on how to conduct and document such inspections. Given the small increased per-facility costs of the regulation to conduct these UST inspections and tests, closures or changes in market structure represent an unlikely response to the regulation.

The total one-time costs to replace all ball float valves with alternate overfill prevention equipment and to add release detection to those emergency generator USTs that were previously deferred is estimated to be \$14,338,719. This equates to an average cost of \$1,038 per UST system to replace a ball float valve with alternate overfill prevention equipment and an average cost of \$16,875 per UST system to add release detection to an emergency generator UST. These one-time costs apply to a limited number of UST systems. Currently, less than 16% of all UST systems have ball float valves for overfill prevention and less than 3% of all UST systems are emergency generator USTs. Owners of emergency generator UST systems will be afforded one to two years under this proposal to make an informed decision to either add the necessary release detection, close the UST system, or close the UST system and install a new AST.

The annualized increased cost to an AST owner of a vaulted AST for an in-service inspection is estimated to be \$416. The annualized increased cost to an AST owner of a small AST for an in-service inspection is estimated to be \$98. Given the small increased per-facility costs of the regulation to conduct these AST inspections, closures or changes in market structure represent an unlikely response to the regulation.

d) A description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

When EPA proposed their UST regulations in November 2011, there were a number of provisions that generally consisted of more or stricter requirements than what is in the final UST regulation. These provisions are more fully discussed in the response to (26). For one, testing of spill prevention equipment and containment sumps, and inspection of overfill prevention equipment, was to be conducted annually. The final regulation requires these tests and inspections to be performed every 3 years. Elements of the final regulation must be incorporated in Chapter 245 in order to maintain state program approval.

(25) List any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, the elderly, small businesses, and farmers.

There are no such provisions in this proposed rulemaking. However, to determine the socioeconomic characteristics of communities potentially affected by the federal UST regulation, EPA conducted a screening analysis in 2010 to examine whether a statistically significant disparity exists between socioeconomic characteristics of populations located near UST facilities and those that are not. The results indicated that minority and low-income populations are slightly more likely to be located near UST facilities. However, because of the incorporation of operation and maintenance requirements in the regulation, the number and size of releases will be reduced. Therefore, EPA concluded that the federal UST regulation will not have any disproportionately high and adverse human health or environmental effects on minority or low-income communities, or on any community.

(26) Include a description of any alternative regulatory provisions which have been considered and rejected and a statement that the least burdensome acceptable alternative has been selected.

As stated earlier, comprehensive federal regulations for USTs exist at 40 CFR Part 280. These regulations were initially promulgated in 1988. On July 15, 2015, the first revisions to 40 CFR Part 280 were published in the *Federal Register* as final. The primary purpose of these amendments was to strengthen the UST requirements by increasing the emphasis on properly operating and maintaining equipment. Incorporation of these UST revisions into Chapter 245 are necessary for Pennsylvania to retain state program approval from EPA and remain eligible for continued substantial federal funding for the UST program.

When EPA proposed their UST regulations in November 2011, there were a number of provisions that were more burdensome than what was promulgated in the final regulation. For one, testing of spill prevention equipment and containment sumps, and inspection of overfill prevention equipment, was to be conducted annually. The final regulation requires these tests and inspections to be performed every 3 years. EPA also proposed a 5-year phase out of groundwater and vapor monitoring for release detection. The final regulation continues to allow these methods of release detection with a proper site assessment. In addition, the following provisions generally consisted of more or stricter requirements than what is in the final UST regulation: 30-day walkthrough inspections, operability tests for release detection equipment, removing the release detection deferral for emergency generator tanks, and demonstrating compatibility with alternative fuels. For example, the 30-day walkthrough inspections in the 2011 proposed UST regulation included a monthly check of containment sumps.

(27) In conducting a regulatory flexibility analysis, explain whether regulatory methods were considered that will minimize any adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), including:

- a) The establishment of less stringent compliance or reporting requirements for small businesses;
- b) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
- c) The consolidation or simplification of compliance or reporting requirements for small businesses;
- d) The establishment of performance standards for small businesses to replace design or operational standards required in the regulation; and
- e) The exemption of small businesses from all or any part of the requirements contained in the regulation.

This proposed rulemaking is applicable to all owners of regulated storage tanks and all DEP-certified individuals and companies. Small businesses, small organizations and small governmental jurisdictions are not exempt from any provisions of the regulations. However, small entities were certainly considered in this proposed rulemaking which includes incorporation of the necessary federal requirements to maintain state program approval. In the response to (26), it was stated that the proposed federal requirements were more stringent in a number of areas. In response to public comment and in consideration of small businesses, the final rulemaking resulted in less burdensome, yet protective requirements.

While this proposed rulemaking adds additional notification, reporting and recordkeeping requirements, some of the notification is simply verbal or electronic notification. Where information is required to be

documented, the Department is providing a significant number of forms in order to facilitate compliance with the various requirements.

The Department is also phasing in the requirements to conduct walkthrough inspections, conduct spill prevention and containment sump testing, perform overfill prevention equipment evaluations, add release detection for existing emergency generator USTs, and inspect ASTs in underground vaults and small ASTs on a more frequent basis.

Lastly, the proposed rulemaking requires UST owners and operators to test containment sumps used for interstitial monitoring of piping and spill prevention equipment once every three years to ensure the equipment is liquid-tight. However, if the equipment is double walled, the integrity of both walls may be periodically monitored, in lieu of testing the equipment once every three years. Also, UST owners and operators must conduct walkthrough inspections of spill prevention and release detection equipment at a minimum of every 30 days. However, spill prevention equipment associated with UST systems receiving deliveries at intervals greater than every 30 days, may be checked prior to each delivery.

(28) If data is the basis for this regulation, please provide a description of the data, explain in detail how the data was obtained, and how it meets the acceptability standard for empirical, replicable and testable data that is supported by documentation, statistics, reports, studies or research. Please submit data or supporting materials with the regulatory package. If the material exceeds 50 pages, please provide it in a searchable electronic format or provide a list of citations and internet links that, where possible, can be accessed in a searchable format in lieu of the actual material. If other data was considered but not used, please explain why that data was determined not to be acceptable.

Data was not the basis for this regulation.

(29) Include a schedule for review of the regulation including:

- |   |                        |
|---|------------------------|
| A. The length of the public comment period:   | <u>30 days</u>         |
| B. The date or dates on which any public meetings or hearings will be held:                   | <u>None</u>            |
| C. The expected date of delivery of the final-form regulation:                                | <u>Quarter 3, 2018</u> |
| D. The expected effective date of the final-form regulation:                                  | <u>Quarter 4, 2018</u> |
| E. The expected date by which compliance with the final-form regulation will be required:     | <u>See Below*</u>      |
| F. The expected date by which required permits, licenses or other approvals must be obtained: | <u>N/A</u>             |

\* Owners of existing storage tank systems will be provided with timeframes in which to comply with certain requirements. Owners of new storage tank systems must comply with the requirements upon the effective date of the final rulemaking.

**(30) Describe the plan developed for evaluating the continuing effectiveness of the regulations after its implementation.**

**The Board is not establishing a sunset date for these regulations, since they are needed for the Department to carry out its statutory authority. The Department will continue to closely monitor these regulations for their effectiveness and recommend updates to the Board as necessary.**





COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF ENVIRONMENTAL CLEANUP AND BROWNFIELDS

## UNDERGROUND STORAGE TANK AUTOMATIC LINE LEAK DETECTOR FUNCTIONALITY TESTING FORM

<b>I. FACILITY INFORMATION</b> – Type or print (in ink) all items.									
Facility ID #:			Facility Name:						
Facility Street Address:									
Facility Telephone:			County:			Municipality:			
<b>II. TESTER INFORMATION</b>									
Tester Name:			Tester Cert. #:			Tester Telephone:			
Company Name:			Company Cert. #:			Test Date:			
<b>III. TEST PROCEDURE</b> – Briefly describe procedure(s) used to test the probes (i.e. PEIRP1200, manufacturer's testing procedure, etc.)									
<b>IV. LINE LEAK DETECTOR TESTING INFORMATION</b>									
Tank Number									
Product Stored									
Line Number <sup>1</sup>									
Manufacturer									
Model									
Leak Detector Type	<input type="checkbox"/> Electronic <input type="checkbox"/> Mechanical	<input checked="" type="checkbox"/> Electronic <input checked="" type="checkbox"/> Mechanical	<input checked="" type="checkbox"/> Electronic <input type="checkbox"/> Mechanical	<input type="checkbox"/> Electronic <input type="checkbox"/> Mechanical					
STP Operating Pressure									
<b>A. MECHANICAL LINE LEAK DETECTORS</b>									
Check Valve Holding Pressure									
Metering Pressure									
Opening Time									
Simulated leak causes slow-flow	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Leak detector resets when line pressure is bled off to zero	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>B. ELECTRONIC LINE LEAK DETECTORS</b>									
Simulated leak causes an alarm	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Simulated leak disables the STP <sup>2</sup>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>V. TEST RESULT<sup>3</sup></b>	<input type="checkbox"/> Pass <input type="checkbox"/> Fail	<input type="checkbox"/> Pass <input type="checkbox"/> Fail	<input type="checkbox"/> Pass <input type="checkbox"/> Fail	<input type="checkbox"/> Pass <input type="checkbox"/> Fail	<input type="checkbox"/> Pass <input type="checkbox"/> Fail	<input type="checkbox"/> Pass <input type="checkbox"/> Fail	<input type="checkbox"/> Pass <input type="checkbox"/> Fail	<input type="checkbox"/> Pass <input type="checkbox"/> Fail	<input type="checkbox"/> Pass <input type="checkbox"/> Fail
<ol style="list-style-type: none"> <li>1. Designate each product line, on which a line leak detector was tested, numerically or by code on the site drawing.</li> <li>2. Required for pressurized piping systems installed after November 10, 2007, using LLD for 3gph piping release detection.</li> <li>3. Any "No" answer in a required row indicates the line leak detector fails. Failed line leak detectors must be repaired or replaced immediately.</li> </ol>									

Facility ID #: \_\_\_\_\_ Facility Name: \_\_\_\_\_ Test Date: \_\_\_\_\_

**VI. COMMENTS**

The comments section should be used to note additional information discovered or actions taken during functionality testing that affect compliance at the facility. For example, include comments concerning any observations made by the tester that would affect the test results.

Include actions taken to repair or replace failed devices.

If additional comment sheets are needed, label each sheet with the report header information and attach the sheet(s) to the back of this form.

**VII. SITE DRAWING**

Provide a detailed site drawing of the applicable UST(s), product piping, and containment structure layout in the space below (or attach a detailed site drawing prepared on a separate sheet). Any other pertinent information should also be included.

**VII. OWNER'S REPRESENTATIVE CERTIFICATION**

I have reviewed this report. I certify under penalty of law as provided in 18 PA C.S.A. Section 4904 (relating to unsworn falsification to authorities), that the information provided by me is true, accurate, and complete to the best of my knowledge and belief.

Signature: _____	Date Signed: _____
------------------	--------------------

**VIII. TESTER CERTIFICATION**

By signing this document as the Tester, I certify under penalty of law as provided in 18 PA C.S.A. Section 4904 (relating to unsworn falsification to authorities), that the information provided by me is true, accurate, and complete to the best of my knowledge and belief.

Tester's Signature: _____	Date Signed: _____
---------------------------	--------------------



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF ENVIRONMENTAL CLEANUP AND BROWNFIELDS

**UNDERGROUND STORAGE TANK  
GROUNDWATER/VAPOR MONITORING SYSTEM FUNCTIONALITY TESTING FORM**

**I. FACILITY INFORMATION** -- Type or print (in ink) all items.

Facility ID #:	Facility Name:	
Facility Street Address:		
Facility Telephone:	County:	Municipality:

**II. TESTER INFORMATION**

Tester Name:	Tester Cert. #:	Tester Telephone:
Company Name:	Company Cert. #:	Test Date:

**III. TEST PROCEDURE** -- Briefly describe procedure(s) used to evaluate/test the groundwater or vapor monitoring system.

[This section is mostly obscured by a large watermark and contains no legible text.]

**IV. GROUNDWATER/VAPOR MONITORING SYSTEM TESTING INFORMATION**

Tank Number			
Product Stored			

Site evaluated by a licensed professional under the Engineer, Land Surveyor and Geologist Law to ensure compliance with 25 Pa. Code Chapter 245.44 and to establish the number and positioning of monitoring wells that will detect releases within the excavation zone from any portion of the tank that routinely contains product.  Yes  No

Written site evaluation readily available at the facility.  Yes  No Date of site evaluation:

Name of licensed professional: License number:

Wells are installed in accordance with the site evaluation:  Yes  No

**A. GROUNDWATER MONITORING**

Product detection devices can detect 1/8-inch or less of leaked product on top of the groundwater.  Yes  No

Electronic sampling equipment tested and operating properly:  Yes  No  N/A

Date sampling equipment was last calibrated:

**B. VAPOR MONITORING**

Monitoring devices are capable of detecting increases in concentrations of stored regulated substances:  Yes  No

Electronic sampling equipment tested and operating properly:  Yes  No

Date sampling equipment was last calibrated:

**V. TEST RESULT**  Pass  Fail

Any "No" answer in Section IV, indicates the Groundwater or Vapor monitoring system fails. Failure of a release detection method may constitute a suspected release. Certified individuals must report confirmed or suspected contamination to the Department within 48 hours of observing it. Facility owners/operators must investigate suspected releases within 7 days. If a reportable release is confirmed, it must be reported to the Department by telephone within 24 hours and in writing within 15 days, requires immediate repair or replacement.

Facility ID #: \_\_\_\_\_

Facility Name: \_\_\_\_\_

Test Date: \_\_\_\_\_

**VI. COMMENTS**

The comments section should be used to note additional information discovered or actions taken during testing that affect compliance at the facility. For example, include comments concerning any observations made by the tester that would affect the test results.

Include actions taken to repair or replace failed devices.

If additional comment sheets are needed, label each sheet with the report header information and attach the sheet(s) to the back of this form.

**VII. SITE DRAWING**

Provide a detailed site drawing of the applicable UST(s), product piping, and monitoring well locations (or attach a detailed site drawing prepared on a separate sheet). Any other pertinent information should also be included.

**VII. OWNER'S REPRESENTATIVE CERTIFICATION**

I have reviewed this report. I certify under penalty of law as provided in 18 PA C.S.A. Section 4904 (relating to unsworn falsification to authorities), that the information provided by me is true, accurate, and complete to the best of my knowledge and belief.

Signature: \_\_\_\_\_

Date Signed: \_\_\_\_\_

**VIII. TESTER CERTIFICATION**

By signing this document as the Tester, I certify under penalty of law as provided in 18 PA C.S.A. Section 4904 (relating to unsworn falsification to authorities), that the information provided by me is true, accurate, and complete to the best of my knowledge and belief.

Tester's Signature: \_\_\_\_\_

Date Signed: \_\_\_\_\_



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF ENVIRONMENTAL CLEANUP AND BROWNFIELDS

**UNDERGROUND STORAGE TANK  
SENSOR FUNCTIONALITY TESTING FORM**

<b>I. FACILITY INFORMATION</b> – Type or print (in ink) all items.									
Facility ID #:			Facility Name:						
Facility Street Address:									
Facility Telephone:			County:			Municipality:			
<b>II. TESTER INFORMATION</b>									
Tester Name:			Tester Cert. #:			Tester Telephone:			
Company Name:			Company Cert. #:			Test Date:			
<b>III. TEST PROCEDURE</b> – Briefly describe procedure(s) used to test the sensors (i.e. PEI/RP1200, manufacturer's testing procedure, etc.)									
<b>IV. SENSOR AND TESTING INFORMATION</b>									
Sensor Location									
Sensor Number <sup>1</sup>									
Manufacturer									
Model									
Sensor Type		<input type="checkbox"/> Discriminating	<input checked="" type="checkbox"/> Discriminating	<input checked="" type="checkbox"/> Discriminating	<input type="checkbox"/> Discriminating	<input type="checkbox"/> Discriminating			
		<input type="checkbox"/> Non-Discriminating	<input checked="" type="checkbox"/> Non-Discriminating	<input checked="" type="checkbox"/> Non-Discriminating	<input type="checkbox"/> Non-Discriminating	<input type="checkbox"/> Non-Discriminating			
Test Liquid		<input type="checkbox"/> Water	<input checked="" type="checkbox"/> Water	<input type="checkbox"/> Water	<input type="checkbox"/> Water	<input type="checkbox"/> Water			
		<input type="checkbox"/> Product	<input checked="" type="checkbox"/> Product	<input type="checkbox"/> Product	<input type="checkbox"/> Product	<input type="checkbox"/> Product			
Is the ATG console clear of alarms?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is the sensor properly positioned?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is the sensor in a good state of repair?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Does the sensor trigger an alarm when placed in the test liquid?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is the sensor correctly identified on the ATG?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Does a sensor alarm automatically disable the pump? <sup>2</sup>		<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>V. TEST RESULT<sup>3</sup></b>		<input type="checkbox"/> Pass	<input type="checkbox"/> Fail	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail

1. Designate each sensor tested numerically or by code on the site drawing.  
 2. Required for pressurized piping systems installed after November 10, 2007, using sensors for 3 gph piping release detection.  
 3. Failed sensors must be repaired or replaced immediately.

Facility ID #: \_\_\_\_\_ Facility Name: \_\_\_\_\_ Test Date: \_\_\_\_\_

**VI. COMMENTS**

The comments section should be used to note additional information discovered or actions taken during functionality testing that affect compliance at the facility. For example, include comments concerning any observations made by the tester that would affect the test results.

Include actions taken to repair or replace failed devices.

If additional comment sheets are needed, label each sheet with the report header information and attach the sheet(s) to the back of this form.

**VII. SITE DRAWING**

Provide a detailed site drawing of the applicable UST(s), product piping, and containment structure layout in the space below (or attach a detailed site drawing prepared on a separate sheet). In addition, clearly indicate which sensors were tested. Label each sensor with a unique number or code, used in section V, above. Any other pertinent information should also be included.

**VII. OWNER'S REPRESENTATIVE CERTIFICATION**

I have reviewed this report. I certify under penalty of law as provided in 18 PA C.S.A. Section 4904 (relating to unsworn falsification to authorities), that the information provided by me is true, accurate, and complete to the best of my knowledge and belief.

Signature: \_\_\_\_\_

Date Signed: \_\_\_\_\_

**VIII. TESTER CERTIFICATION**

By signing this document as the Tester, I certify under penalty of law as provided in 18 PA C.S.A. Section 4904 (relating to unsworn falsification to authorities), that the information provided by me is true, accurate, and complete to the best of my knowledge and belief.

Signature: \_\_\_\_\_

Date Signed: \_\_\_\_\_

FORM



**pennsylvania**  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF ENVIRONMENTAL CLEANUP AND BROWNFIELDS

**UNDERGROUND STORAGE TANK  
PRESSURE/VACUUM MONITORING FUNCTIONALITY TESTING FORM**

**I. FACILITY INFORMATION** – Type or print (in ink) all items.

Facility ID #:	Facility Name:
Facility Street Address:	
Facility Telephone:	County: Municipality:

**II. TESTER INFORMATION**

Tester Name:	Tester Cert. #:	Tester Telephone:
Company Name:	Company Cert. #:	Test Date:

**III. TEST PROCEDURE** – Briefly describe procedure(s) used to test the probes (i.e. PE/VRP1200, manufacturer's testing procedure, etc.)

*(This section contains a large, faint watermark reading "NA" diagonally across the page.)*

**IV. PRESSURE/VACUUM MONITORING**

Tank Number				
Product Stored				
Line Number <sup>1</sup>	<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> N/A	<input type="checkbox"/> N/A
ATG Manufacturer				
ATG Model				
P/V Monitoring System Manufacturer				
P/V Monitoring System Model				
P/V Monitoring System is functional	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Manufacturer's test method followed	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Interstice is air tight	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Leak in interstice triggers alarm	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Leak in piping interstice disables STP <sup>2</sup>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<b>V. TEST RESULT<sup>3</sup></b>	<input type="checkbox"/> Pass <input type="checkbox"/> Fail			

1. Designate each product line that has its interstice under pressure or vacuum by P/V system numerically or by code on the site drawing.
2. Required for pressurized piping systems installed after November 10, 2007, using P/V monitoring for 3gph piping release detection.
3. Any "No" answer in a required row indicates the P/V system fails. Failed leak detection systems must be repaired or replaced immediately.

Facility ID #: \_\_\_\_\_ Facility Name: \_\_\_\_\_ Test Date: \_\_\_\_\_

**VI. COMMENTS**

The comments section should be used to note additional information discovered or actions taken during functionality testing that affect compliance at the facility. For example, include comments concerning any observations made by the tester that would affect the test results.  
Include actions taken to repair or replace failed devices.  
If additional comment sheets are needed, label each sheet with the report header information and attach the sheet(s) to the back of this form.

**VII. SITE DRAWING**

Provide a detailed site drawing of the applicable UST(s), product piping, and containment structure layout in the space below (or attach a detailed site drawing prepared on a separate sheet). Any other pertinent information should also be included.

**VII. OWNER'S REPRESENTATIVE CERTIFICATION**

I have reviewed this report. I certify under penalty of law as provided in 18 PA C.S.A. Section 4904 (relating to unsworn falsification to authorities), that the information provided by me is true, accurate, and complete to the best of my knowledge and belief.

Signature: \_\_\_\_\_

Date Signed: \_\_\_\_\_

**VIII. TESTER CERTIFICATION**

By signing this document as the Tester, I certify under penalty of law as provided in 18 PA C.S.A. Section 4904 (relating to unsworn falsification to authorities), that the information provided by me is true, accurate, and complete to the best of my knowledge and belief.

Tester's Signature: \_\_\_\_\_

Date Signed: \_\_\_\_\_



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF ENVIRONMENTAL CLEANUP AND BROWNFIELDS

**UNDERGROUND STORAGE TANK  
SPILL PREVENTION EQUIPMENT/CONTAINMENT SUMP INTEGRITY TESTING FORM**

**I. FACILITY INFORMATION** – Type or print (in ink) all items.

Facility ID #:	Facility Name:
Facility Street Address:	
Facility Telephone:	County: Municipality:

**II. TESTER INFORMATION**

Tester Name:	Tester Cert. #:	Tester Telephone:
Company Name:	Company Cert. #:	Test Date:

**III. TEST METHOD**

Method Used  Hydrostatic<sup>1</sup>  Vacuum  Pressure  
 Other \_\_\_\_\_

Method Developer  Manufacturer  Industry Standard  Other \_\_\_\_\_

**IV. VISUAL INSPECTION INFORMATION**

Tank Number				
Product Stored				
Containment Number <sup>2</sup>				
Containment Type	<input type="checkbox"/> Dispenser <input checked="" type="checkbox"/> Tank Top Sump <input type="checkbox"/> Fill Spill Bucket <input type="checkbox"/> Transition	<input type="checkbox"/> Dispenser <input type="checkbox"/> Tank Top Sump <input type="checkbox"/> Fill Spill Bucket <input type="checkbox"/> Transition	<input checked="" type="checkbox"/> Dispenser <input type="checkbox"/> Tank Top Sump <input type="checkbox"/> Fill Spill Bucket <input type="checkbox"/> Transition	<input checked="" type="checkbox"/> Dispenser <input type="checkbox"/> Tank Top Sump <input type="checkbox"/> Fill Spill Bucket <input type="checkbox"/> Transition
Containment Capacity				
Manufacturer				
Model <sup>3</sup>				
Were There Visible Cracks, Holes or Other Failures in the Containment?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Was There Product in the Containment Prior to Testing?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Was Product and Debris Removed from the Containment Prior to Testing?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
V. VISUAL RESULT <sup>4</sup>	<input type="checkbox"/> Pass <input type="checkbox"/> Fail	<input type="checkbox"/> Pass <input type="checkbox"/> Fail	<input type="checkbox"/> Pass <input type="checkbox"/> Fail	<input type="checkbox"/> Pass <input type="checkbox"/> Fail

1. For hydrostatic testing, attach documentation of proper disposal of the test fluids to this form. Describe level measurement methods in Section IX. Comments. Refer to DEP Guidance #263-###-###  
 2. Designate each device tested, numerically or by code, on the site drawing in Section X.  
 3. If model cannot be determined, describe device construction (Single-walled/Double-walled, Fiberglass, HDPE, etc.)  
 4. Failed visual inspections may constitute a suspected release. Certified Individuals must report confirmed or suspected contamination to the Department within 48 hours of observing it. Facility owners/operators must investigate suspected releases within 7 days. If a release is observed, it must be reported to the Department by telephone within 24 hours and in writing within 15 days. Do not conduct additional testing if the device fails visual inspection.

Facility ID #: \_\_\_\_\_ Facility Name: \_\_\_\_\_ Test Date: \_\_\_\_\_

**VI. TESTING INFORMATION**

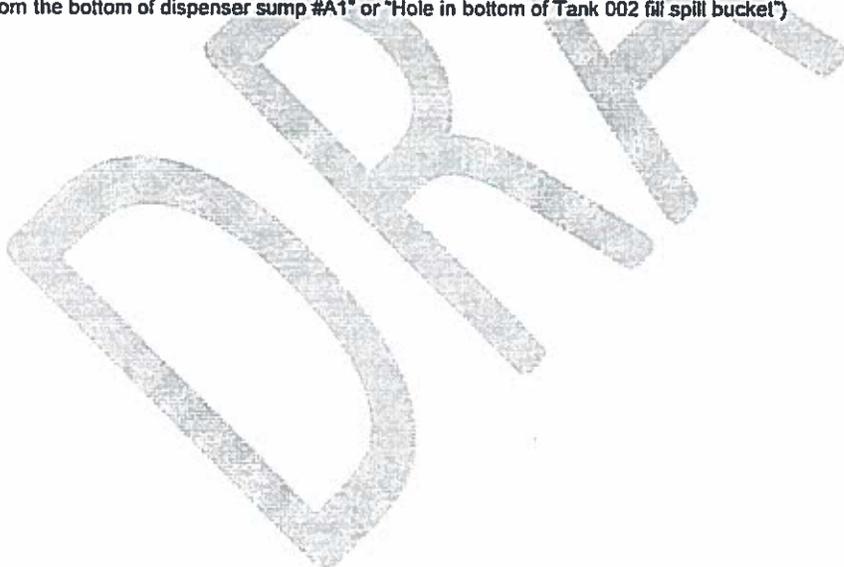
Tank Number					
Product Stored					
Containment Number <sup>5</sup>					
Portion Tested <sup>6</sup>					
Test Start Time					
Test Start Level					
Test End Time					
Test End Level					
Test Period					
Level Change					
Pass/Fail Threshold					

**VII. TEST RESULT<sup>7</sup>**    Pass   Fail   Pass   Fail   Pass   Fail   Pass   Fail   Pass   Fail

- 5. Designate each device tested, numerically or by code, on the site drawing in Section X.
- 6. If the entire depth of the device was not tested, specify how much was tested. The start level for hydrostatic testing must be within 1.5" of the top of a spill bucket and at least 4" above the highest penetration in a containment sump.
- 7. Failed test results may constitute a suspected release. Certified Individuals must report confirmed or suspected contamination to the Department within 48 hours of observing it. Facility owners/operators must investigate suspected releases within 7 days. If a release is observed, it must be reported to the Department by telephone within 24 hours and in writing within 15 days.

**VIII. FAILURE DESCRIPTION**

If any device fails visual inspection or testing, describe the reason for the failure and the location of the failure for each failed device (i.e. "Cracked entry boot 4" from the bottom of dispenser sump #A1" or "Hole in bottom of Tank 002 fill spill bucket")



Facility ID #: \_\_\_\_\_ Facility Name: \_\_\_\_\_ Test Date: \_\_\_\_\_

**IX. COMMENTS**

The comments section should be used to note additional information discovered or actions taken during integrity testing that affect compliance at the facility. For example, include comments concerning any observations made by the tester that would affect the test results.

Include actions taken to repair or replace failed devices. Repairs to containment sumps and spill buckets require the use of a Department certified individual.

Attach documentation of proper disposal of test fluids to this form. Refer to DEP Guidance #263-###-### for more information on use and disposal of hydrostatic test fluids.

If additional comment sheets are needed, label each sheet with the report header information and attach the sheet(s) to this form.

**HYDROSTATIC TEST LEVEL MEASUREMENT**

If devices were tested using a hydrostatic test, describe how level measurements were taken (i.e. from the bottom up, from the top down, from a mark on the sump wall)

**X. SITE DRAWING**

Provide a detailed site drawing of the applicable UST(s), product piping, fill lines, and containment device layout in the space below (or attach a detailed site drawing prepared on a separate sheet). In addition, clearly indicate which devices were tested. Label each device tested with a unique number or code, used in Sections IV and VI, above. Any other pertinent information should also be included.

**VII. OWNER'S REPRESENTATIVE CERTIFICATION**

I have reviewed this report. I certify under penalty of law as provided in 18 PA C.S.A. Section 4904 (relating to unsworn falsification to authorities), that the information provided by me is true, accurate, and complete to the best of my knowledge and belief.

Signature: \_\_\_\_\_

Date Signed: \_\_\_\_\_

**VIII. TESTER CERTIFICATION**

By signing this document as the Tester, I certify under penalty of law as provided in 18 PA C.S.A. Section 4904 (relating to unsworn falsification to authorities), that the information provided by me is true, accurate, and complete to the best of my knowledge and belief.

Tester's Signature: \_\_\_\_\_

Date Signed: \_\_\_\_\_



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF ENVIRONMENTAL CLEANUP AND BROWNFIELDS

**UNDERGROUND STORAGE TANK  
AUTOMATIC TANK GAUGE FUNCTIONALITY TESTING FORM**

<b>I. FACILITY INFORMATION</b> – Type or print (in ink) all items.										
Facility ID #:			Facility Name:							
Facility Street Address:										
Facility Telephone:			County:			Municipality:				
<b>II. TESTER INFORMATION</b>										
Tester Name:			Tester Cert. #:			Tester Telephone:				
Company Name:			Company Cert. #:			Test Date:				
<b>III. AUTOMATIC TANK GAUGE</b> <input type="checkbox"/> Pass <input type="checkbox"/> Fail										
ATG Manufacturer:					ATG Model:					
Detected leak will trigger an alarm? <input type="checkbox"/> Yes <input type="checkbox"/> No					Battery Backup Functional? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
ATG software properly programmed? <input type="checkbox"/> Yes <input type="checkbox"/> No					Is the ATG equipped with CITLDS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
<b>III. TEST PROCEDURE</b> – Briefly describe procedure(s) used to test the probes (i.e. PE/RP1200, manufacturer's testing procedure, etc.)										
<b>IV. PROBE AND TESTING INFORMATION</b>										
Tank Number										
Product Stored										
Manufacturer										
Model										
Measured Product Level (in.)										
ATG Product Level (in.)										
Measured Water Level (in.)										
ATG Water Level (in.)										
Measured product and water levels match ATG values?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is the probe in a good state of repair?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is the ATG console clear of alarms?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Float(s) move freely	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>V. TEST RESULT</b>	<input checked="" type="checkbox"/> Pass	<input type="checkbox"/> Fail	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail
1. Any "No" answer in a required row indicates the probe fails. Failed probes and ATGs must be repaired or replaced immediately.										

Facility ID #: \_\_\_\_\_ Facility Name: \_\_\_\_\_ Test Date: \_\_\_\_\_

**VI. COMMENTS**

The comments section should be used to note additional information discovered or actions taken during functionality testing that affect compliance at the facility. For example, include comments concerning any observations made by the tester that would affect the test results.

Include actions taken to repair or replace failed devices.

If additional comment sheets are needed, label each sheet with the report header information and attach the sheet(s) to the back of this form.

**VII. SITE DRAWING**

Provide a detailed site drawing of the applicable UST(s), product piping, and containment structure layout in the space below (or attach a detailed site drawing prepared on a separate sheet). Any other pertinent information should also be included.

**VII. OWNER'S REPRESENTATIVE CERTIFICATION**

I have reviewed this report. I certify under penalty of law as provided in 18 PA C.S.A. Section 4904 (relating to unsworn falsification to authorities), that the information provided by me is true, accurate, and complete to the best of my knowledge and belief.

Signature: _____	Date Signed: _____
------------------	--------------------

**VIII. TESTER CERTIFICATION**

By signing this document as the Tester, I certify under penalty of law as provided in 18 PA C.S.A. Section 4904 (relating to unsworn falsification to authorities), that the information provided by me is true, accurate, and complete to the best of my knowledge and belief.

Tester's Signature: _____	Date Signed: _____
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FORM



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF ENVIRONMENTAL CLEANUP AND BROWNFIELDS

**UNDERGROUND STORAGE TANK  
OVERFILL PREVENTION EVALUATION FORM**

<b>I. FACILITY INFORMATION – Type or print (in ink) all items.</b>										
Facility ID #:			Facility Name:							
Facility Street Address:										
Facility Telephone:			County:			Municipality:				
<b>II. TESTER INFORMATION</b>										
Tester Name:			Tester Cert. #:			Tester Telephone:				
Company Name:			Company Cert. #:			Test Date:				
<b>III. TANK AND DEVICE INFORMATION</b>										
Tank Number										
Tank Capacity										
Tank Diameter										
Product Stored										
Overfill Manufacturer										
Overfill Model										
Product Delivery Method	<input type="checkbox"/> Pressurized <input type="checkbox"/> Gravity	<input type="checkbox"/> Pressurized <input type="checkbox"/> Gravity	<input checked="" type="checkbox"/> Pressurized <input type="checkbox"/> Gravity	<input type="checkbox"/> Pressurized <input checked="" type="checkbox"/> Gravity	<input type="checkbox"/> Pressurized <input type="checkbox"/> Gravity	<input type="checkbox"/> Pressurized <input type="checkbox"/> Gravity	<input type="checkbox"/> Pressurized <input type="checkbox"/> Gravity	<input type="checkbox"/> Pressurized <input type="checkbox"/> Gravity	<input type="checkbox"/> Pressurized <input type="checkbox"/> Gravity	
Overfill Type	<input type="checkbox"/> Drop Tube Shutoff <input type="checkbox"/> Alarm <input type="checkbox"/> Ball Float <input type="checkbox"/> Whistle Vent	<input type="checkbox"/> Drop Tube Shutoff <input checked="" type="checkbox"/> Alarm <input type="checkbox"/> Ball Float <input type="checkbox"/> Whistle Vent	<input checked="" type="checkbox"/> Drop Tube Shutoff <input type="checkbox"/> Alarm <input type="checkbox"/> Ball Float <input type="checkbox"/> Whistle Vent	<input type="checkbox"/> Drop Tube Shutoff <input type="checkbox"/> Alarm <input type="checkbox"/> Ball Float <input type="checkbox"/> Whistle Vent	<input type="checkbox"/> Drop Tube Shutoff <input type="checkbox"/> Alarm <input type="checkbox"/> Ball Float <input type="checkbox"/> Whistle Vent	<input type="checkbox"/> Drop Tube Shutoff <input type="checkbox"/> Alarm <input type="checkbox"/> Ball Float <input type="checkbox"/> Whistle Vent	<input type="checkbox"/> Drop Tube Shutoff <input type="checkbox"/> Alarm <input type="checkbox"/> Ball Float <input type="checkbox"/> Whistle Vent	<input type="checkbox"/> Drop Tube Shutoff <input type="checkbox"/> Alarm <input type="checkbox"/> Ball Float <input type="checkbox"/> Whistle Vent	<input type="checkbox"/> Drop Tube Shutoff <input type="checkbox"/> Alarm <input type="checkbox"/> Ball Float <input type="checkbox"/> Whistle Vent	
<b>IV. TEST INFORMATION (Complete all applicable overfill types)</b>										
<b>A. DROP TUBE SHUTOFF DEVICE</b>										
Drop tube and float free of debris?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Float and poppet move freely?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Poppet enters flow path when float is engaged?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Tank capacity when flow is stopped (%)										
<b>B. OVERFILL ALARM</b>										
Visible or audible to delivery driver?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Probe and float in good condition?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Float moves freely?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Does simulated overfill trigger alarm?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Tank capacity when alarm is triggered (%)										

Facility ID #: \_\_\_\_\_ Facility Name: \_\_\_\_\_ Test Date: \_\_\_\_\_

<b>C. BALL FLOAT VALVE</b>										
Standard drop tube installed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is the only fill present a direct fill?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Ball and cage present and in good condition?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Ball moves freely in cage?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Tank capacity when flow is restricted (%)										
<b>D. WHISTLE VENT ALARM</b>										
Permanently installed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Audible to delivery driver?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Tank capacity when whistle stops (%)										
<b>V. TEST RESULTS</b>										
Any "No" answer in Section IV. Indicates the overfill device fails. Failure of any overfill prevention device requires immediate repair or replacement. Underground Storage Tanks may not receive product deliveries without functional overfill prevention.										
	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail
<b>VI. COMMENTS</b>										
<p>The comments section should be used to note additional information discovered or actions taken during functionality testing that affect compliance at the facility. For example, include comments concerning any observations made by the tester that would affect the test results.</p> <p>Include actions taken to repair or replace failed devices. Installation, repair and removal of overfill prevention devices requires the use of a Department certified individual. Failed ball float valves may not be repaired or replaced; an alternate form of overfill prevention must be installed.</p> <p>If additional comment sheets are needed, label each sheet with the report header information and attach the sheet(s) to the back of this form.</p>										
<b>VII. OWNER'S REPRESENTATIVE CERTIFICATION</b>										
I have reviewed this report. I certify under penalty of law as provided in 18 PA C.S.A. Section 4904 (relating to unsworn falsification to authorities), that the information provided by me is true, accurate, and complete to the best of my knowledge and belief.										
Signature: _____							Date Signed: _____			
<b>VIII. TESTER CERTIFICATION</b>										
By signing this document as the Tester, I certify under penalty of law as provided in 18 PA C.S.A. Section 4904 (relating to unsworn falsification to authorities), that the information provided by me is true, accurate, and complete to the best of my knowledge and belief.										
Tester's Signature: _____							Date Signed: _____			



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF ENVIRONMENTAL CLEANUP AND BROWNFIELDS

FOR DEP USE ONLY	
Reviewer	_____
Date	_____
Entered by	_____
Date	_____

## ABOVEGROUND STORAGE TANK LINING INSPECTION SUMMARY

<p><b>I. Facility Information</b></p> <p>Facility I.D. Number _____</p> <p>Facility Name _____</p> <p>Facility Address _____</p> <p>_____</p> <p>Municipality _____</p>	<p><b>II. Inspector Information</b></p> <p>Name _____</p> <p>Certification number _____</p> <p>Phone _____</p> <p>E-mail _____</p> <p>Employer _____</p> <p>Employer certification number _____</p>
<p><b>III. Tank Identification</b></p> <p>DEP Tank ID number ____A</p> <p>Owner's Tank ID Number _____</p> <p>Nominal Capacity (gallons) _____</p> <p>Size: diameter _____ (ft) length/height _____ (ft)</p> <p>Substance stored _____</p> <p>Original construction code _____</p> <p>Installation Date _____</p>	<p><b>IV. Inspection Date(s)</b></p> <p>Completion of this inspection _____</p> <p>Lining system installed _____</p> <p>Last lining inspection _____</p> <p>Next lining inspection due _____</p> <p><input type="checkbox"/> Next inspection date to be determined after repairs and before tank is returned to service.</p> <p><input type="checkbox"/> Horizontal Saddle Tank      <input type="checkbox"/> Shop Built</p> <p><input type="checkbox"/> Vertical Tank                      <input type="checkbox"/> Field Built</p> <p><input type="checkbox"/> Elevated Vertical Tank</p>
<p><b>V. Lining System Design/Installation Information</b></p> <p>Lining System Manufacturer Name: _____</p> <p>Lining System Material: _____</p> <p>Original design/installation specifications were available? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Lining System Product Name: _____</p> <p>Lining Standard Used: _____</p> <p>Lining installed by "TL" certified installer <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>"TL" Name: _____</p> <p>Certification number: _____</p>
<p><b>VI. Certified Inspector</b> I, the DEP Certified Inspector, have inspected the entire lining in the above referenced tank system. Based on my observation of the lining, review of examination and test results and information provided by the owner, I certify under penalty of law as provided in 18 Pa. C.S.A. Section 4904 (relating to unsworn falsification to authorities), that the information provided by me is true, accurate, and complete to the best of my knowledge and belief. I also certify that this tank system <input type="checkbox"/> can <input type="checkbox"/> cannot be returned to service without additional evaluation or modification.</p> <p style="text-align: center;">_____</p> <p style="display: flex; justify-content: space-between;"><span>Certified Inspector's Signature</span><span>Date</span></p>	
<p><b>VII. Owner or Owner's Representative</b> I have reviewed the completed inspection report. I certify under penalty of law as provided in 18 PA C.S.A. Section 4904 (relating to unsworn falsification to authorities), the information provided by me is true, accurate, and complete to the best of my knowledge and belief.</p> <p style="text-align: center;">_____</p> <p style="display: flex; justify-content: space-between;"><span>Name (Please Print)</span><span>Title</span><span>Phone Number</span></p> <p style="text-align: center;">_____</p> <p style="display: flex; justify-content: space-between;"><span>Signature</span><span>Date</span></p>	

Facility ID \_\_\_\_\_

DEP Tank ID \_\_\_\_\_ A

Inspection Date \_\_\_\_\_

**VIII. Lining System Evaluation**

Evaluation Method(s):

- Visual
- Adhesion Measurement
- Audible Testing

- Low-Voltage Holiday Testing
- High-Voltage Holiday Testing
- Other \_\_\_\_\_

**IX. Lining System Evaluation Results** Describe the results of the evaluation method(s), including, where applicable, observed lining deficiencies, numeric results, and number and location of holidays, etc.

**X. Comments** Describe any lining system deficiencies. Include any steps taken to correct lining system deficiencies. Please note additional information discovered during the inspection.



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DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF ENVIRONMENTAL CLEANUP AND BROWNFIELDS

## ABOVEGROUND STORAGE TANK LINING INSPECTION SUMMARY INSTRUCTIONS

Information provided on the form should be typewritten or printed in a legible manner.

- I. **FACILITY INFORMATION:** Enter the facility information as it appears on the blue registration certificate.
- II. **INSPECTOR INFORMATION:** Complete all information in this section. If self-employed, enter self employed or your name in the Employer space and leave the Company Certification Number blank. **NOTE:** When conducting an inspection of internal linings in aboveground field constructed metallic storage tanks, the DEP certified inspector must also possess current API Std 653, inspector certification, in accordance with §245.113(f).
- III. **TANK IDENTIFICATION:** Enter the tank information as it appears on the blue registration certificate, including the tank ID (sequence) number, capacity, and substance. Describe the tank dimensions and, if known, indicate which industry code or standard was followed during tank construction. Check the appropriate boxes to indicate the configuration of the tank (Horizontal, Vertical or Elevated Vertical Tank) and where the tank was constructed (Shop Built or Field Built). If the tank information on the registration form is incorrect, provide the correct information in Section X and advise the owner to submit an amended Registration/Permitting form.
- IV. **INSPECTION DATE(S):** Enter the date that you, the inspector, completed the lining inspection. Provide the date the lining was installed, the date of the last lining inspection and the date by which the next lining inspection is due. Enter "NONE" if no previous lining inspections were performed.
- V. **LINING SYSTEM DESIGN/INSTALLATION INFORMATION:** Provide specific information regarding the lining system installed in the inspected tank system and the installer of the lining system, as it is available. Check boxes in this section as appropriate.
- VI. **CERTIFIED INSPECTOR:** As the DEP Certified inspector, sign and date the form in this area. Check the appropriate box indicating whether the tank system can or cannot be returned to service. Fully explain the reason why additional evaluation or modification is needed and any activities to correct the deficiencies in Section X.
- VII. **OWNER OR OWNER'S REPRESENTATIVE:** Enter the name, title, and phone number of the person providing the tank information. Have the owner or designated representative sign and date the form. If the owner or representative refused to sign this section, please, explain the situation in Section X. A copy of a certified mail receipt may be used as evidence that the report has been provided to the owner.
- VIII. **LINING SYSTEM EVALUATION:** Check the appropriate box(es) for the method(s) used to evaluate the internal lining in the tank system that was inspected.
- IX. **LINING SYSTEM EVALUATION RESULTS:** Describe, in detail, the results of the evaluation method(s) used to inspect the internal lining, including, where applicable any observed lining deficiencies, numeric results, and the number and location(s) of any holidays, blisters, or other failures of the lining.
- X. **COMMENTS:** Describe, in detail, any tank system deficiencies and note additional information discovered during the inspection. If additional comment sheets are needed, label each sheet with facility and tank identification numbers, the inspection date, and the page number.

Completed inspection summaries must be submitted to DEP by the certified inspector within 60 days of conducting the inspection activities.

- Original to the appropriate DEP regional office
- Copy to DEP central office
- Copy to the tank owner
- Copy for tank inspector's files

**Central Office**  
 Pennsylvania DEP, Central Office  
 Division of Storage Tanks  
 PO Box 8762  
 Harrisburg, PA 17105-8762

<p><b>Northwest Region</b>                      230 Chestnut Street                      Meadville, PA 16335-3481                      814-332-6648</p> <p>Counties: Butler, Clarion, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Venango and Warren</p>	<p><b>Northcentral Region</b>                      208 West Third Street, Ste. 101                      Williamsport, PA 17701                      570-321-6525</p> <p>Counties: Bradford, Cameron, Centre, Clearfield, Clinton, Columbia, Lycoming, Montour, Northumberland, Potter, Snyder, Sullivan, Tioga and Union</p>	<p><b>Northeast Region</b>                      2 Public Square                      Wilkes-Barre, PA 18701-1915                      570-826-2511</p> <p>Counties: Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Susquehanna, Wayne and Wyoming</p>
<p><b>Southwest Region</b>                      400 Waterfront Drive                      Pittsburgh, PA 15222-4745                      412-442-4000</p> <p>Counties: Allegheny, Armstrong, Beaver, Cambria, Fayette, Greene, Indiana, Somerset, Washington and Westmoreland</p>	<p><b>Southcentral Region</b>                      909 Elmerton Avenue                      Harrisburg, PA 17110                      717-705-4705</p> <p>Counties: Adams, Bedford, Berks, Blair, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Mifflin, Perry and York</p>	<p><b>Southeast Region</b>                      2 East Main Street                      Norristown, PA 19401-4915                      484-250-5900</p> <p>Counties: Bucks, Chester, Delaware, Montgomery and Philadelphia</p>





**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF ENVIRONMENTAL CLEANUP AND BROWNFIELDS  
UNDERGROUND STORAGE TANK FACILITY  
OPERATIONS INSPECTION**

**FOR DEP USE ONLY**  
Reviewer \_\_\_\_\_ Date \_\_\_\_\_  
Entered by \_\_\_\_\_ Date \_\_\_\_\_

**FACILITY INFORMATION**

ID Number \_\_\_\_\_ - \_\_\_\_\_  
Name \_\_\_\_\_  
Location \_\_\_\_\_  
Address \_\_\_\_\_  
Municipality \_\_\_\_\_

**Representative Present During Inspection**

Name \_\_\_\_\_  
Phone \_\_\_\_\_  
 Owner     Operator     Employee     None

**CERTIFIED INSPECTOR**

Name \_\_\_\_\_  
ID No. \_\_\_\_\_  
Phone \_\_\_\_\_  
E-mail \_\_\_\_\_

Date of First Site Visit (month/day/year) \_\_\_\_\_

**TANK OWNER (must be a person or an entity)**

Name \_\_\_\_\_

**TANK OPERATOR (if different than owner)**

Name \_\_\_\_\_

USTIF participation documented and verified Yes  No

- Required of all UST owners except federal and state agencies

Suspected or confirmed contamination observed Yes  (notify proper region within 48 hours) No

Improperly closed or unregistered tanks present Yes  (provide comment) No

Fire/safety permit(s) available (if required) Yes  No  N/A

Fire/Safety Permit Number(s) \_\_\_\_\_ Issued By \_\_\_\_\_

Amended registration form required for (check all that apply)

- Added tanks
- Closed tanks
- Change in tank size
- Change in substance stored
- Change of operational status (in or out of service)
- Change of owner

**Inspection summary.**

Indicate the compliance status of each item below using the following codes: N = Noncompliant; C = Compliant. Note: Yes, No, and N/A are not acceptable statements for these fields. These fields may also not be left blank.

	Tank No.				
Tank Construction and Corrosion Protection					
Piping Construction and Corrosion Protection					
Spill Prevention					
Overflow Prevention					
Registration Certificate Display					
Tank Release Detection					
Piping Release Detection					
Equipment Testing					

I, the DEP Certified Inspector (IUM), have inspected the entire above referenced facility including examining manways, sumps, monitoring wells and dispensers. Based on my personal observation of the facility and documentation provided by the owner, I certify under penalty of law as provided in 18 PA C.S.A. Section 4904 (relating to unsworn falsification to authorities), that the information provided by me is true, accurate and complete to the best of my knowledge and belief.

\_\_\_\_\_  
Certified Inspector's Signature

\_\_\_\_\_  
Date

As the representative of the owner or operator, I have reviewed the completed inspection report. I certify under penalty of law as provided in 18 PA C.S.A. Section 4904 (relating to unsworn falsification to authorities), that the information provided by me is true, accurate and complete to the best of my knowledge and belief.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**UNDERGROUND STORAGE TANK FACILITY  
OPERATIONS INSPECTION**

Facility Name \_\_\_\_\_ Date \_\_\_\_\_ Facility ID \_\_\_\_\_ - \_\_\_\_\_

**I. TANK SYSTEM INFORMATION.** For each tank, fill in the required information and codes from the following list. Where multiple codes are allowed and used for a specific tank component, describe the arrangement in the COMMENTS section. (See FOI form instructions for details.)

	Tank No.	DEP Use				
	_____	_____	_____	_____	_____	
1. Tank capacity (name plate gallons)						
2. Substance currently stored (and grade)						
3. Installation date (mm/yyyy)						
4. This drone tank is manifolded to tank number						
5a. Stick reading of product level, in inches, at time of inspection						
5b. Stick reading of water level, in inches, at time of inspection						
6. Total secondary containment on this tank system						(18)
7. Tank construction and corrosion protection						(1)
8a. Primary (inner or single-wall) piping construction †						(2)
8b. Secondary (outer) piping construction †						(2)
9a. Number of tank top sumps ‡						
9b. Number of tank top sumps tested tight ‡						(21)
10a. Number of transition sumps						
10b. Number of transition sumps tested tight						(21)
11a. Number of connected dispensers						
11b. Number of connected dispensers with pans						
11c. Number of dispenser pans tested tight						(22)
12a. Piping joints/connections construction at tank						(PFLX)
12b. Piping joints/connections construction at dispenser						(PFLX)
13. Pump (product dispensing) system						(4)
14a. Number of spill containments (must be permanently installed)						(6)
14b. Number of spill containments tested tight						(6)
15. Overfill type (must be permanently installed)						(7)
16. Current registration certificate displayed/readily available						(8)
17. Stage I vapor recovery						(19)
18. Stage II vapor recovery						(20)
19. This tank supplies an emergency generator						
Evaluate the tank system release detection methods carefully before filling in the following rows.						
20. Tank release detection						(12)
21. Piping small release detection (0.2 gph monthly or 0.1 gph annually)						(5)
22. Pressure (line 13 is C or D) piping line leak detector (LLD function)						(5)
23. LLD function includes a positive turbine pump shutoff						(23)

† indicate manufacturer, model, and generation (if applicable) in Section VII.  
‡ at tank penetrations that have pipe that routinely contains or conveys product.

Site drawing / manifold schematic (not master drone system):

Original: Regional Office – Norristown, Wilkes Barre, Harrisburg, Williamsport, Pittsburgh, or Meadville  
Copy: Owner  
Copy: DEP, Division of Storage Tanks, P.O. Box 8763, Harrisburg, PA 17105-8763  
Copy: Inspector

## Tank System Component Codes

### 6. Total secondary containment

- Y Yes
- N No

### 7. Tank construction

- A Single-wall steel, unprotected
- B Single-wall, galvanic anodes
- C Impressed current protection
- E Single-wall fiberglass (FRP)
- F Double-wall fiberglass (FRP)
- G Double-wall Act 100 or equivalent
- H Single-wall Act 100 or equivalent
- I Steel with lined interior
- J Concrete
- O Double-wall, steel primary, galvanic anodes
- P Cathodically protected and lined
- V Double-wall Act 100 or equivalent with Anodes
- W Single-wall Act 100 or equivalent with Anodes
- N Unknown
- 99 Other (must provide written comment)

### 8a. Primary (inner or single-wall) piping construction

- A Bare steel (including only wrapped or coated)
- B Cathodically protected, metallic
- C Copper, unprotected
- D Fiberglass or rigid non-metallic
- E Flexible non-metallic
- F Unknown
- G No dispensing piping
- I Stainless Steel
- 99 Other (must provide written comment)

### 8b. Secondary (outer) piping construction

- N None (Single-walled piping)
- B Cathodically protected, metallic
- D Fiberglass or rigid non-metallic
- E Flexible non-metallic
- F Unknown
- G No dispensing piping
- I Poly-encased Stainless Steel
- 99 Other (must provide written comment)

### 12. Piping joints/connections

- A Unprotected metallic component(s) (including only wrapped or coated)
- B Cathodically protected, metallic
- F Unknown (must provide written comment)
- I Completely inside a containment sump
- M Completely jacketed with sealed boot
- N NO jacket, not in contact with the ground
- X None (must provide written comment)
- 99 Other (must provide written comment)

### 13. Pump (delivery) system

- A Suction, check valve at pump or siphon bar only
- B Suction, check valve at tank
- C Pressure
- D Gravity flow to dispenser/pump
- E None

### 15. Overfill type (if code S or B, ensure compatible with delivery method)

- S Drop tube shut off device
- A Overfill alarm (provide description and location in comment section)
- B Ball float valve
- E Filled in less than 25 gallon increments
- N None present or not usable

### 16. Current registration certificate display

- Y Properly displayed - manned
- R Readily available - unmanned
- N Not displayed

### 17. Stage I vapor recovery

- A Coaxial
- B 2 port
- N Not complete or none

### 18. Stage II vapor recovery

- A Complete balance system
- B Complete assist system
- C UG piping only; not complete
- D Decommissioned
- N None of the above

### 19. This tank supplies an emergency generator

- Y Yes
- N No

### 20. Tank release detection

- D Statistical Inventory Reconciliation (SIR)
- E Certified Automatic Tank Gauge (0.2 gph Leak Test)
- F Manual Tank Gauging (36 Hour), no TTT
- G44 Manual Tank Gauging, 44 Hours
- G58 Manual Tank Gauging, 58 Hours
- H Interstitial Monitoring (2 Walls)
- J Groundwater Monitoring
- K Vapor Monitoring
- N None
- O Exempt (must provide written comment)

### 21. Piping small release detection (0.2/0.1 gph)

- B Annual Line Tightness Test (pressure)
- C Line Tightness Test - 3 years (suction)
- D Interstitial Monitoring (monthly - includes visual checking)
- E Groundwater Monitoring
- F Vapor Monitoring
- H None
- I Exempt (must provide written comment)
- J Statistical Inventory Reconciliation (SIR)
- K Electronic Line Leak Detector (0.1 or 0.2 gph test)

### 22. Piping line leak detection (3 gph within 1 hr.)

- A Mechanical Line Leak Detector (incl. test)
- H None
- K Electronic Line Leak Detector (3 gph test)
- L Continuous Interstitial Monitoring with alarm or pump shut off

### 23. Positive Turbine pump shutoff

- Y Yes - present and tested
- P Present
- N Not present

**UNDERGROUND STORAGE TANK FACILITY  
OPERATIONS INSPECTION**

Facility Name \_\_\_\_\_ Date \_\_\_\_\_ Facility ID \_\_\_\_\_ - \_\_\_\_\_

**II. RELEASE DETECTION REFERENCE**

- Records may be located at the facility or a readily available alternate site.
- The records include all of the information listed below for chosen release detection methods.
- The inspector has personally reviewed the records.
- A test with an inconclusive result or failure is an indication of a (suspected) product release and must be investigated within 7 days.

*Instructions: Check the box to indicate that a criterion has been met.  
Circle the box to indicate that a criterion has not been met.  
Circle with "N/A" when a criterion is not applicable (provide comment).*

| Tank System              |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> |

**Automatic Tank Gauging: (Tank only – code E)**

ATG manufacturer: \_\_\_\_\_ ATG model: \_\_\_\_\_

Does the automatic tank gauge perform continuous in-tank release detection?  Yes,  No

valid monthly leak test conducted and documented	<input type="checkbox"/>				
manufacturer's certification of ability to detect 0.2 gph release is available	<input type="checkbox"/>				
probes and gauge software certified for manifolded tank systems • when not specifically certified, the siphon must be broken to properly test	<input type="checkbox"/>				
maintenance records, for the last year, including calibration, preventative and repair equipment is operational	<input type="checkbox"/>				

**Manual Tank Gauging: (Tank only – code F, G44 or G58)**

tank capacity is 1,000 gallons or less	<input type="checkbox"/>				
tank installed on or before 11/10/2007	<input type="checkbox"/>				
performed weekly	<input type="checkbox"/>				
1/8th inch accuracy stick readings	<input type="checkbox"/>				
average 2 stick readings before and after test	<input type="checkbox"/>				
test length appropriate for each tank • 36 hours minimum • 44 hours, 551-1000 gallons, 64" diameter • 58 hours, 551-1000 gallons, 48" diameter	<input type="checkbox"/>				
variation is within standard (both weekly and monthly)	<input type="checkbox"/>				

**Interstitial Monitoring: (Tank code H; describe monitoring equipment in comments)**

interstitial area monitored monthly (required for tanks installed after 11/10/2007)	<input type="checkbox"/>				
interstitial sensors properly placed (per manufacturer's instructions)	<input type="checkbox"/>				
monitoring wells (secondary barrier) or ports are clearly marked and secured	<input type="checkbox"/>				
maintenance records, for the last year, including preventative and repair	<input type="checkbox"/>				
equipment manufacturer's performance claims are available	<input type="checkbox"/>				
secondary barrier is compatible with and impermeable to the stored substance	<input type="checkbox"/>				

**Statistical Inventory Reconciliation: (Tank code D and/or Piping code J)**

test vendor: \_\_\_\_\_ version: \_\_\_\_\_

manufacturer's certification of ability to detect 0.2 gph release is available	<input type="checkbox"/>				
data is collected according to the test vendor's instructions	<input type="checkbox"/>				
analysis completed and valid results supplied to owner/operator within 30 day monitoring period • valid reports include calculated leak rate, minimum detectable leak rate, leak threshold, probability of detection and probability of false alarm	<input type="checkbox"/>				
suspected releases properly investigated within 7 days of any inconclusive or failed report, to confirm or deny the occurrence of a release	<input type="checkbox"/>				

**UNDERGROUND STORAGE TANK FACILITY  
OPERATIONS INSPECTION**

Facility Name \_\_\_\_\_ Date \_\_\_\_\_ Facility ID \_\_\_\_\_ - \_\_\_\_\_

**II. RELEASE DETECTION REFERENCE (continued)**

*Instructions: Check the box to indicate that a criterion has been met.  
Circle the box to indicate that a criterion has not been met.  
Circle with "N/A" when a criterion is not applicable (provide comment).*

| Tank System              |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> |

**Groundwater or Vapor Monitoring: (Tank code J or K and/or Piping code E or F; describe well locations and monitoring equipment in comments)**

wells are located according to site evaluation; attach page with properly licensed evaluator authentication to the inspection report	<input type="checkbox"/>				
wells are properly installed in accordance with site evaluation and regulations	<input type="checkbox"/>				
wells are monitored and results recorded monthly in accordance with site evaluation	<input type="checkbox"/>				
monitoring wells are marked and secured	<input type="checkbox"/>				
fill material is sufficiently porous to allow expeditious detection at the monitoring wells	<input type="checkbox"/>				
substance stored meets regulatory requirements for type of monitoring	<input type="checkbox"/>				
equipment manufacturer's performance claims are available	<input type="checkbox"/>				
equipment maintenance records, for the last year, including calibration, preventative and repair	<input type="checkbox"/>				

**Groundwater monitoring:**

monitoring devices can detect 1/8 inch of product or less on water	<input type="checkbox"/>				
groundwater is within 20 feet of surface grade	<input type="checkbox"/>				
wells are sealed from ground surface to the top of the filter pack	<input type="checkbox"/>				
casing is properly slotted: allows entry of product during all groundwater conditions	<input type="checkbox"/>				

**Vapor Monitoring:**

the monitoring device is not rendered inoperative by moisture	<input type="checkbox"/>				
background contamination will not interfere with vapor monitoring	<input type="checkbox"/>				
vapor monitors will detect increases in concentrations of stored substance	<input type="checkbox"/>				

**Interstitial Monitoring: (Piping code D and/or L; describe monitoring equipment in comments)**

interstitial area monitored monthly (required for all totally-contained pressurized piping systems installed after 11/10/2007)	<input type="checkbox"/>				
secondary enters sump and allows a release to be detected	<input type="checkbox"/>				
interstitial sensors properly placed (per manufacturer's instructions)	<input type="checkbox"/>				
monitoring wells or ports (when used) are clearly marked and secured	<input type="checkbox"/>				
maintenance records, for the last year, including preventative and repair	<input type="checkbox"/>				
equipment manufacturer's performance claims are available	<input type="checkbox"/>				
secondary barrier (pipe) is compatible with and impermeable to the stored substance	<input type="checkbox"/>				
(Code L only) continuous monitoring used as line leak detector (gravity or pressurized piping) – capable of detecting a 3.0 gph release from any portion of the piping system within 1 hour	<input type="checkbox"/>				
(Code L only) system tested for operability within the last year	<input type="checkbox"/>				
(Code L only) monthly "sensor status" (or equivalent) records available	<input type="checkbox"/>				

**Exempt Suction System: (SUCTION piping only – code I)**

**NOTE: No further release detection required on piping meeting all these criteria.**

the tank top is lower than the suction pump inlet	<input type="checkbox"/>				
the below grade piping slopes uniformly back to the tank	<input type="checkbox"/>				
there is no more than one check valve in the piping	<input type="checkbox"/>				
the check valve is located close to or inside the suction pump	<input type="checkbox"/>				
compliance with above specifications can be readily determined; describe in comments	<input type="checkbox"/>				

**UNDERGROUND STORAGE TANK FACILITY  
OPERATIONS INSPECTION**

Facility Name \_\_\_\_\_ Date \_\_\_\_\_ Facility ID \_\_\_\_\_ - \_\_\_\_\_

**II. RELEASE DETECTION REFERENCE (continued)**

*Instructions: Check the box to indicate that a criterion has been met.  
Circle the box to indicate that a criterion has not been met.  
Circle with "N/A" when a criterion is not applicable (provide comment).*

| Tank System |
|-------------|-------------|-------------|-------------|-------------|
|             |             |             |             |             |

**Piping Tightness (Line) Testing: (Piping only – code B or C)**

tester name: \_\_\_\_\_ tester certification number: \_\_\_\_\_

test vendor: \_\_\_\_\_ version: \_\_\_\_\_

date of last test: \_\_\_\_\_ result: \_\_\_\_\_

test certification of ability to detect 0.1 gph release at 1.5 times the normal operating pressure is available	<input type="checkbox"/>				
performed by UTT certified installer (after 11/10/2008)	<input type="checkbox"/>				
test conducted at proper frequency	<input type="checkbox"/>				
<ul style="list-style-type: none"> <li>● conducted annually for pressurized piping without monthly monitoring</li> <li>● conducted every 3 years for suction piping not meeting code I requirements</li> </ul>	<input type="checkbox"/>				
if test device permanently installed, maintenance records, for the last year, including calibration, preventative and repair	<input type="checkbox"/>				

**Mechanical Line Leak Detector: (PRESSURIZED Piping only – code A)**

tester name: \_\_\_\_\_

manufacturer: \_\_\_\_\_ model: \_\_\_\_\_

date last tested: \_\_\_\_\_ result: \_\_\_\_\_

certification of ability to detect a release of 3 gph at 10 psig within 1 hour is available	<input type="checkbox"/>				
operational test of leak detector according to manufacturer's instructions in last 12 months	<input type="checkbox"/>				
maintenance records, in addition to the annual test, for last year, including calibration, preventative and repair	<input type="checkbox"/>				

**Electronic Line Leak Detector: (PRESSURIZED Piping only – code K)**

manufacturer: \_\_\_\_\_ model: \_\_\_\_\_

date of last 3gph test: \_\_\_\_\_ result: \_\_\_\_\_

system tested for operability within the last year	<input type="checkbox"/>				
certification of ability to detect a release of 3 gph at 10 psig within 1 hour is available	<input type="checkbox"/>				
maintenance records, in addition to annual test, for last year, including calibration, preventative and repair	<input type="checkbox"/>				
continuously monitors piping	<input type="checkbox"/>				

Is the electronic leak detector performing the "monthly" monitoring function?  Yes,  No If yes:

date of last 0.2gph test: \_\_\_\_\_ result: \_\_\_\_\_

third-party certification of ability to detect 0.2 gph release is available	<input type="checkbox"/>				
documentation of monthly test available for last year	<input type="checkbox"/>				

Is the electronic leak detector performing the "annual" monitoring function?  Yes,  No If yes:

date of last 0.1gph test: \_\_\_\_\_ result: \_\_\_\_\_

third-party certification of ability to detect 0.1 gph release at 1.5 times the normal operating pressure (or an equivalent release rate with an equivalent pressure) is available	<input type="checkbox"/>				
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**UNDERGROUND STORAGE TANK FACILITY  
OPERATIONS INSPECTION**

Facility Name \_\_\_\_\_ Date \_\_\_\_\_ Facility ID \_\_\_\_\_ - \_\_\_\_\_

**III. EQUIPMENT TESTING**

*Instructions: Check the box to indicate that a criterion has been met.  
Circle the box to indicate that a criterion has not been met.  
Circle with "N/A" when a criterion is not applicable (provide comment).*

| Tank System |
|-------------|-------------|-------------|-------------|-------------|
|             |             |             |             |             |

**Overfill Evaluation:**

tester name: \_\_\_\_\_ method: \_\_\_\_\_

date of last test: \_\_\_\_\_ result: \_\_\_\_\_

overfill testing conducted within the last 3 years and documentation available	<input type="checkbox"/>				
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**Spill Containment Testing:**

tester name: \_\_\_\_\_ method: \_\_\_\_\_

date of last test: \_\_\_\_\_ result: \_\_\_\_\_

spill containment testing conducted within the last 3 years and documentation available	<input type="checkbox"/>				
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**OR**

spill containment is double-walled	<input type="checkbox"/>				
both walls of spill containment are monitored at least monthly	<input type="checkbox"/>				

**OR**

tank filled in less than 25 gallon increments	<input type="checkbox"/>				
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**Containment Sump Testing: (Piping release code D and/or L):**

Tester name: \_\_\_\_\_ method: \_\_\_\_\_

date of last test: \_\_\_\_\_ result: \_\_\_\_\_

containment sump testing conducted within the last 3 years and documentation available	<input type="checkbox"/>				
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**OR**

containment sump(s) is/are double-walled	<input type="checkbox"/>				
both walls of sump(s) are monitored at least annually	<input type="checkbox"/>				

**Release Detection Equipment Testing:**

Tester name: \_\_\_\_\_ method(s): \_\_\_\_\_

date of last test: \_\_\_\_\_ result: \_\_\_\_\_

electronic and mechanical components of release detection equipment tested within the last year and documentation available	<input type="checkbox"/>				
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**UNDERGROUND STORAGE TANK FACILITY  
OPERATIONS INSPECTION**

Facility Name \_\_\_\_\_ Date \_\_\_\_\_ Facility ID \_\_\_\_\_ - \_\_\_\_\_

**IV. CORROSION PROTECTION COMPLIANCE CRITERIA**

- The UST Cathodic Protection System Evaluation Form(s) (2630-FM-BECB0610) must be attached to this report for the two most recent corrosion protection tests, if testing was conducted after (IMPLEMENTATION DATE)

*Instructions: Check the box to indicate that a criterion has been met.  
Circle the box to indicate that a criterion has not been met.  
Circle with "N/A" when a criterion is not applicable (provide comment).*

| Tank System              |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> |

**Lined Tanks: (Tank only – code I)**

tank inspected and lined according to national standard date lined: _____	<input type="checkbox"/>				
tank initially inspected 10 years after lining and every 5 years thereafter dates inspected: _____	<input type="checkbox"/>				

**Galvanic and Impressed Cathodic Protection: (Tank code B, C, O or P and/or Piping)**

tank structure to soil potential is equal to or more negative than -0.85 volts, <u>or</u> meets other nationally recognized protection standard: specify: _____	<input type="checkbox"/>				
potential on tank current monitoring (date) _____	<input type="checkbox"/>				
potential on tank previously monitored (date) _____	<input type="checkbox"/>				
pipe/flex structure to soil potential is equal to or more negative than -0.85 volts, <u>or</u> meets other nationally recognized protection standard: specify: _____	<input type="checkbox"/>				
potential on pipe/flex current monitoring (date) _____	<input type="checkbox"/>				
potential on pipe/flex previously monitored (date) _____	<input type="checkbox"/>				

**Impressed Current Design and Rectifier Output: (Tank code C or P and/or Piping)**

system designed by a corrosion expert	<input type="checkbox"/>				
system is turned on and functioning within design limits	<input type="checkbox"/>				
any variation of ± 10% of the initial readings have been properly investigated	<input type="checkbox"/>				
documentation of last three amp readings (plus volt and runtime when meters available), recorded at least once every 60 days:	<input type="checkbox"/>				
most recent: volts: _____ amps: _____ runtime: _____ date: _____					
60 days prior: volts: _____ amps: _____ runtime: _____ date: _____					
120 days prior: volts: _____ amps: _____ runtime: _____ date: _____					

If Cathodic Protection or supplemental anodes were added to an existing tank system, fill in the following (Information is Required for Compliance):

Date assessed: \_\_\_\_\_ Date installed: \_\_\_\_\_  
Assessment Method: \_\_\_\_\_

**UNDERGROUND STORAGE TANK FACILITY  
OPERATIONS INSPECTION**

Facility Name \_\_\_\_\_ Date \_\_\_\_\_ Facility ID \_\_\_\_\_ - \_\_\_\_\_

**V. IUM Record Review:**

- An empty tank (less than 1" of product/sludge) is not required to perform release detection. Indicate date emptied in comments.
- Recently installed tank systems must begin performing release detection immediately after receiving product. Indicate date of first product receipt in comments.

*Instructions: Check the box to indicate that a criterion has been met.  
Circle the box to indicate that a criterion has not been met.  
Circle with "N/A" when a criterion is not applicable (provide comment).*

| Tank System |
|-------------|-------------|-------------|-------------|-------------|
|             |             |             |             |             |

tank release detection records for the last 12 months the system contained product are available	<input type="checkbox"/>				
tank release detection records are all valid and passing	<input type="checkbox"/>				
pipng release detection records for the last 12 months the system contained product are available	<input type="checkbox"/>				
pipng release detection records are all valid and passing	<input type="checkbox"/>				
equipment testing records are available, valid, and passing for most recent testing of overfill, spill containment, containment sumps, and release detection equipment (as applicable)	<input type="checkbox"/>				
walkthrough inspection records are available for the last 12 months the system contained product	<input type="checkbox"/>				
monthly and annual walkthrough inspections cover all required equipment	<input type="checkbox"/>				
records showing the system continuously participated in USTIF are available (paid USTIF invoices and/or fuel delivery receipts with USTIF fee)	<input type="checkbox"/>				

**VI. Operator Training**

- list of trained operators designates a class A operator; includes their training certification
- list of trained operators designates a class B operator; includes their training certification
- list of trained operators designates class C operator(s); date of initial training or last refresher is within the previous 12 months
- written instructions and notification procedures are readily available for class C operators at retail facilities; are posted in a location visible to dispenser operators at other facilities

**DESCRIBE INFORMAL TRAINING PROVIDED FOR OWNER, CLASS A AND/OR CLASS B OPERATORS – see instructions.**

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**UNDERGROUND STORAGE TANK FACILITY  
OPERATIONS INSPECTION**

Facility Name \_\_\_\_\_ Date \_\_\_\_\_ Facility ID \_\_\_\_\_ - \_\_\_\_\_

**VII. COMMENTS INCLUDING ACTIONS TO BRING INTO COMPLIANCE (Attach additional sheets where necessary)**

<b>Tank Manufacturer</b>		<b>Tank Construction (i.e. Double-walled Act 100 with Anodes)</b>	
<b>Piping Manufacturer</b>	<b>Piping Model/Brand</b>		<b>Piping Generation (if applicable)</b>

**DRAFT**

Original: Regional Office – Norristown, Wilkes Barre, Harrisburg, Williamsport, Pittsburgh, or Meadville  
 Copy: Owner  
 Copy: DEP, Division of Storage Tanks, P.O. Box 8763, Harrisburg, PA 17105-8763  
 Copy: Inspector

**2630-FM-BECB0501a**  
**Underground Storage Tank Facility Operations Inspection (Form)**  
**Summary of Changes**

Substantial changes have been made to the layout of 2630-FM-BECB0501a, which may obscure the changes in content. This document has been created in order to make it easy for the reviewer to determine what changes have been made to the content. Below is a summary of the content changes:

**Page 1.**

- "Financial Responsibility discussed with owner" has been replaced with "USTIF participation documented and verified"
- Fire/safety permit(s) section has been added
- "Monthly sump checks" has been replaced with "Equipment Testing"

**Page 2.**

- "(and grade)" has been added to item 2.
- Item 5 has been split into 5a and 5b, "Stick reading" has been added to 5a. 5b states, "Stick reading of water level, in inches, at time of inspection"
- Item 8 has been split into 8a and 8b. 8a asks for primary piping construction, and 8b asks for secondary piping construction.
- Item 9c has been removed, Information regarding spill containments has been moved to 14a and 14b
- Wording in 12 a and b has been changed for clarity
- "(must be permanently installed)" has been added to item 15
- "displayed and readily available" has been added to item 16
- Item 19 added, "This tank supplies an emergency generator"
- Note: "indicate manufacturer, model, and generation (if applicable) in section VII." Has been added.

**Page 2-2.**

- 7D has been deleted
- 7G has been reworded
- 7H has been reworded
- 7V and 7W have been added
- Item 8 has been split into 8a and 8b
- Item 12 has been reworded
- 12C has been deleted
- "(must provide written comment)" added to 12F and 12X
- "secondary pipe or liner" has been deleted from 12I
- Item 14 has been deleted
- 16Y "Properly displayed – manned(added)" and 16R added "Readily available – unmanned"
- 18D added
- 19 changed to "This tank supplies an emergency generator"
- 20C deleted

**Page 3.**

- "actually seen" changed to "personally reviewed"
- "...and must be investigated within 7 days" added to information regarding a suspected release
- Under "Manual Tank Gauging" – capacity reduced to 1,000 gallons or less
- "Precision Tightness Test" section removed
- "Statistical inventory Reconciliation" analysis completed and valid results (previously said within 20 days) supplied within the 30 day monitoring period

**Page 4.**

- "Groundwater or Vapor Monitoring" added "wells are properly installed..."

**2630-FM-BECB0501a**  
**Underground Storage Tank Facility Operations Inspection (Form)**  
**Summary of Changes**

**Page 5.**

- **"Mechanical Line Leak Detector: added "tester name"**
- **"Electronic Line Leak Detector" moved; "self checking" removed**

**Page 6.**

- **Entire "Equipment Testing" section is new**

**Page 7.**

- **Added requirement for use of DEP form after implementation of the regulations**

**Page 8.**

- **Added "IUM" before "Record Review"**
- **Added "Equipment testing records are available..."; "walkthrough inspection records are available..."; "Monthly and annual walkthrough inspections cover all required equipment"; and "records showing the system continuously participated in USTIF..."**

**Page 9.**

- **Added boxes to the comments section for Tank Manufacturer, Tank Construction, Piping Manufacturer, Piping Model/Brand, and Piping Generation (if applicable).**



## PLANNING FOR PERMANENT CLOSURE CHECKLIST UNDERGROUND STORAGE TANK SYSTEMS

- "Underground Storage Tank System Installation/Closure Notification Form" submitted to appropriate DEP regional office with copy sent to Pennsylvania Department of Labor and Industry (or appropriate office in Philadelphia or Allegheny County) at least 30 days prior to initiating permanent closure."
- "Storage Tanks Registration/Permitting Application Form" submitted to appropriate DEP regional office, if the UST systems are required to be registered and they are not.
- Pennsylvania "One-Call" contacted (1-800-242-1776) to have utilities mark their lines.
- Local municipality contacted to obtain any necessary permits or approvals for UST system closure.
- DEP certified remover hired to perform tank handling activities.
- Arrangements made for site assessment and laboratory analysis of samples collected.
- Safety Data Sheets (SDS) obtained for all hazardous substances stored in the UST systems to be closed.
- Arrangements made for treatment/disposal of any contaminated soils encountered.  
**NOTE:** Unless this item is specified in the contract, it can remain a continuing burden of the owner/operator.
- "Storage Tanks Registration/Permitting Application Form" obtained to amend facility status, validated by the DEP certified remover and submitted to the Division of Storage Tanks after UST system closure is completed.  
**NOTE:** Registration fee and USTIF billing will continue until an amended "Storage Tanks Registration/Permitting Application Form" is submitted to the Division of Storage Tanks.



**UNDERGROUND STORAGE TANK SYSTEM  
INSTALLATION / CLOSURE NOTIFICATION FORM**

**NOTE:** The appropriate regional office of the Department must receive notification of installation, change-in-service or permanent closure at least 30 days prior to beginning on-site activities. Report subsequent delays as soon as known.

<b>I. Location of Tank System</b>				
Facility Name			Facility Identification Number	
Street Address		City	State PA	Zip Code
Municipality		County		
Contact Person			Phone Number ( ) -	
<b>II. Owner of Tank System</b>				
Owner Name				
Street Address			Phone Number ( ) -	
City		State	Zip Code	
<b>III. This notification is for:</b>				
<input type="checkbox"/> New installation		<input type="checkbox"/> Complete system replacement		<input type="checkbox"/> Partial system replacement
<input type="checkbox"/> Change-in-service		<input type="checkbox"/> Complete system closure		<input type="checkbox"/> Partial system closure
<b>IV. Month/Day/Year of Proposed Installation / Closure</b>				
<b>V. Certified Installer/Remover/Company Performing Tank Handling Activities</b>				
Certified Installer/Remover Name			Installer/Remover Certification Number	
Street Address			Phone Number ( ) -	
City		State	Zip Code	
Certified Company Name			Company Certification Number	
<b>VI. (For Closure) Contractor/Individual Performing Site Assessment Activities</b>				
Name of Contractor or Individual				
Street Address			Phone Number ( ) -	
City		State	Zip Code	
<b>VII. (For Installation) Briefly Describe Underground Storage Tank System(s) to be Installed</b>				
<u>Tank Size</u>	<u>Substance to be Stored</u>	<u>Tank Size</u>	<u>Substance to be Stored</u>	
<b>VIII. Signature of Tank System Owner</b>			<b>Title</b>	<b>Date</b> / /

**IX. (For Closure) Description of Underground Storage Tank System(s) to be Closed**  
 Complete for each tank undergoing closure. Include additional sheets as necessary.

DEP Tank ID Number					
Total Capacity (Gallons)					
Substance(s) Stored Throughout Operating Life of Tank (Check All That Apply)	a. Petroleum				
	Unleaded Gasoline	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Leaded Gasoline	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Aviation Gasoline	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Pure Ethanol	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Blended Ethanol _____%	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Kerosene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Jet Fuel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Diesel Fuel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Biodiesel _____%	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Fuel Oil No. 1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Fuel Oil No. 2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Fuel Oil No. 4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Fuel Oil No. 5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Fuel Oil No. 6	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	New Motor Oil	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Used Motor Oil	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Nonpetroleum Oil, Specify				
	Other, Specify				
	b. Hazardous Substance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Name of Principal CERCLA Substance					
AND					
Chemical Abstract Service (CAS) No.					
c. Unknown	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Proposed Closure Method(s):</b>					
Partial System Closure		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tank <input type="checkbox"/> N/A	a. Removal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b. Closure-in-Place	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c. Change-in-Service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Piping <input type="checkbox"/> N/A	a. Removal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b. Closure-in-Place	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c. Change-in-Service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dispenser <input type="checkbox"/> N/A	a. Removal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b. Closure-in-Place	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c. Change-in-Service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other _____	a. Removal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b. Closure-in-Place	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c. Change-in-Service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Describe Planned Closure Activities:</b>					



## UNDERGROUND STORAGE TANK MODIFICATION REPORT

<b>FOR DEP USE ONLY</b>	
Reviewer _____	Date _____
Entered by _____	Date _____

<p><b>I. FACILITY INFORMATION</b></p> <p>Facility I.D. Number _____</p> <p>Facility Name _____</p> <p>Facility Address _____</p> <p>_____</p> <p>Municipality _____</p> <p>County _____</p>	<p><b>II. ACTIVITY INFORMATION</b></p> <p>This modification activity is?</p> <p><input type="checkbox"/> Minor modification  <input type="checkbox"/> Major modification</p> <p>Is this modification in response to an inspection?  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes: Inspector: _____</p> <p style="padding-left: 100px;">Inspection Date: _____</p>																		
<p><b>III. TANK INFORMATION</b></p> <p>Tank modification is in accordance with manufacturer's specifications and current industry standards. If no, explain all irregularities in the comment section.</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Tank modification complies with Fire Safety Requirements (for flammable &amp; combustible liquids). If no, explain all irregularities in the comment section.</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable</p> <p>Fire/Safety Permit Number _____ Issued By _____ Date _____</p>																			
<p><b>IV. INSTALLER INFORMATION</b> (If additional installers were involved include their information in VII. Comments)</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">Installer Name</th> <th style="width: 15%;">Installer Cert. No.</th> <th style="width: 25%;">Certification Category(ies)</th> <th style="width: 20%;">Company Name</th> <th style="width: 15%;">Company Cert. No.</th> </tr> </thead> <tbody> <tr> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> </tbody> </table> <table style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width: 40%;">Installer Contact Name _____</td> <td style="width: 30%;">Contact Email _____</td> <td style="width: 30%;">Contact Phone _____</td> </tr> </table>		Installer Name	Installer Cert. No.	Certification Category(ies)	Company Name	Company Cert. No.	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	Installer Contact Name _____	Contact Email _____	Contact Phone _____
Installer Name	Installer Cert. No.	Certification Category(ies)	Company Name	Company Cert. No.															
_____	_____	_____	_____	_____															
_____	_____	_____	_____	_____															
Installer Contact Name _____	Contact Email _____	Contact Phone _____																	
<p><b>V. INSTALLER CERTIFICATION</b></p> <p>This Section must be completed by the certified installer(s) for modifications performed on underground storage tank systems. By signing below, the certified installer verifies that the tank handling activity was conducted in compliance with the standards of Act 32 and applicable regulations. The signature also certifies, under penalty of law as provided in 18 PA C.S.A. Section 4904 (relating to unsworn falsification to authorities), that the information provided is true, accurate, and complete to the best of his/her knowledge and belief.</p> <table style="width: 100%; border-collapse: collapse; margin-top: 20px;"> <tr> <td style="width: 33%; text-align: center;">_____</td> <td style="width: 33%; text-align: center;">_____</td> <td style="width: 33%; text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">Signature(s)</td> <td style="text-align: center;">Date(s) of Signature</td> <td style="text-align: center;">Date(s) Work Completed</td> </tr> </table>		_____	_____	_____	Signature(s)	Date(s) of Signature	Date(s) Work Completed												
_____	_____	_____																	
Signature(s)	Date(s) of Signature	Date(s) Work Completed																	

FACILITY I.D. # \_\_\_\_\_ - \_\_\_\_\_

**VI. TANK SYSTEM COMPONENTS. (Describe only components that have been installed or modified.)**

Tank #	Tank #	Tank #	Tank #	Tank #	Tank #
<p>(1) Tank Modification (describe in VII. Comments)</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> C Cathodic protection (modified)</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> 99 Other</p>			<p>(6) Spill Prevention Repair (describe repair, test and type in VII. Comments) ‡</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Spill Bucket Insert/Repair</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> New Single-Wall</p> <p><input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> New Double-Wall</p>		
<p>(2) Underground Piping Installation or Modification (describe in VII. Comments)</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> B Cathodic protection added</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Field design by a "corrosion expert"</p> <p>Industry Standard used for CP</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> H Modification of existing piping</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> I Double walled steel piping</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> J Double walled fiberglass</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> K Double walled plastic</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> M Jacketed piping</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> 99 Other</p>			<p>(7) Overfill Prevention Installation or Modification (describe status of previous overfill prevention i.e. removed, remains as backup in VII. Comments)</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> S Drop tube shut-off device added</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> A Overfill alarm added</p>		
<p>(PFLEX) Piping Flexible Connection Installation or Modification (describe in VII. Comments)</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> B Metallic/cathodic protection added</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> I Placed inside containment</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> M Jacket added</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> 99 Other</p>			<p>(12) Tank Release Detection Modification (include manufacturer and model number in VII. Comments)</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> E Automatic tank gauge added/replaced</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> H Interstitial monitor (2 walls) added</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> J Groundwater monitoring added (attach site evaluation)</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> K Vapor monitoring added (attach site evaluation)</p>		
<p>(4) Product Delivery (Pump) System Modification (describe in VII. Comments)</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> A Suction: Check valve at pump</p> <p><input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> B Suction: Check valve at tank</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> C Pressure: Submersible pump (STP)</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D Gravity Fed</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> 88 Installed/removed siphon bar</p>			<p>(19) Stage I Vapor Recovery Modification</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> A Coaxial added/replaced</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> B 2 Port added/replaced</p>		
<p>(5) Pipe Release Detection Modification (describe in VII. Comments)</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> A Automatic line leak detector added</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D Interstitial monitoring added</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> K Electronic line leak detector added</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> L Continuous Interstitial monitor added</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> 88 STP shut off added</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> 99 Other</p>			<p>(20) Stage II Vapor Recovery Modification</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> A Complete balance system added</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> B Complete assist system added</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> C Underground piping only added</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D Stage II decommissioned</p>		
			<p>(21) Tank top Sump Installation or Repair (describe installation and test in VII. Comments) ‡</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Y Yes</p>		
			<p>(22) Dispenser Pan Installation or Repair (describe installation and test in VII. Comments) ‡</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> 88 New dispenser installed</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Y Under existing dispenser</p>		

‡ New, replaced, and repaired spill buckets, containment sumps, and dispenser pans must be tested for tightness in accordance with the manufacturer's recommendations and/or applicable industry standards.

FACILITY I.D. # \_\_\_\_\_

**VII. COMMENTS** (Describe activity completed in detail. Explain "other" modifications.)

*The modification report is not complete until all modified or installed components noted in Section V. have been accurately and completely described in the comments section, below.*

**VIII. SITE DRAWING** (Include layout, activity locations, and other drawings necessary to illustrate modifications)



## UNDERGROUND STORAGE TANK SYSTEM CLOSURE REPORT FORM

\_\_\_\_\_  
Facility I.D.

\_\_\_\_\_  
Facility Name

\_\_\_\_\_  
Municipality County

\_\_\_\_\_  
Date Prepared

\_\_\_\_\_  
Name of Person Submitting Report  
(Please Print)

\_\_\_\_\_  
Company Name  
(If Applicable)

\_\_\_\_\_  
Title

**Closure Method (Check all that apply):**

- UST Removal
- UST Closure-In-Place
- UST Change-In-Service

**Site Assessment Results (Check all that apply):**

- No Obvious Contamination - Sample Results Meet Standards/Levels
- No Obvious Contamination - Sample Results Do Not Meet Standards/Levels
- Obvious, Localized Contamination - Sample Results Meet Standards/Levels
- Obvious, Localized Contamination - Sample Results Do Not Meet Standards/Levels
- Obvious, Extensive Contamination

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF ENVIRONMENTAL CLEANUP AND BROWNFIELDS

DATE RECEIVED: \_\_\_\_\_

**UNDERGROUND STORAGE TANK SYSTEM  
CLOSURE REPORT FORM**

Owners who are permanently closing underground storage tank systems may use this form to demonstrate that a storage tank system closure was performed in accordance with technical guidance document 263-4500-601 "Closure Requirements for Underground Storage Tank Systems". PLEASE PRINT OR TYPE. COMPLETE ALL QUESTIONS.

**SECTION I. Owner/Facility/Tank/Waste Management and Disposal Information**

1. Facility ID Number \_\_\_\_\_
2. Facility Name \_\_\_\_\_
3. Facility County \_\_\_\_\_
4. Facility Municipality \_\_\_\_\_
5. Facility Address \_\_\_\_\_
6. Facility Contact Person \_\_\_\_\_
7. Facility Telephone Number (\_\_\_\_) \_\_\_\_\_
8. Owner Name \_\_\_\_\_
9. Owner Mailing Address \_\_\_\_\_
10. Description of Underground Storage Tank Systems (Complete for each tank system closed)

DATE OF TANK SYSTEM CLOSURE (Month/Day/Year)		-	-	-	-
Description of Underground Storage Tank System (Complete for each tank system undergoing closure)					
DEP Tank ID Number					
Total Capacity (Gallons)					
Substance(s) Stored Throughout Operating Life of Tank System (Check All That Apply)	a. Petroleum				
	Unleaded Gasoline	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Leaded Gasoline	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Aviation Gasoline	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Pure Ethanol	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Blended Ethanol _____%	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Kerosene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Jet Fuel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Diesel Fuel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Biodiesel _____%	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Fuel Oil No. 1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Fuel Oil No. 2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Fuel Oil No. 4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Fuel Oil No. 5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Fuel Oil No. 6	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
New Motor Oil	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Used Motor Oil	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Nonpetroleum Oil, Specify Other, Specify	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
NOTE: If Hazardous Substance Block is Checked, Attach Safety Data Sheets (SDS)	b. Hazardous Substance				
	Name of Principal CERCLA Substance				
	AND Chemical Abstract Service (CAS) No.				
	c. Unknown	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Yes N/A

16. If tanks were cleaned on-site:
- a. Briefly describe the disposition of usable product: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - b. Briefly describe the disposal of unusable product, sludges, sediments, and wastewater generated during cleaning. Provide the name and permit number of the processing, treatment, storage or disposal facility. (Attach documentation of proper disposal):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - c. If tank contents were determined/deemed to be hazardous waste, provide:
    - (1) Generator ID Number: \_\_\_\_\_
    - (2) Licensed Hazardous Waste Transporter Name and ID Number: \_\_\_\_\_
17. If tanks were removed from the site for cleaning:
- a. Provide the name and permit number of the processing, treatment, storage or disposal facility performing the tank cleaning: \_\_\_\_\_  
\_\_\_\_\_
  - b. If tank contents were determined/deemed to be hazardous waste, provide:
    - (1) Generator ID Number: \_\_\_\_\_
    - (2) Licensed Hazardous Waste Transporter Name and ID Number: \_\_\_\_\_
18. Briefly describe the disposition of tanks/piping (Attach documentation of proper disposal):  
\_\_\_\_\_  
\_\_\_\_\_
19. If contaminated soil is excavated:
- a. Briefly describe the disposition and amount \_\_\_\_\_ (tons) of contaminated soil. Provide the name and permit number of the processing, treatment, storage or disposal facility. (Attach documentation of proper disposal):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - b. If contaminated soil is determined/deemed to be hazardous waste, provide:
    - (1) Generator ID Number: \_\_\_\_\_
    - (2) Licensed Hazardous Waste Transporter Name and ID Number: \_\_\_\_\_



## UNDERGROUND STORAGE TANK SYSTEM CLOSURE REPORT FORM

### SECTION II. Tank Handling Information

Facility ID Number \_\_\_\_\_ - \_\_\_\_\_  
DEP Tank ID Number(s) \_\_\_\_\_

Yes    N/A

1. Briefly describe the excavation and initial on-site staging of uncontaminated/contaminated soil and debris:

---

---

2. Briefly describe the method of piping system closure and the closure of the piping systems, including the quantity and condition of the piping:

---

---

3. Briefly describe the condition of the tanks and any problems encountered during tank handling or tank removal activities:

---

---

4. Briefly describe the method used to purge the tanks of and monitor for hazardous or explosive vapors:

---

---

5. If tanks were cleaned on-site:

a. Briefly describe the tank cleaning process: \_\_\_\_\_

---

---

b. If subcontracted, name and address of company that performed the tank cleaning:

---

---

6. If tanks were "Closed-in-Place", briefly describe the tank fill material: \_\_\_\_\_

---

---

---

---

7. If contamination was suspected or observed, the "Notification of Contamination" form was submitted.

I, \_\_\_\_\_, hereby certify, under penalty of law as provided in 18 Pa. C.S. §4904 (relating to  
(Print Name)  
unsworn falsification to authorities) that I am the certified remover who performed the tank handling activities associated with the closure of the above referenced storage tank system(s) and that the information provided by me in this closure report (Section I) is true, accurate and complete to the best of my knowledge and belief.

\_\_\_\_\_  
Signature of Certified Remover

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Date

\_\_\_\_\_  
Remover Certification Number

\_\_\_\_\_  
Company Certification Number

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Street

\_\_\_\_\_  
City/Town, State, Zip

\_\_\_\_\_  
Phone

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## UNDERGROUND STORAGE TANK SYSTEM CLOSURE REPORT FORM

### SECTION III. Site Assessment Information

**Tank Registration #** \_\_\_\_\_ (complete one sheet for EACH tank system and attach ALL laboratory sheets pertaining to that system)

**Facility ID Number** \_\_\_\_\_ - \_\_\_\_\_

**A.** Provide depth of *BEDROCK* and *WATER* IF encountered during excavation or soil boring (write "N/A" if NOT encountered).

Bedrock \_\_\_\_\_ feet below land surface      Water \_\_\_\_\_ feet below land surface

**B.** Provide Length of *PIPING* IF piping was closed-in-place (write "N/A" if NOT closed-in-place).

Length of piping \_\_\_\_\_ feet

**C. TANK SYSTEM REMOVED FROM THE GROUND/SITE**

1). Was obvious contamination observed while excavating, sampling or removing the tank system?

**NO** -----> Conduct confirmatory sampling -----> See end of this section for options on submission and maintenance of closure records -----> Do not complete item C.2. below.

**YES** -----> Report release to DEP within 24 hours -----> Describe contamination observed and likely source(s) (tank, piping, dispenser, spills, overfills): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ -----> Complete item C.2. below.

2). Was contamination localized (within three feet of the tank system in every direction with no obvious water contamination)?

**YES** -----> Remove or remediate contaminated soil -----> Conduct confirmatory sampling -----> See end of this section for options on submission and maintenance of closure records -----> Call Indemnification Fund (717-787-0763).

**NO** -----> Continue Interim Remedial Actions -----> See end of this section for options on submission and maintenance of closure records -----> Call Indemnification Fund (717-787-0763).

**D. TANK SYSTEM CLOSED-IN-PLACE OR CHANGED-IN-SERVICE**

Was obvious contamination observed during sampling, boring or assessing water depths?

**NO** -----> Conduct confirmatory sampling -----> See end of this section for options on submission and maintenance of closure records.

**YES** -----> Report release to DEP within 24 hours -----> Describe contamination observed and likely source(s) (tank, piping, dispenser, spills, overfills): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Continue with corrective action -----> See end of this section for options on submission and maintenance of closure records -----> Call Indemnification Fund (717-787-0763).

**E.** If the answer to C.1. is "no", the answer to C.2. is "yes" or the answer to D. is "no", confirmatory samples are required. Use the sample/analysis information sheet on page 10 of 11 to provide the information on confirmatory sampling and complete the diagram on Page 11 of 11.

**Options for Submission and Maintenance of Closure Site Assessment Records**

Records of the site assessment must be maintained for at least three years after completion of permanent closure or change-in-service in one of the following ways:

- (a) By the owners and operators who took the tank system out of service;
- (b) By the current owners and operators of the tank system site; or
- (c) By mailing these records to the DEP regional office responsible for the county in which the tank is located if they cannot be maintained at the closed facility.

Where the results of the site assessment indicate that obvious, localized soil contamination was encountered and the analytical results of the confirmatory sampling show levels below the statewide standard/action levels, this closure report form (Sections I, II, and III) or some other acceptable site characterization report must be received by the Department within 180 days of verbally reporting the release.

Where the results of the site assessment indicate that no obvious contamination or obvious, localized contamination was encountered, but the analytical results of the confirmatory sampling show levels above the statewide standard/action levels, or where there is obvious, extensive contamination, Section 245.310(a)(8) of the Corrective Action Process (CAP) regulations requires that details of removal from service be included in the site characterization report. A copy of the completed closure report form should be submitted as part of the site characterization report to satisfy the requirements of Section 245.310(a)(8) of the CAP regulations.

I, \_\_\_\_\_, hereby certify, under penalty of law as provided in 18 Pa. C.S. §4904 (relating to unsworn falsification to authorities) that I am the person who performed the site assessment activities associated with the closure of the above referenced storage tank system(s) and that the information provided by me in this closure report (Section III) is true, accurate and complete to the best of my knowledge and belief.

_____ Signature of Person Performing Site Assessment	_____/_____/_____ Date
_____ Title of Person Performing Site Assessment	_____ Name of Company Performing Site Assessment
_____ Telephone Number of Person Performing Site Assessment	



**Site Location and Sampling Map** - Use this page or suitable facsimile to provide a large-scale map of the site where storage tank systems were closed. Scales between 1" = 10 and 1" = 100 feet frequently work well. Include the following information as each applies to the site: facility name and I.D., county, township or borough, property boundaries or area of interest, buildings, roads and streets with names or route numbers, utilities, location and ID number of storage tank systems removed including piping and dispensers, soil stockpile locations, excavations or other locations of product recovery, north arrow, approximate map scale and legend. Also, show depth and location of samples with sample ID numbers cross-referenced to the same ID numbers shown on Page 10 of 11.

**Facility Name and ID:** -

**County:**

**Township/Borough:**

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DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF ENVIRONMENTAL CLEANUP AND BROWNFIELDS

**ABOVEGROUND STORAGE TANK INTEGRITY INSPECTION SUMMARY**

<p><b>I. Type of Inspection</b></p> <p>Integrity</p> <p><input type="checkbox"/> In-service    <input type="checkbox"/> Out-of-service</p> <hr/> <p>Installation</p> <p><input type="checkbox"/> New AST    <input type="checkbox"/> Relocated AST</p> <p><input type="checkbox"/> Uncertified install</p>	<p><b>II. Inspection Date(s)</b></p> <p>Completion of this inspection _____</p> <p>Last in-service inspection _____</p> <p>Last out-of-service inspection _____</p> <p>Last lining inspection _____</p>	<p><b>FOR DEP USE ONLY</b></p> <p>Reviewer _____</p> <p>Date _____</p> <p>Entered By _____</p> <p>Date _____</p>
<p><b>III. Facility Information</b></p> <p>Facility I.D. Number _____</p> <p>Facility Name _____</p> <p>Facility Address _____</p> <p>_____</p> <p>Municipality _____</p>	<p><b>IV. Inspector Information</b></p> <p>Name _____</p> <p>Certification number _____</p> <p>Phone _____</p> <p>E-mail _____</p> <p>Employer _____</p> <p>Employer certification number _____</p>	
<p><b>V. Tank Identification</b></p> <p>DEP Tank ID number _____ A ID Number _____</p> <p>Nominal Capacity (gallons) _____</p> <p>Size: diameter _____ (ft) length/height _____ (ft)</p> <p>Substance stored _____</p> <p>Original construction code _____</p> <p>Installation Date: _____ (mm/dd/yy)</p>	<p><b>VI. Fire/Safety Permit</b></p> <p>Number _____</p> <p>Issuing Authority _____</p> <p>Date Issued _____</p> <p><input checked="" type="checkbox"/> Horizontal Saddle Tank    <input type="checkbox"/> Shop Built</p> <p><input checked="" type="checkbox"/> Vertical Tank    <input type="checkbox"/> Field Built</p> <p><input type="checkbox"/> Elevated Vertical Tank</p>	
<p><b>VII. Certified Inspector</b></p> <p>I, the DEP Certified Inspector, have inspected the entire above referenced tank system. Based on my observation of the tank system, review of examination and test results and information provided by the owner, I certify under penalty of law as provided in 18 Pa. C.S.A. Section 4904 (relating to unsworn falsification to authorities), that the information provided by me is true, accurate, and complete to the best of my knowledge and belief. I also certify that this tank system <input type="checkbox"/> can <input checked="" type="checkbox"/> cannot remain in service or be returned to service without additional evaluation or modification.</p> <p>_____ Certified Inspector's Signature</p> <p>_____ Date</p>		
<p><b>VIII. Owner or Owner's Representative</b> I have reviewed the completed inspection report. I certify under penalty of law as provided in 18 PA C.S.A. Section 4904 (relating to unsworn falsification to authorities), the information provided by me is true, accurate, and complete to the best of my knowledge and belief.</p> <p>_____ Name (Please Print)</p> <p>_____ Title</p> <p>_____ Phone Number</p> <p>_____ Signature</p> <p>_____ Date</p>		

Facility ID \_\_\_\_\_ DEP Tank ID \_\_\_\_\_ A Inspection Date \_\_\_\_\_

**IX. Evaluation of Tank System** Indicate the condition of the following components by marking the appropriate columns. If unsatisfactory explain deficiency in comment section.

System component	Satisfactory	Unsatisfactory	Unsatisfactory Cannot Return to Service	Not Applicable
Materials meet specifications/ compatible with substance	<input type="checkbox"/>		<input type="checkbox"/>	
Foundation and tank supports	<input type="checkbox"/>		<input type="checkbox"/>	
Tank shell	<input type="checkbox"/>		<input type="checkbox"/>	
Tank roof	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Tank bottom/floor	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Internal linings & coatings, if installed	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Tank Labeling	<input type="checkbox"/>	<input type="checkbox"/>		
External deterioration protection	<input type="checkbox"/>	<input type="checkbox"/>		
Appurtenances	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Ancillary equipment (including piping)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Cathodic protection system	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Method(s) used for nondestructive examination(s) \_\_\_\_\_

Contamination observed/suspected:  No  Yes, Department notification form submitted on \_\_\_\_\_

Does the tank have any perforations?  No  Yes

**X. Calculated Information (Integrity Inspections)**

1. Corrosion/deterioration rate:

Tank Shell \_\_\_\_\_ (in/yr) Tank Bottom \_\_\_\_\_ (in/yr) Piping \_\_\_\_\_ (in/yr)

2. Remaining service life based on corrosion rate:

Tank \_\_\_\_\_ (years) Piping \_\_\_\_\_ (years)

3. Endpoint used to calculate remaining service life: \_\_\_\_\_ (T-min or other endpoint)

4. Next inspection due dates:

In-service \_\_\_\_\_ (mm/dd/yy) Out-of-service \_\_\_\_\_ (mm/dd/yy) Internal Liner \_\_\_\_\_ (mm/dd/yy)

Next Inspection Dates to be Determined after repairs and before tank is returned to service

5. Safe fill height \_\_\_\_\_ (feet)

6. Out-of-Plane Survey (Per API-653)  Satisfactory  Unsatisfactory  Not required

7. Edge Settlement Analysis (per API-653)  Satisfactory  Unsatisfactory  Not required

**XI. Record Review**

1. Written operations and maintenance plan available on site:  Yes  No  Not required

2. Spill Prevention Response Plan is current and available on site:  Yes  No  Not required

If yes, date of Spill Prevention Response Plan: \_\_\_\_\_ (mm/dd/yy)

3. Monthly inspection records available for the past twelve months:  Yes  No  Not required

4. 72-hour inspection records available for the past twelve months:  Yes  No  Not required

5. Is a leak test required at the time of this inspection?  Yes  No

If yes, did the test indicate a possible leak?  Yes  No Which method was used? \_\_\_\_\_

Facility ID \_\_\_\_\_ — \_\_\_\_\_

DEP Tank ID \_\_\_\_\_ A

Inspection Date \_\_\_\_\_

**XII. Tank Information**

(1) Tank Construction

- A Single wall steel
- D Double wall steel
- E Single wall fiberglass
- F Double wall fiberglass
- R Single wall molded plastic
- X Double wall molded plastic
- S Single wall stainless steel
- 99 Other \_\_\_\_\_

(3) Aboveground Piping Construction

- A Steel
- D Fiberglass
- F PVC or Plastic
- L Stainless Steel
- 99 Other \_\_\_\_\_

(5) Pipe Release Detection Method

- G Visual inspection
- H None
- 99 Other \_\_\_\_\_

(7) Overfill Prevention

- Y Yes
- N No

(10) Tank Cathodic Protection

- B Galvanic
- C Impressed current
- N None

(16) Emergency Containment

- Yes
- No
- Underground Vault

(17) Secondary Containment

- Yes
- No
- Underground Vault

(24) Normal Vent

- S Satisfactory
- U Unsatisfactory

(24) Emergency Vent

- S Satisfactory
- U Unsatisfactory

**XIII. Emergency Containment**

1. Construction

- Earthen material
- Engineered clay
- Geotextile
- Concrete block
- Poured concrete
- Open top steel dike
- Closed top steel dike
- Outer wall of double walled tank (See Section XV)
- Other \_\_\_\_\_

2. Compatibility verified?  Yes  No

3. Meets capacity requirement?  Yes  No

Capacity of largest tank in emergency containment (gallons): \_\_\_\_\_

Capacity of emergency containment (gallons): \_\_\_\_\_

4. Permeability (Tank capacity 21,000 gallons or less)

Sufficiently impermeable to contain any potential release for a minimum of 72 hours and until the release can be detected and fully recovered?  Yes  No

5. Permeability (Tank capacity greater than 21,000 gallons)

Meets permeability requirement?  Yes  No

Verified date: \_\_\_\_\_

Verifier name: \_\_\_\_\_

Permeability: \_\_\_\_\_

Thickness: \_\_\_\_\_

Verification method:

- Known-permeability material
- Field tested
- Laboratory tested
- Professional engineer verified (Number 6 Required)

6. Emergency containment verified by professional engineer\*

PA Licensed Professional Engineer Information:

Name: \_\_\_\_\_

Certification No. \_\_\_\_\_

Written monitoring program allows the facility owner to detect a release from the Tank.  Yes  No

Written response plan allows the facility owner to recover the entire volume of any release and is designed to prevent contamination of the waters of this Commonwealth.  Yes  No

PE sealed certification documents attached  Yes  No

\*Only for existing aboveground storage tank systems constructed prior to November 10, 2010

Facility ID \_\_\_\_\_ — \_\_\_\_\_ DEP Tank ID \_\_\_\_\_ A Inspection Date \_\_\_\_\_

**XIV. Secondary Containment**

- 1. Impermeable layer  Yes  No Describe: \_\_\_\_\_
- 2. Space for release detection  Yes  No Describe: \_\_\_\_\_
- 3. Monitored at least monthly for evidence of a release?  Yes  No

**XV. Double Walled Tanks** If this is a double walled tank that relies solely on the outer wall for containment, please answer the following questions.

- 1. Is there permanently installed spill prevention (Spill Bucket/Containment Box)?  Yes  No
- 2. Are there block valves on all product lines?  Yes  No
- 3. Is there a solenoid valve or antisiphon device?  Yes  No  Not applicable

**XVI. Installer Information** (New and Relocated Tank Systems only)

Installer Name	Certification Number	Company Name	Company Certification
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

- 1. Site Specific Installation Permit Number: \_\_\_\_\_  Not Applicable
- 2. Welding (procedure, qualification)  Satisfactory  Unsatisfactory  Not Applicable
- 3. Is a hydrostatic test required?  Yes  No If yes, were the results satisfactory?  Yes  No
- 4. Tank installation is in accordance with manufacturer's specifications, engineer's design criteria and current industry standards.  Yes  No (If no, explain all deficiencies in Section XVII)

**XVII. Comments** Describe any tank system deficiencies and whether repairs of the deficiencies need to be conducted by, or under the direct oversight of a DEP-certified tank handler. Please note additional information discovered during the inspection. If additional comment sheets are needed, label each sheet with facility and tank identification numbers, inspection date and page number.



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF ENVIRONMENTAL CLEANUP AND BROWNFIELDS

**ABOVEGROUND STORAGE TANK SYSTEM  
CLOSURE REPORT FORM**

\_\_\_\_\_  
Facility I.D.

\_\_\_\_\_  
Facility Name

\_\_\_\_\_  
Municipality County

\_\_\_\_\_  
Date Prepared

\_\_\_\_\_  
Name of Person Submitting Report  
(Please Print)

\_\_\_\_\_  
Company Name  
(If Applicable)

\_\_\_\_\_  
Title

Closure Method (Check all that apply):

- AST Removal
- AST Closure-In-Place
- AST Change-In-Service

Site Assessment Results (Check all that apply):

- No Obvious Contamination - Sample Results Meet Standards/Levels
- No Obvious Contamination - Sample Results Do Not Meet Standards/Levels
- Obvious, Localized Contamination - Sample Results Meet Standards/Levels
- Obvious, Localized Contamination - Sample Results Do Not Meet Standards/Levels
- Obvious, Extensive Contamination

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF ENVIRONMENTAL CLEANUP AND BROWNFIELDS

DATE RECEIVED: \_\_\_\_\_

**ABOVEGROUND STORAGE TANK SYSTEM  
CLOSURE REPORT FORM**

Owners who are permanently closing aboveground storage tank systems may use this form to demonstrate that a storage tank system closure was performed in accordance with technical guidance document 263-4200-001 "Closure Requirements for Aboveground Storage Tank Systems". PLEASE PRINT OR TYPE. COMPLETE ALL QUESTIONS.

**SECTION I. Owner/Facility/Tank/Waste Management and Disposal Information**

1. Facility ID Number \_\_\_\_\_
2. Facility Name \_\_\_\_\_
3. Facility County \_\_\_\_\_
4. Facility Municipality \_\_\_\_\_
5. Facility Address \_\_\_\_\_
6. Facility Contact Person \_\_\_\_\_
7. Facility Telephone Number (\_\_\_\_\_) \_\_\_\_\_
8. Owner Name \_\_\_\_\_
9. Owner Mailing Address \_\_\_\_\_
10. Description of Aboveground Storage Tank Systems: (Complete for each tank system closed)

DATE OF TANK SYSTEM CLOSURE (Month/Day/Year) _____ - _____ - _____				
Description of Aboveground Storage Tank System (Complete for each tank system undergoing closure)				
DEP Tank ID Number				
Total Capacity (Gallons)				
Substance(s) Stored Throughout Operating Life of Tank System (Check All That Apply)	a. Petroleum			
	Unleaded Gasoline	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Leaded Gasoline	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Aviation Gasoline	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Pure Ethanol	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Blended Ethanol _____%	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Kerosene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Jet Fuel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Diesel Fuel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Biodiesel _____%	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Fuel Oil No. 1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Fuel Oil No. 2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Fuel Oil No. 4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Fuel Oil No. 5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Fuel Oil No. 6	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
New Motor Oil	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Used Motor Oil	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Nonpetroleum Oil, Specify				
Other, Specify				
NOTE: If Hazardous Substance Block is Checked, Attach Safety Data Sheets (SDS)	b. Hazardous Substance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Name of Principal CERCLA Substance AND Chemical Abstract Service (CAS) No.			
	c. Unknown	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CLOSURE METHOD(s):		DEP Tank ID Number:			
<b>Partial Storage Tank System Closure</b>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Tank</b> <input type="checkbox"/> N/A	a. Removal b. Closure-in-Place c. Change-in-Service	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			
<b>Piping</b> <input type="checkbox"/> N/A	a. Removal b. Closure-in-Place c. Change-in-Service	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			
<b>Dispenser</b> <input type="checkbox"/> N/A	a. Removal b. Closure-in-Place c. Change-in-Service	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			
<b>Other</b> _____	a. Removal b. Closure-in-Place c. Change-in-Service	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			

**Describe Closure Activities:**

Yes    N/A

11. Briefly describe the storage tank facility and the nature of the operations which were conducted at the facility (both historical and present) including use of the storage tank systems:

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- 12. A site location and sampling map of the site, drawn to scale, is attached. See page 11 of 11.
- 13. Original, color photographs of the closure process involving any excavation are attached (i.e., inside of excavation/piping runs, pit water, containment structure and foundation showing condition).
- 14. An amended "Storage Tanks Registration/Permitting Application" Form was submitted to the DEP, Bureau of Environmental Cleanup and Brownfields, Division of Storage Tanks, P.O. Box 8762, Harrisburg, PA 17105-8762.

Date:    /    /

- 15. If a release was confirmed, the appropriate regional office of DEP was notified by the owner or operator.

Date:    /    /                      Office: \_\_\_\_\_

Yes  N/A

16. If tanks were cleaned on-site:

a. Briefly describe the disposition of usable product: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b. Briefly describe the disposal of unusable product, sludges, sediments, and wastewater generated during cleaning. Provide the name and permit number of the processing, treatment, storage or disposal facility. (Attach documentation of proper disposal):  
\_\_\_\_\_  
\_\_\_\_\_

c. If tank contents were determined/deemed to be hazardous waste, provide:

(1) Generator ID Number: \_\_\_\_\_

(2) Licensed Hazardous Waste Transporter Name and ID Number: \_\_\_\_\_  
\_\_\_\_\_

17. If tanks were removed from the site for cleaning:

a. Provide the name and permit number of the processing, treatment, storage or disposal facility performing the tank cleaning:  
\_\_\_\_\_

b. If tank contents were determined/deemed to be hazardous waste, provide:

(1) Generator ID Number: \_\_\_\_\_

(2) Licensed Hazardous Waste Transporter Name and ID Number: \_\_\_\_\_  
\_\_\_\_\_

18. Briefly describe the disposition of tanks/piping (Attach documentation of proper disposal):  
\_\_\_\_\_  
\_\_\_\_\_

19. If contaminated soil is excavated:

a. Briefly describe the disposition and amount \_\_\_\_\_ (tons) of contaminated soil. Provide the name and permit number of the processing, treatment, storage or disposal facility. (Attach documentation of proper disposal):  
\_\_\_\_\_  
\_\_\_\_\_

b. If contaminated soil is determined/deemed to be hazardous waste, provide:

(1) Generator ID Number: \_\_\_\_\_

(2) Licensed Hazardous Waste Transporter Name and ID Number: \_\_\_\_\_  
\_\_\_\_\_



## ABOVEGROUND STORAGE TANK SYSTEM CLOSURE REPORT FORM

### SECTION II. Tank Handling Information

Facility ID Number \_\_\_\_\_ - \_\_\_\_\_  
DEP Tank ID Number(s) \_\_\_\_\_

Yes    N/A

1. Briefly describe the excavation and initial on-site staging of uncontaminated/contaminated soil and debris:

---

---

2. Briefly describe the method of piping system closure and the closure of the piping systems including the quantity and condition of the piping:

---

---

3. Briefly describe the condition of the tanks and any problems encountered during tank handling or tank removal activities:

---

---

4. Briefly describe the method used to purge the tanks of and monitor for hazardous or explosive vapors:

---

---

5. If tanks were cleaned on-site:

a. Briefly describe the tank cleaning process: \_\_\_\_\_

---

---

b. If subcontracted, name and address of company that performed the tank cleaning:

---

---

6. If tanks were "Closed-in-Place", briefly describe how tanks were rendered inoperative, marked permanently closed with date, vented and secured to prevent unauthorized entry: \_\_\_\_\_

---

---

---

---

7. If contamination was suspected or observed, the "Notification of Contamination" form was submitted.

I, \_\_\_\_\_, hereby certify, under penalty of law as provided in 18 Pa. C.S. §4904 (relating to  
(Print Name)  
unsworn falsification to authorities) that I am the certified remover who performed the tank handling activities associated  
with the closure of the above referenced storage tank(s) and that the information provided by me in this closure report  
(Section I) is true, accurate and complete to the best of my knowledge and belief.

\_\_\_\_\_  
Signature of Certified Remover

\_\_\_\_\_  
Date

\_\_\_\_\_  
Remover Certification Number

\_\_\_\_\_  
Company Certification Number

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Street

\_\_\_\_\_  
City/Town, State, Zip

\_\_\_\_\_  
Phone

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## ABOVEGROUND STORAGE TANK SYSTEM CLOSURE REPORT FORM

### SECTION III. Site Assessment Information

**Tank Registration #** \_\_\_\_\_ (complete one sheet for EACH tank system and attach ALL laboratory sheets pertaining to that system)

**Facility ID Number** \_\_\_\_\_ - \_\_\_\_\_

**A.** Provide depth of *BEDROCK* and *WATER* IF encountered during excavation or soil boring (write "N/A": if NOT encountered).

Bedrock \_\_\_\_\_ feet below land surface      Water \_\_\_\_\_ feet below land surface

**B.** Provide Length of *PIPING* IF piping was closed-in-place (write "N/A" if NOT closed-in-place).

Length of piping \_\_\_\_\_ feet

**C. TANK SYSTEM REMOVED FROM THE GROUND/SITE**

1). Was obvious contamination observed while excavating, sampling or removing the tank system?

NO -----> Conduct confirmatory sampling -----> See end of this section for options on submission and maintenance of closure records -----> Do not complete item C.2. below.

YES -----> Report release to DEP within 24 hours -----> Describe contamination observed and likely source(s) (tank, piping, dispenser, spills, overfills):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

-----> Complete item C.2. below.

2). Was contamination localized (within three feet of the tank system in every direction with no obvious water contamination)?

YES -----> Remove or remediate contaminated soil -----> Conduct confirmatory sampling -----> See end of this section for options on submission and maintenance of closure records.

NO -----> Continue Interim Remedial Actions -----> See end of this section for options on submission and maintenance of closure records.

**D. TANK SYSTEM CLOSED-IN-PLACE OR CHANGED-IN-SERVICE**

Was obvious contamination observed during sampling, boring or assessing water depths?

NO -----> Conduct confirmatory sampling -----> See end of this section for options on submission and maintenance of closure records.

YES -----> Report release to DEP within 24 hours -----> Describe contamination observed and likely source(s) (tank, piping, dispenser, spills, overfills):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Continue with corrective action -----> See end of this section for options on submission and maintenance of closure records.

**E.** If the answer to C.1. is "no", the answer to C.2. is "yes" or the answer to D. is "no", confirmatory samples are required. Use the sample/analysis information sheet on page 10 of 11 to provide the information on confirmatory sampling and complete the diagram on Page 11 of 11.

**Options for Submission and Maintenance of Closure Site Assessment Records**

Records of the site assessment must be maintained for at least three years after completion of permanent closure or change-in-service in one of the following ways:

- (a) By the owners and operators who took the tank system out of service;
- (b) By the current owners and operators of the tank system site; or
- (c) By mailing these records to the DEP regional office responsible for the county in which the tank is located if they cannot be maintained at the closed facility.

Where the results of the site assessment indicate that obvious, localized soil contamination was encountered and the analytical results of the confirmatory sampling show levels below the statewide standard/action levels, this closure report form (Sections I, II, and III) or some other acceptable site characterization report must be received by the Department within 180 days of verbally reporting the release.

Where the results of the site assessment indicate that no obvious contamination or obvious, localized contamination was encountered, but the analytical results of the confirmatory sampling show levels above the statewide standard/action levels, or where there is obvious, extensive contamination, Section 245.310(a)(8) of the Corrective Action Process (CAP) regulations requires that details of removal from service be included in the site characterization report. A copy of the completed closure report form should be submitted as part of the site characterization report to satisfy the requirements of Section 245.310(a)(8) of the CAP regulations.

I, \_\_\_\_\_, hereby certify, under penalty of law as provided in 18 Pa. C.S. §4904 (relating to unsworn  
(Print Name)  
falsification to authorities) that I am the person who performed the site assessment activities associated with the closure of the above referenced storage tank system(s) and that the information provided by me in this closure report (Section III) is true, accurate and complete to the best of my knowledge and belief.

_____ Signature of Person Performing Site Assessment	_____/_____/_____ Date
_____ Title of Person Performing Site Assessment	_____ Name of Company Performing Site Assessment
_____ Telephone Number of Person Performing Site Assessment	



**Site Location and Sampling Map** - Use this page or suitable facsimile to provide a large-scale map of the site where storage tank systems were closed. Scales between 1" = 10 and 1" = 100 feet frequently work well. Include the following information as each applies to the site: facility name and I.D., county, township or borough, property boundaries or area of interest, buildings, roads and streets with names or route numbers, utilities, location and ID number of storage tank systems removed including piping and dispensers, soil stockpile locations, excavations or other locations of product recovery, north arrow, approximate map scale and legend. Also, show depth and location of samples with sample ID numbers cross-referenced to the same ID numbers shown on Page 10 of 11.

**Facility Name and ID:** -

**County:**

**Township/Borough:**

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## PLANNING FOR PERMANENT CLOSURE CHECKLIST ABOVEGROUND STORAGE TANK SYSTEMS

- "Aboveground Storage Tank System Closure Notification Form" submitted to appropriate DEP regional office with copy sent to Pennsylvania Department of Labor and Industry (or appropriate office in Philadelphia or Allegheny County) at least 30 days prior to initiating permanent closure.
- "Storage Tanks Registration/Permitting Application Form" submitted to appropriate DEP regional office, if the AST systems are required to be registered and they are not.
- Pennsylvania "One-Call" contacted (1-800-242-1776) to have utilities mark their lines.
- Local municipality contacted to obtain any necessary permits or approvals for tank system closure.
- DEP certified remover hired to perform tank handling activities.
- Arrangements made for site assessment and laboratory analysis of samples collected.
- Safety Data Sheets (SDS) obtained for all hazardous substances stored in the AST systems to be closed.
- Arrangements made for treatment/disposal of any contaminated soils encountered.  
**NOTE:** Unless this item is specified in the contract, it can remain a continuing burden of the owner/operator.
- "Storage Tanks Registration/Permitting Application Form" obtained to amend facility status, validated by the DEP certified remover and submitted to the Division of Storage Tanks after AST system closure is completed.  
**NOTE:** Registration fee billing will continue until an amended "Storage Tanks Registration/Permitting Application Form" is submitted to the Division of Storage Tanks.



## ABOVEGROUND STORAGE TANK SYSTEM CLOSURE NOTIFICATION FORM

**NOTE:** Notification of permanent closure must be received by the appropriate regional office of the Department at least 30 days prior to initiation of the closure activities.

<b>I. Location of Tank System</b>			
Facility Name		Facility Identification Number	
Street Address		City	State PA      Zip Code
Municipality		County	
Contact Person		Phone Number (    )	
<b>II. Owner of Tank System</b>			
Owner Name			
Street Address		Phone Number (    )	
City		State	Zip Code
<b>III. Month/Day/Year of Proposed Closure</b> /      /			
<b>IV. Certified Remover/Company Performing Tank Handling Activities</b>			
Certified Remover Name		Remover Certification Number	
Street Address		Phone Number (    )	
City		State	Zip Code
Certified Company Name		Company Certification Number	
<b>V. Contractor/Individual Performing Site Assessment Activities</b>			
Name of Contractor or Individual			
Street Address		Phone Number (    )	
City		State	Zip Code
<b>VI. Description of Aboveground Storage Tank Systems (See reverse side of form)</b>			
<b>VII. Will this closure involve replacement of at least one old tank with a new tank?</b>			
Yes <input type="checkbox"/> No <input type="checkbox"/>			
<b>VIII. Signature of Tank System Owner</b>			Date

VI. Description of Aboveground Storage Tank System (Complete for each tank system undergoing closure)					
DEP Tank ID Number					
Total Capacity (Gallons)					
Substance(s) Stored Throughout Operating Life of Tank (Check All That Apply)	a. Petroleum				
	Unleaded Gasoline	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Leaded Gasoline	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Aviation Gasoline	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Pure Ethanol	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Blended Ethanol _____%	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Kerosene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Jet Fuel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Diesel Fuel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Biodiesel _____%	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Fuel Oil No. 1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Fuel Oil No. 2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Fuel Oil No. 4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Fuel Oil No. 5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Fuel Oil No. 6	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
New Motor Oil	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Used Motor Oil	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Nonpetroleum Oil, Specify					
Other, Specify					
b. Hazardous Substance					
Name of Principal CERCLA Substance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
AND					
Chemical Abstract Service (CAS) No.					
c. Unknown	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Proposed Closure Method(s):</b>					
Partial System Closure					
Tank <input type="checkbox"/> N/A	a. Removal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b. Closure-in-Place	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c. Change-in-Service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Piping <input type="checkbox"/> N/A	a. Removal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b. Closure-in-Place	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c. Change-in-Service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dispenser <input type="checkbox"/> N/A	a. Removal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b. Closure-in-Place	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c. Change-in-Service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other _____	a. Removal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b. Closure-in-Place	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c. Change-in-Service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Describe Planned Closure Activities:</b>					

**NOTIFICATION OF RELEASE (Owners and Operators)**

Initial  
 Follow-Up

**NOTIFICATION OF CONTAMINATION (Certified Installers and Inspectors)**

**NOTIFICATION OF RELEASE (Owners and Operators)**

The Storage Tank Program's Corrective Action Process (CAP) regulations establish release reporting requirements for owners and operators of storage tank systems and storage tank facilities.

Subsection 245.305(a) of the regulations requires owners or operators to notify the appropriate regional office of the Department as soon as practicable, but no later than 24 hours, after the confirmation of a release.

Subsection 245.305(c) requires owners or operators to provide an initial written notification to the Department, each municipality in which the release occurred, and each municipality where that release has impacted environmental media or water supplies, buildings, or sewer or other utility lines, within 15 days of the notice required by subsection 245.305(a).

Subsection 245.305(d) requires owners or operators to provide follow-up written notification to the Department and to each impacted municipality of new impacts to environmental media or water supplies, buildings, or sewer or other utility lines discovered after the initial written notification required by subsection 245.305(c). Written notification is to be made within 15 days of the discovery of the new impact.

This form must be used to comply with subsections 245.305(c) and (d).

**OWNERS AND OPERATORS (OO)**

INDICATE IF THIS IS AN INITIAL OR FOLLOW-UP NOTIFICATION BY MARKING THE APPROPRIATE BOX FOUND IN THE TOP RIGHT-HAND CORNER OF THIS FORM. PLEASE COMPLETE ALL INFORMATION IN SECTIONS I, II, IIIA, IIIB, IV, V, VII and VIII.

**NOTIFICATION OF CONTAMINATION (Certified Installers and Inspectors)**

The Storage Tank Program's Certification regulations establish standards of performance for certified installers and inspectors of storage tank systems and storage tank facilities.

Subsection 245.132(a)(4) of the regulations requires certified installers and inspectors to report to the Department a release of a regulated substance; suspected or confirmed contamination of soil, surface or groundwater from regulated substances; or a regulated substance observed in a containment structure or facility, while performing services as a certified installer or inspector. A failed test of spill prevention equipment or a containment sump, conducted to meet the periodic testing requirements of section 245.437, constitutes suspected contamination and must be reported in accordance with subsection 245.132(a)(4).

Subsection 245.132(a)(6) requires that certified installers and inspectors provide the notification required by subsection 245.132(a)(4) to the Department in writing within 48 hours of observing suspected or confirmed contamination.

This form must be used to comply with subsections 245.132(a)(4) and (6).

**CERTIFIED INSTALLERS AND INSPECTORS (II)**

PLEASE COMPLETE ALL INFORMATION IN SECTIONS I, II, IIIA, IIIC, VI, VII and VIII.

**INSTRUCTIONS**

- I. **FACILITY INFORMATION** - Record the name, I.D. number and physical location (not P.O. Box) of the facility at which a release has been confirmed or at which suspected or confirmed contamination has been observed. Include the name and phone number of a person to contact at the facility.
- II. **OWNER/OPERATOR INFORMATION** - Record the name, business address and telephone number of the owner of the facility identified in Section I. Also, record the name and telephone number of the operator of the facility.
- III. **REGULATED SUBSTANCE INFORMATION** - Indicate to the best of your knowledge: A) the type of product or products involved; B) the quantity of product or products released; and C) whether the contamination is suspected or confirmed.
- IV. **CONFIRMED RELEASE INFORMATION** - Record the date of confirmation of the release, e.g., "9/18/01"; the date and regional office notified; and the date the local municipality(ies) [provide name of municipality(ies)] was/were sent a copy of this form. Indicate to the best of your knowledge the source/cause of the release, how the release was discovered and the environmental media affected and impacts.
- V. **INTERIM REMEDIAL ACTIONS** - Indicate the interim remedial actions planned, initiated or completed.
- VI. **SUSPECTED/CONFIRMED CONTAMINATION INFORMATION** - Record the date of observation of the suspected or confirmed contamination, e.g., "1/24/01". Indicate to the best of your knowledge the indications of suspected contamination or extent of confirmed contamination, resulting from the release of the regulated substance.
- VII. **ADDITIONAL INFORMATION** - Provide any additional, relevant, available information concerning the release or suspected or confirmed contamination. Include in this section specific details or problems about the release. For example, if the piping was the source of the release and the cause was corrosion of a metal connector or flexible connector, it is important to include that information here. Use additional 8 1/2" x 11" sheets of paper, if necessary.
- VIII. **CERTIFICATION** - Please print your name, and provide your signature and date of signature. If a certified installer/inspector, provide certification number and company certification number.
- IX. **ATTACHMENT** - If a certified installer/inspector, provide a copy of failed valid tightness test(s), if applicable.

PLEASE SEND COMPLETED ORIGINAL FORM TO:

PA Department of Environmental Protection  
Environmental Cleanup and Brownfields Program  
Storage Tank Section

(and the appropriate address below, depending on where the FACILITY is located)

<p><b>Southeast Region</b> 2 East Main Street Norristown, PA 19401 PHONE: 484-250-5900 FAX: 484-250-5961</p> <p><b>Counties</b> Bucks, Chester, Delaware, Montgomery, Philadelphia</p>	<p><b>Northeast Region</b> 2 Public Square Wilkes-Barre, PA 18701-1915 PHONE: 570-826-2511 FAX: 570-820-4907</p> <p><b>Counties</b> Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Susquehanna, Wayne, Wyoming</p>	<p><b>South-central Region</b> 909 Emerton Avenue Harrisburg, PA 17110 PHONE: 866-825-0200 FAX: 717-705-4830</p> <p><b>Counties</b> Adams, Bedford, Berks, Blair, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Mifflin, Perry, York</p>	<p><b>North-central Region</b> 208 W. Third Street, Suite 101 Williamsport, PA 17701 PHONE: 570-321-8525/327-3636 FAX: 570-327-3420</p> <p><b>Counties</b> Bradford, Cameron, Centre, Clearfield, Clinton, Columbia, Lycoming, Montour, Northumberland, Potter, Snyder, Sullivan, Tioga, Union</p>	<p><b>Southwest Region</b> 400 Waterfront Drive Pittsburgh, PA 15222 PHONE: 412-442-4000 FAX: 412-442-4328</p> <p><b>Counties</b> Allegheny, Armstrong, Beaver, Cambria, Fayette, Greene, Indiana, Somerset, Washington, Westmoreland</p>	<p><b>Northwest Region</b> 230 Chestnut Street Meadville, PA 16335-3481 PHONE: 814-332-6945 800-373-3398 FAX: 814-332-6121</p> <p><b>Counties</b> Butler, Clarion, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Venango, Warren</p>
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**V. INTERIM REMEDIAL ACTIONS (O/O Only)**

(Mark All That Apply ):

	Planned	Initiated	Completed	Not Applicable
Regulated Substance Removed from Storage Tanks .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fire, Explosion and Safety Hazards Mitigated .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contaminated Soil Excavated .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Free Product Recovered .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Water Supplies Identified and Sampled .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Temporary Water Supplies Provided .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (Specify) _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**VI. SUSPECTED / CONFIRMED CONTAMINATION INFORMATION (I/I Only)**

Date of Observation of Suspected/Confirmed Contamination: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
m d y

Indication of Suspected Contamination (Mark All That Apply <input checked="" type="checkbox"/> ):	Extent of Confirmed Contamination (Mark All That Apply <input checked="" type="checkbox"/> ):
Unusual Level of Vapors .....	Product Stained or Product Saturated Soil or Backfill .....
Erratic Behavior of Product Dispensing Equipment .....	Ponded Product .....
Release Detection Results Indicate a Release .....	Free Product or Sheen on Ponded Water .....
Discovery of Holes in the Storage Tank .....	Free Product or Sheen on the Ground Water Surface .....
Containment Sump Test Failure .....	Free Product or Sheen on Surface Water .....
Spill Prevention Equipment Test Failure .....	Other (Specify) _____
Other (Specify) _____	

**VII. ADDITIONAL INFORMATION (Both O/O and I/I)**

Provide any additional, relevant available information concerning the release or suspected or confirmed contamination. Include specific details or problems about the release. For example, if the piping was the source of the release and the cause was corrosion of a metal connector or flexible connector, it is important to include that information here. Provide DEP-assigned and owner/operator-assigned tank number(s), where applicable. Use additional 8½" x 11" sheets of paper, if necessary.





**STORAGE TANKS REGISTRATION / PERMITTING  
APPLICATION FORM**

Before completing this form, read the step-by-step instructions provided in this application package.	
Facility ID #   Facility Name	<b>DEP USE ONLY</b>
	Client ID#
	Site ID#
	Account #
	Auth ID#
	APS ID#
	Master Auth ID#

**I. PURPOSE OF SUBMITTAL**

**INITIAL (Applies to First-Time Facility Registration)**

- |   |  |
|---|--|
| <input type="checkbox"/> Register Tanks(s) to be Used*  | <input type="checkbox"/> Register Tank(s) to be Temporarily Out of Use |
| <input type="checkbox"/> Register Tank(s) to be Removed | <input type="checkbox"/> Register Tank(s) to be Closed in Place        |

**AMENDED (Applies to Currently Registered Tank(s) or Existing Facility)**

- |  |  |
|--|--|
| <input type="checkbox"/> Changed Owner Information                 | <input type="checkbox"/> Changed Contact Information                   |
| <input type="checkbox"/> Changed Facility Information              | <input type="checkbox"/> Changed Facility Operator Information         |
| <input type="checkbox"/> Changed to Currently In Use Tank(s)*      | <input type="checkbox"/> Added Tank(s) to Existing Facility*           |
| <input type="checkbox"/> Changed to Temporarily Out of Use Tank(s) | <input type="checkbox"/> Changed to Permanently Closed Tank(s)/Removed |
| <input type="checkbox"/> Changed Product                           | <input type="checkbox"/> Changed to Exempt Tank(s)                     |

**CHANGE OF OWNERSHIP**

- Tanks Changed Ownership and Remain at Same Facility\*

\* For Underground Storage Tanks (UST), attach the UST Operator Training Documentation Form (2630-PM-BECB0514a) and copies of the Class A and Class B operator training certificates.

**II. CURRENT OR NEW TANK OWNER / CLIENT INFORMATION**

DEP Client ID#	Client Type/Code	Fee Kind (check one if applicable)		
		<input type="checkbox"/> Volunteer Fire Co/EMS Org	<input type="checkbox"/> State Govt	<input type="checkbox"/> Fed Govt
Organization Name or Registered Fictitious Name	Employer ID# (EIN)	Dun & Bradstreet ID#		
Individual Last Name	First Name	MI	Suffix	SSN
Additional Individual Last Name	First Name	MI	Suffix	SSN
Mailing Address Line 1	Mailing Address Line 2			
Address Last Line – City	State	ZIP+4	Country	
Client Contact Last Name	First Name	MI	Suffix	
Client Contact Title	Phone	Ext		
E-mail Address	FAX			

**III. SITE INFORMATION**

DEP Site ID#	Site Name					
EPA ID#	Estimated Number of Employees to be Present at Site					
Description of Site						
County Name	Municipality	City	Boro	Twp	State	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
County Name	Municipality	City	Boro	Twp	State	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Site Location Line 1			Site Location Line 2			
Site Location Last Line – City			State	ZIP+4		
Detailed Written Directions to Site						
Site Contact Last Name		First Name	MI	Suffix		
Site Contact Title		Site Contact Firm				
Mailing Address Line 1			Mailing Address Line 2			
Address Last Line – City			State	ZIP+4		
Phone	Ext	FAX	E-mail Address			
NAICS Codes (Two- & Three-Digit Codes – List All That Apply)				6-Digit Code (Optional)		
Site to Client Relationship						

**IIIa. PROPERTY OWNER INFORMATION**

<input type="checkbox"/> Same as Owner Identified in Section II.		<input type="checkbox"/> Different than Owner Identified in Section II; identified below.				
Organization Name or Registered Fictitious Name		Employer ID# (EIN)	Dun & Bradstreet ID#			
Individual Last Name	First Name	MI	Suffix	SSN		
Additional Individual Last Name	First Name	MI	Suffix	SSN		
Mailing Address Line 1		Mailing Address Line 2				
Address Last Line – City		State	ZIP+4	Country		
Property Owner Contact Last Name		First Name	MI	Suffix		
Property Owner Contact Title		Phone	Ext			
E-mail Address			FAX			

**IV. FACILITY INFORMATION**

DEP Storage Tank Facility ID#	Facility Name	Facility Kind				
Facility Location Line 1 (if different than Site Location)		Facility Location Line 2				
Facility Location Last Line - City		State ZIP+4				
Latitude/Longitude Point of Origin	Latitude			Longitude		
	Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
Horizontal Accuracy Measure	Feet	-or-	Meters			
Horizontal Reference Datum Code	<input type="checkbox"/> North American Datum of 1927 <input type="checkbox"/> North American Datum of 1983 <input type="checkbox"/> World Geodetic System of 1984					
Horizontal Collection Method Code						
Reference Point Code						
Altitude	Feet	-or-	Meters			
Altitude Datum Name	<input type="checkbox"/> The National Geodetic Vertical Datum of 1929 <input type="checkbox"/> The North American Vertical Datum of 1988 (NAVD88)					
Altitude (Vertical) Location Datum Collection Method Code						
Geometric Type Code						
Data Collection Date						
Source Map Scale Number	Inch(es)		=	Feet		
-or-	Centimeter(s)		=	Meters		
Flammable & Combustible Liquid Permit # (if applicable)						
State or Municipality that Issued the Permit						

**FACILITY OPERATOR INFORMATION**

<input type="checkbox"/> Same as Owner Identified in Section II.		<input type="checkbox"/> Different than Owner Identified in Section II; identified below.				
DEP Client ID#	Client Type / Code					
Organization Name or Registered Fictitious Name			Employer ID# (EIN)	Dun & Bradstreet ID#		
Individual Last Name	First Name	MI	Suffix	SSN		
Additional Individual Last Name	First Name	MI	Suffix	SSN		
Mailing Address Line 1		Mailing Address Line 2				
Address Last Line - City		State	ZIP+4	Country		
Client Contact Last Name	First Name	MI	Suffix			
Client Contact Title			Phone	Ext		
E-mail Address				FAX		

**V. CHANGE OF OWNERSHIP INFORMATION**

- All Tanks Changed Ownership at the Facility  
 Some Tanks Changed Ownership at the Facility (List all applicable tank numbers in Section VI.)

OWNERSHIP CHANGE TO - Client information is noted in Section II.

OWNERSHIP CHANGE FROM (previous owner information)

Name \_\_\_\_\_  
Employer ID# (EIN) or SSN \_\_\_\_\_  
Mailing Address Line 1 \_\_\_\_\_  
Mailing Address Line 2 \_\_\_\_\_  
Address Last Line - City \_\_\_\_\_ State \_\_\_\_\_ ZIP+4 \_\_\_\_\_  
Previous Facility ID# \_\_\_\_\_

DATE OF SALE/TRANSFER \_\_\_\_\_

**SIGNATURE & CERTIFICATION OF PREVIOUS OWNER**

Previous owner's signature is not available. As required, the "new" owner has attached a deed of transfer or other proof of ownership to this application.  Yes  No  N/A

I have reviewed this form for submission to the Department. I certify under penalty of law as provided in 18 PA. C.S.A. §4903 (relating to false swearing) and 18 PA. C.S.A. §4904 (relating to unsworn falsification to authorities), that I have the authority to sign this Section for the transfer of permit or registration for the storage tanks listed herein. Further, I certify that all information provided in Section V is true, accurate and complete to the best of my knowledge and belief.

Type or Print Previous Owner Name \_\_\_\_\_

Previous Owner Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

Facility ID#

Facility Name

**VI. STORAGE DESCRIPTION**

Type or print legibly each regulated storage tank at this facility under your ownership.

Status Codes: C-Currently in Use T-Temporarily Out of Use E-Exempt  
Type Codes: M-Manufactured F-Field Constructed

R-Removed P-Closed In Place

A. ABOVEGROUND TANKS. List all new tanks. If amending information, list only those tanks being amended. Copy this page if more lines are needed.

Tank#	Prev Status	New Status	Type	Install Date (Mo/Day/Yr)	Change of Status Date (Mo/Day/Yr)	Capacity (Gallons)	Substance Code (Currently or Last Stored)	CERCLA Name (If Hazardous Substance (If Other Petroleum Substance or Petroleum Based Mixture)	CAS# (If Hazardous Substance)	Exempt Reference Code
A										
A										
A										
A										
A										
A										
A										
A										
A										
A										

B. UNDERGROUND TANKS. List all new tanks. If amending information, list only those tanks being amended. Copy this page if more lines are needed.

Tank#	Prev Status	New Status	Type	Install Date (Mo/Day/Yr)	Change of Status Date (Mo/Day/Yr)	Capacity (Gallons)	Substance Code (Currently or Last Stored)	CERCLA Name (If Hazardous Substance (If Other Petroleum Substance or Petroleum Based Mixture)	CAS# (If Hazardous Substance)	Exempt Reference Code

Facility ID#

Facility Name

**VII. ABOVEGROUND & UNDERGROUND NEW TANK INSTALLATION INFORMATION**

The DEP Certified Installer should complete this section. New tanks listed in Section VI must also be listed in this Section. Write the Tank Number(s) and place an  in the appropriate box for each component that was installed.

Tank Construction & Corrosion Protection (1)	Tank #						
<b>Tank Manufacturer: Model:</b>							
A. Unprotected Steel (Single Wall)	<input type="checkbox"/>						
B. Cathodically Protected Steel (Galvanic)	<input type="checkbox"/>						
C. Cathodically Protected Steel (Impressed Current)	<input type="checkbox"/>						
D. Unprotected Steel (Double Wall)	<input type="checkbox"/>						
E. Fiberglass (Single Wall)	<input type="checkbox"/>						
F. Fiberglass (Double Wall)	<input type="checkbox"/>						
G. Steel W/Plastic or Fiberglass Jacket or Double Wall Act 100	<input type="checkbox"/>						
H. Steel With FRP Coating (Act 100 or Equivalent)	<input type="checkbox"/>						
I. Steel With Lined Interior	<input type="checkbox"/>						
J. Concrete	<input type="checkbox"/>						
O. Cathodically Protected Double Wall Steel (Galvanic)	<input type="checkbox"/>						
P. Cathodically Protected Steel With Liner	<input type="checkbox"/>						
Q. Double Bottom (AST's Only)	<input type="checkbox"/>						
R. Molded Plastic Form (AST's Only)	<input type="checkbox"/>						
S. Stainless Steel	<input type="checkbox"/>						
T. Aluminum	<input type="checkbox"/>						
U. Fire Protected Double Wall AST	<input type="checkbox"/>						
V. Steel with Plastic or Fiberglass Jacket or Double Wall Act 100 with Anodes	<input type="checkbox"/>						
W. Steel with FRP Coating (Act 100 or Equivalent) with Anodes	<input type="checkbox"/>						
X. Molded Plastic Form (Double Wall) (AST's Only)	<input type="checkbox"/>						

Facility ID# Facility Name

	Underground Piping Construction & Corrosion Protection (2) Piping Manufacturer: Model:									
	Tank #	Tank #	Tank #	Tank #	Tank #	Tank #	Tank #	Tank #	Tank #	Tank #
A. Bare Steel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. Cathodically Protected Metallic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C. Copper	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D. Single Wall Fiberglass	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. Single Wall Flexible (Non-Metallic)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G. None	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I. Double Wall Metallic Primary	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Double Wall Rigid (FRP) Primary	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
K. Double Wall Flexible Primary	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
L. Trench Liner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Aboveground Piping Construction & Corrosion Protection (3)										
A. Carbon Steel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. Cathodically Protected Metallic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C. Copper	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D. Single Wall Fiberglass	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. Single Wall Flexible (Non-Metallic)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. PVC	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G. None	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I. Double Wall - Metallic Primary	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Double Wall - Rigid (FRP) Primary	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
K. Double Wall - Flexible Primary	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
L. Stainless Steel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Facility ID# \_\_\_\_\_ Facility Name \_\_\_\_\_

| Product Delivery System (4)               |  | Tank #                   |
|---|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| A. Suction: Check valve at pump           |  | <input type="checkbox"/> |
| B. Suction: Check valve at tank           |  | <input type="checkbox"/> |
| C. Pressure                               |  | <input type="checkbox"/> |
| D. Gravity fed                            |  | <input type="checkbox"/> |
| E. None                                   |  | <input type="checkbox"/> |
| Spill Prevention (6)<br>UST Only          |  | Tank #                   |
| Y. Installed and Liquid Tight             |  | <input type="checkbox"/> |
| N. None                                   |  | <input type="checkbox"/> |
| E. Fill In Less Than 25 Gallons (Exempt)  |  | <input type="checkbox"/> |
| Overfill Prevention (7)                   |  | Tank #                   |
| A. Overfill Alarm                         |  | <input type="checkbox"/> |
| B. Ball Float Valve and No Air Eliminator |  | <input type="checkbox"/> |
| E. Fill In Less Than 25 Gallons (Exempt)  |  | <input type="checkbox"/> |
| N. None                                   |  | <input type="checkbox"/> |
| S. Drop Tube Shutoff Device               |  | <input type="checkbox"/> |
| Y. Yes (AST only)                         |  | <input type="checkbox"/> |
| Emergency Containment (16)<br>ASTs Only   |  | Tank #                   |
| E. Exempt                                 |  | <input type="checkbox"/> |
| N. No                                     |  | <input type="checkbox"/> |
| Y. Yes                                    |  | <input type="checkbox"/> |
| V. Underground Vault                      |  | <input type="checkbox"/> |
| Secondary Containment (17)<br>ASTs Only   |  | Tank #                   |
| E. Exempt                                 |  | <input type="checkbox"/> |
| N. No                                     |  | <input type="checkbox"/> |
| Y. Yes                                    |  | <input type="checkbox"/> |
| V. Underground Vault                      |  | <input type="checkbox"/> |

Facility ID#

Facility Name

	Tank #						
<b>Stage I Vapor Recovery (19)</b>							
<b>USTs and ASTs When Applicable</b>							
A. Coax	<input type="checkbox"/>						
B. 2 Point	<input type="checkbox"/>						
N. None or Incomplete	<input type="checkbox"/>						
<b>Stage II Vapor Recovery (20)</b>							
A. Complete Balance System	<input type="checkbox"/>						
B. Complete Assist System	<input type="checkbox"/>						
C. UG Piping Only	<input type="checkbox"/>						
N. None	<input type="checkbox"/>						
<b>Tank-top Containment Sumps Present (Product Piping Only) (21)</b>							
<b>USTs Only</b>							
N. None	<input type="checkbox"/>						
S. At some penetrations and liquid tight	<input type="checkbox"/>						
A. At all penetrations and liquid tight	<input type="checkbox"/>						
<b>Under-dispenser Containment Present (22)</b>							
<b>USTs Only</b>							
N. None	<input type="checkbox"/>						
S. At some dispensers and liquid tight	<input type="checkbox"/>						
A. Under all dispensers and liquid tight	<input type="checkbox"/>						
<b>Line Leak Detector Shuts Off Pump (23)</b>							
<b>USTs Only</b>							
N. No	<input type="checkbox"/>						
Y. Yes	<input type="checkbox"/>						

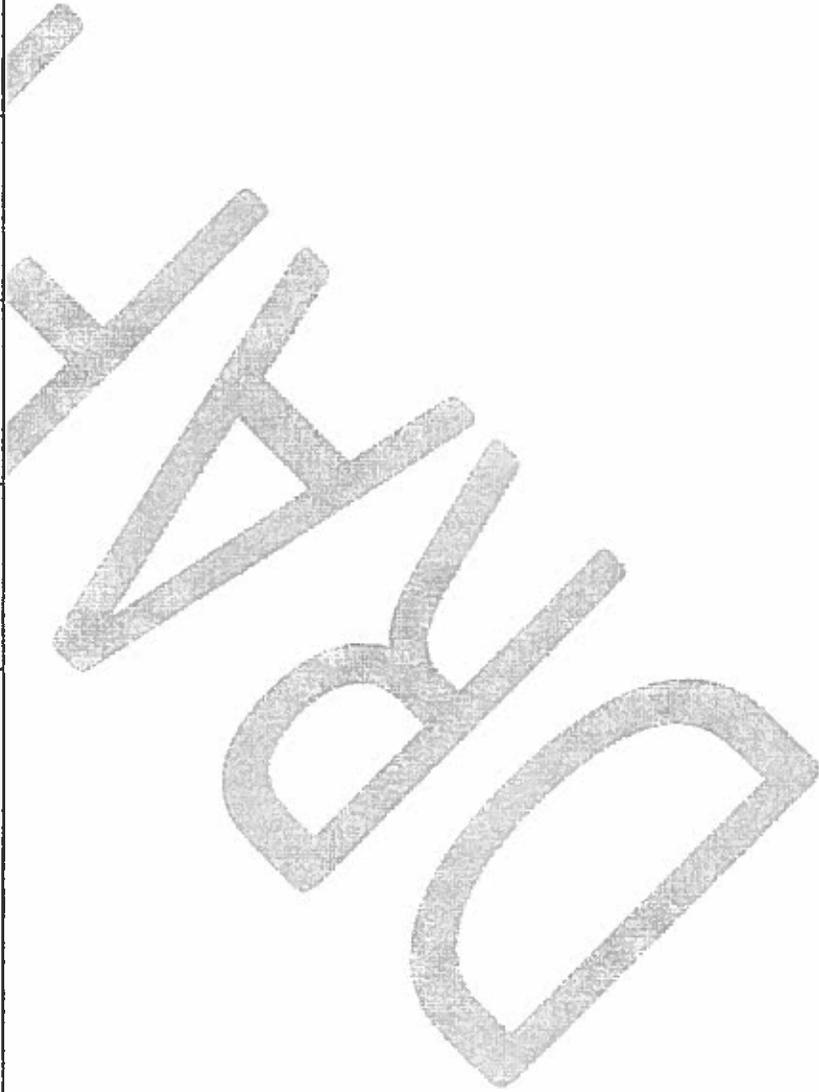
Facility ID#

Facility Name

**VIII. ABOVEGROUND & UNDERGROUND TANK INFORMATION FOR PERMANENT CLOSURE**

Write the Tank Number(s) and place an  in the appropriate box for each tank that was removed or closed in place.

	Tank #					
	<input type="checkbox"/>					
<i>Items 2 &amp; 3 below apply to large ASTs and all USTs</i>						
1. Contamination suspected or observed and notification of contamination form was submitted to the appropriate DEP regional office.	<input type="checkbox"/>					
2. Closure document submitted to the appropriate DEP regional office.	<input type="checkbox"/>					
3. Closure document kept on file by owner.	<input type="checkbox"/>					



**IX. OWNER CERTIFICATION**

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. This registration is conditioned upon compliance with provisions of the Storage Tank and Spill Prevention Act of 1989, all applicable regulations, and with the requirements for obtaining and maintaining a permit required under this Act. I certify my responsibility for assuring the following permit requirements:

- Storage tank systems are in compliance with applicable administrative, technical and operational requirements as specified in Subchapter E for underground tanks or Subchapter F or G for aboveground tanks.
- Tank handling and inspection activities are performed by an individual possessing DEP certification in the appropriate category as required in Subchapters A and B.
- Underground storage tanks meet the applicable financial responsibility requirements of Subchapter H (relating to financial responsibility requirements).
- A Spill Prevention Response (SPR) Plan must be submitted to the appropriate DEP regional office for facilities that have aboveground storage tanks where the total capacity of all aboveground tanks is greater than 21,000 gallons.
- Other state and local permits required for operation of the tank system have been attained.

My signature represents to the Department that I own the storage tank(s) and am aware of the responsibilities and potential liabilities as an "owner" arising under the Storage Tank and Spill Prevention Act of 1989 and all applicable regulations. I am also advised that statements made on this registration is made subject to the penalties of 18 PA. C.S.A. Section 4904 relating to unsworn falsification to authorities.

Type or Print Owner Name

Owner Signature	Title	Date
-----------------	-------	------

**Information & Invoices should be sent to:**

- Tank Owner Contact
- Site Contact
- Facility Operator
- Other Responsible Party Identified Below

Organization Name or Registered Fictitious Name	Employer ID# (EIN)	Dun & Bradstreet ID#
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Individual Last Name	First Name	MI	Suffix	SSN
----------------------	------------	----	--------	-----

Additional Individual Last Name	First Name	MI	Suffix	SSN
---------------------------------	------------	----	--------	-----

Mailing Address Line 1	Mailing Address Line 2
------------------------	------------------------

Address Last Line – City	State	ZIP+4	Country
--------------------------	-------	-------	---------

Contact Title	Phone	Ext.
---------------	-------	------

E-mail Address

Client to Site (Facility) Relationship

**X. INSTALLER / REMOVER CERTIFICATION**

This section must be completed by the certified tank handler(s) who is responsible for the installation or removal from service of the aboveground and underground storage tank systems listed in Section VI. Tank modification activity must be submitted on a "Tank Modification Report" form.

**SIGNATURE & CERTIFICATION OF INSTALLER(S) / REMOVER(S)**

As the certified tank handler responsible for the tank handling activities in the category or categories listed, I certify that all tank handling activities were conducted in compliance with the design, installation and operation standards of the Storage Tank and Spill Prevention Act of 1989 and all applicable regulations. I also certify, under penalty of law as provided in 18 PA C.S.A. 4904 (relating to unsworn falsification to authorities), that the information provided therein is true, accurate and complete to the best of my knowledge and belief.

Tank#	Installer/Remover Name	Construction Standard	Individual Certification#	Certification Category	Company Certification#	Installer/Remover Signature	Date

**XI. INSPECTOR CERTIFICATION**

This section must be completed by the DEP Certified Tank Inspector(s) who is responsible for verifying the installation standards for field constructed tanks and aboveground tanks greater than 21,000 gallons listed in Section VI. (Type or Print legibly) A DEP Certified Inspector may also be responsible for inspecting existing ASTs which are entering regulated service for the first time with no tank handling activities.

**SIGNATURE & CERTIFICATION OF INSPECTOR(S)**

As the certified tank inspector responsible for verifying tank handling activities and construction standards, I certify that the tank(s) listed below are constructed to appropriate industry standards and, if applicable, to manufacturer's specifications; that the tank(s) have been tested as required by industry standards; and that the tank(s) meet or exceed applicable design and operating standards; and are in compliance with the requirements of the Storage Tank and Spill Prevention Act of 1989, and all applicable regulations. I also certify under penalty of law as provided in 18 PA C.S.A. 4904 (relating to unsworn falsification to authorities), that the information provided herein is true, accurate and complete to the best of my knowledge and belief.

Tank#	Inspector Name	Construction Standard	Individual Certification#	Certification Category	Company Certification#	Inspector Signature	Date

**XII. SITE SPECIFIC INSTALLATION PERMIT NUMBER**

If a site-specific permit was required for a new tank installation, write the tank number(s) and permit number(s) in the appropriate box.

Site-Specific Installation Permit	Tank#						



**STORAGE TANK INSTALLER AND INSPECTOR CERTIFICATION APPLICATION**  
*(Read the instructions before completing this application)*

OFFICIAL USE ONLY		
<b>DATE</b>		Application # _____
Appl. Appr.	Appl. Denied	Client ID # _____
_____	_____	Employer ID # _____
_____	_____	Master Auth. # _____
		Auth. ID# _____
		Date Rec'd _____

**SECTION I – APPLICANT INFORMATION**

Name \_\_\_\_\_ SSN \_\_\_\_\_  
Last First MI

Home Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip +4 \_\_\_\_\_

Municipality \_\_\_\_\_ County \_\_\_\_\_  
(City, Boro, Twp)

Home Telephone (\_\_\_\_\_) \_\_\_\_\_ Cell Phone (\_\_\_\_\_) \_\_\_\_\_

Email Address \_\_\_\_\_

DEP Client ID # \_\_\_\_\_ DEP Certification ID # \_\_\_\_\_

**SECTION II – APPLICATION TYPE**

- FIRST certification request       MODIFY/ADD certification       RENEW certification

Is this application being submitted in response to a Letter of Denial under Chapter 245?

- Yes       No

Has an enforcement action (NOV, suspension, revocation, order, etc.) pursuant to the Storage Tank Act ever been taken against the applicant?

- Yes       No

If Yes, explain: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**SECTION III – CURRENT EMPLOYER INFORMATION (If more than one, attach additional pages)**

Hire Date \_\_\_\_\_ Employer's Federal Tax ID # (EIN) \_\_\_\_\_

Employer's DEP Client ID # \_\_\_\_\_ Employer's Certification # \_\_\_\_\_

Name \_\_\_\_\_ Company Type Code \_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip +4 \_\_\_\_\_

Municipality \_\_\_\_\_ County \_\_\_\_\_  
(City, Boro, Twp)

Telephone (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ Fax (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Company Contact Person \_\_\_\_\_

Email Address \_\_\_\_\_

**SECTION IV – MAIL CORRESPONDENCE TO ADDRESS**

Applicant Address  Employer's Address

If the applicant has more than one employer and chooses to have correspondence delivered to the employer's address, provide the name of that employer.

**SECTION V – CERTIFICATION CATEGORIES**

**(A) INITIAL Category Approval (Not a Renewal)**

Select category items under the heading **INITIAL** for those categories in which you are qualified. An Installer/Inspector Description Sheet is available for your review in determining qualifications for each category of certification. An applicant *must* complete a separate Attachment A for each certification category requested.

If the certification category requires technical training, manufacturer's certification, or inspector certification, you must submit a copy of the certificate with this application. The certificate must specifically name the applicant.

**(B) RENEWAL**

- **Retest** – Retaking and passing the category-specific examination may be used for renewal.
- **Training** – An applicant may choose to attend, and must complete successfully, a Department approved category-specific training course instead of retesting. Successful completion of the course means attendance at all sessions of the course and attainment of the minimum passing grade for the approved course. You must submit a copy of the course completion certificate with this application.

Also select Training if you are submitting a manufacturer's training certificate for UTT or TL categories. You must submit a copy of the certificate with this application. The certificate must specifically name the applicant. Individuals holding IUM, IAM, or IAF certification are trained by DEP staff. *A training record for inspectors is maintained by the Department so no training certificate needs to be submitted with the application.*

**(C) DELETIONS**

If the applicant wants to withdraw a category certification before the scheduled date of expiration, indicate which category by selecting the delete box adjacent to that category.

INSTALLER CATEGORIES	Initial	Renewal		Delete
		Retest	Training	
<b>Underground</b>				
UMX _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
UMI _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
UMR _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
UTT _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Aboveground</b>				
AMMX _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
AMNX _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
AMR _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
AFMX _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
AFR _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
AMEX _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ACVL _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Underground/Aboveground</b>				
TL _____	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
<b>INSPECTOR CATEGORIES</b>				
<b>Underground</b>				
IUM _____	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
<b>Aboveground</b>				
IAM _____	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
IAF _____	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

**SECTION VI – APPLICANT’S CERTIFYING STATEMENT**

I certify under penalty of law as provided in 18 PA C.S.A. §4904 (relating to unsworn falsification to authorities), that I am the applicant herein named, that I have received the safety training as provided for under §245.111(h) of the regulations, and that the information I have provided on this Application for Certification is true, accurate, and complete to the best of my knowledge and belief.

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
 Signature of the Applicant (In Ink) Date

**SECTION VII – EMPLOYER’S CERTIFYING STATEMENT**

I certify under penalty of law as provided in 18 PA C.S.A. §4904 (relating to unsworn falsification to authorities), that I am an officer of the applicant’s employer. The applicant herein named has been provided with adequate safety training as provided for under §245.111(h) of the regulations. I further certify that the information provided on this Application for Certification is true, accurate, and complete to the best of my knowledge and belief.

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
 Signature & Title of Company Officer (In Ink) Date

**APPLICANT'S CHECKLIST** (Please type or print your name below)

**INITIAL REQUEST FOR CERTIFICATION IN A CATEGORY**

- This Application, signed by the applicant and the employer
- Attachment A (If required)
- A Copy of the Applicable Training Certificate(s)

**REQUEST FOR RENEWAL OF CERTIFICATION IN A CATEGORY**

- This Application, signed by the applicant and the employer
- Select the **RETEST** checkbox if renewing by examination for
- Select the **TRAINING** checkbox if renewing by training or equipment manufacturer's certification.

**IF YOU ARE RENEWING YOUR CERTIFICATION**

**Please record the date you last attended administrative training**

- I last attended Administrative Training on \_\_\_\_\_, 20\_\_.
- I am not required to attend Administrative Training because I am certified as an **INSPECTOR ONLY** and I **DO NOT** hold a tank handling certification of any kind.

The Department reserves the right to request additional information necessary to determine whether the issuance of a certification conforms to Act 52 and Chapter 245.

The applicant should retain a copy of the application and all attachments. Mail, **DO NOT FAX**, the original application (not the instructions) & copies of applicable training certificates to:

**Pennsylvania Department of Environmental Protection  
Bureau of Environmental Cleanup and Brownfields  
Division of Storage Tanks  
PO Box 8762  
Harrisburg, PA 17105-8762**

If you have questions please call Customer Service at:

**717-772-5599  
or  
1-800-42-TANKS (In PA)**

Additional information may be obtained by calling Storage Tanks customer service at the above numbers, or by visiting [www.dep.pa.gov](http://www.dep.pa.gov), Search: Storage Tanks.



## INITIAL QUALIFICATIONS STORAGE TANK INSTALLER AND INSPECTOR CERTIFICATION

This table displays the minimum experience, education, and training required to be met by applicants for their initial certification in a technical category. Adoption of the regulations promulgated under PA Code 25, Chapter 245 (Administration of the Storage Tank and Spill Prevention Program) established criteria for applicants requesting category-specific certification in a technical category never held previously by the applicant. See 245.11 (Certified Installer Experience and Qualifications), and 245.113 (Certified Inspector Experience and Qualifications).

### INSTALLER CATEGORIES

Category Code	Description	Experience, Education, Training, or Certification	<sup>1</sup> Total Number Of Activities Completed
UMX	Underground Storage Tank System Installation & Modification	2 years, or college degree and 1 year. Technical Training	10 Installations or major modifications (at least 5 installations)
UMI	Underground Storage Tank System Minor Modification	2 years, or college degree and 1 year. Technical Training	10 Minor Modifications
UMR	Underground Storage Tank Removal	2 years, or college degree and 1 year. Technical Training	6 Removals
UTT	Underground Storage Tank System Tightness Tester	Department approved training with testing equipment manufacturer's certification	None
AMMX	Aboveground Manufactured Metallic Storage Tank or Storage Tank System Installation and Modification	2 years, or college degree and 1 year. Technical Training	10 Installations or major modifications (at least 5 installations)
		----- Or UMX Certification	None
		----- Or AFMX Certification	None
AMNX	Aboveground Manufactured Non-Metallic Storage Tank or Storage Tank System Installation and Modification	2 years, or college degree and 1 year. Technical Training	10 Installations or Major Modifications (at least 5 installations)
		----- Or AMMX Certification	6 AST Installations



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF ENVIRONMENTAL CLEANUP AND BROWNFIELDS

Category Code	Description	Experience, Education, Training, or Certification	<sup>1</sup> Total Number Of Activities Required
AMR	Aboveground Storage Tank Removal	2 years, or college degree and 1 year. Technical Training	6 Removals
		----- Or UMR Certification	None
		----- Or AFR Certification	None
AFMX	Aboveground Field-Constructed Metallic Storage Tank Installation, Modification & Removal	3 years, or college degree and 2 years Technical Training	12, which may be Installations or Major Modifications
AFR	Aboveground Field-Constructed Storage Tank Removal	2 years, or college degree and 1 year. Technical Training	6 Removals
AMEX	Aboveground Storage Tank Mechanical Installation, Modification, & Removal	3 years, or college degree and 2 years Technical Training	12, At Least 6 Installations
ACVL	Aboveground Storage Tank Civil Installation & Modification of Tank Related Structural Components	3 years, or college degree and 2 years Technical Training	12, At Least 6 Installations
TL	Aboveground & Underground Storage Tank Liner	2 years Manufacturer's Certification	9 Tank Linings

<sup>1</sup> The total number of activities completed required by subsection (a) shall have been completed within the 3-year period immediately prior to submitting the application for certification. The activities shall have been completed in compliance with Federal and State requirements and the applicant shall have had substantial personal involvement at the storage tank site in the activities. Non-certified individuals may work at the site but the certified installer is directly responsible to assure that the activities are conducted properly. This work qualifies toward the total number of activities completed requirement.



## INSPECTOR CATEGORIES

Category Code	Description	Experience, Education, Training, or Certification	Total Number Of Activities Completed
2IUM	Inspector, Underground Storage Tank Systems and Facilities	<ul style="list-style-type: none"> <li>• 4 years, or college degree and 2 years</li> <li>• Department approved tank tightness testing familiarization or UTT Certification.</li> <li>• UMX Certification</li> <li>• Corrosion Protection Training</li> </ul>	None
2IAM	Inspector, Aboveground Manufactured Storage Tank Systems and Facilities	<ul style="list-style-type: none"> <li>• 4 years, or college degree and 2 years</li> <li>• API 653 Certification Or STI Inspector Certification Or Department approved AST inspector certification</li> </ul>	None
2IAF	Inspector, Aboveground Field Constructed Storage Tank Systems and Facilities	<ul style="list-style-type: none"> <li>• 4 years, or college degree and 2 years</li> <li>• API 653 Certification Or Department approved AST Inspector certification</li> </ul>	12 Integrity or construction inspections

<sup>2</sup> Inspector certification will be granted to applicants meeting the experience, education, training, certification, and examination requirements; however, the inspector may not conduct unsupervised Facility Operations, Integrity or Construction Inspections until completion of DEP-provided training for new inspectors.



## RENEWAL QUALIFICATIONS STORAGE TANK INSTALLER AND INSPECTOR CERTIFICATION

This table displays the minimum experience, education, and training required to be met by applicants for certification in a technical category. Adoption of the regulations promulgated under PA Code 25, Chapter 245 (Administration of the Storage Tank and Spill Prevention Program) established new criteria for applicants requesting renewal of category-specific certification in a technical category held previously by the applicant. See 245.114 (Renewal and Amendment of Certification).

### INSTALLER CATEGORIES

Category Code	Description	Experience and Training
UMX	Underground Storage Tank System Installation & Modification	Examination or Technical training 1Administrative Training
UMI	Underground Storage Tank System Minor Modification	Examination or Technical training 1Administrative Training
UMR	Underground Storage Tank Removal	Examination or Technical training 1Administrative Training
UTT	Underground Storage Tank System Tightness Tester	Testing Equipment Manufacturer's Certification 1Administrative Training
AMMX	Aboveground Manufactured Metallic Storage Tank or Storage Tank System Installation and Modification	Examination or Technical training 1Administrative Training
AMNX	Aboveground Manufactured Non-Metallic Storage Tank or Storage Tank System Installation and Modification	Examination or Technical training 1Administrative Training
AMR	Aboveground Storage Tank Removal	Examination or Technical training 1Administrative Training
AFMX	Aboveground Field-Constructed Metallic Storage Tank Installation, Modification & Removal	Examination or Technical training 1Administrative Training
AFR	Aboveground Field-Constructed Storage Tank Removal	Examination or Technical training 1Administrative Training

Category Code	Description	Experience and Training
AMEX	Aboveground Storage Tank Mechanical Installation, Modification, & Removal	Examination or Technical training ¹Administrative Training
ACVL	Aboveground Storage Tank Civil Installation & Modification of Tank Related Structural Components	Examination or Technical training ¹Administrative Training
TL	Aboveground & Underground Storage Tank Liner	Manufacturer's Certification ¹Administrative Training

### INSPECTOR CATEGORIES

Category Code	Description	Experience and Training
IUM	Inspector, Underground Storage Tank Systems and Facilities	Department Inspector Training
IAM	Inspector, Aboveground Manufactured Storage Tank Systems and Facilities	<ul style="list-style-type: none"> <li>• Department Inspector Training And</li> <li>• API 653 Certification Or</li> <li>STI Inspector Certification Or</li> <li>Department Approved Inspector Certification</li> </ul>
IAF	Inspector, Aboveground Field Constructed Storage Tank Systems and Facilities	<ul style="list-style-type: none"> <li>• Department Inspector Training And</li> <li>• API 653 Certification Or</li> <li>Department Approved Inspector Certification</li> </ul>

¹Administrative training will be provided by the department. Applicants shall have completed administrative training within the 24-month period immediately preceding submission of their renewal application. Applications are not to be submitted to the department more than 120 days prior to certification expiration, except in pre-approved circumstances.



**STORAGE TANK TRAINING COURSE APPROVAL APPLICATION**

This application must be complete and accurate. Type or print legibly. If additional space is needed use a clean sheet of white paper upon which you must include the applicant name, and identify the section being continued.

OFFICIAL USE ONLY					
Received _____	Approved <input type="checkbox"/>	Denied <input type="checkbox"/>	Returned <input type="checkbox"/>	Client ID# _____	
Reviewed by _____	Date _____			Course Approval # _____	

**SECTION I – APPLICATION TYPE**

- INITIAL** Approval (First time applying under Chapter 245)
- AMENDMENT** (Change information previously submitted)
- RENEWAL** (Required every 3 years)

If amending or renewing an existing training course

Client ID# \_\_\_\_\_  
 Course ID# \_\_\_\_\_

**SECTION II – APPLICANT INFORMATION**

Applicant Type Code \_\_\_\_\_ Federal Tax ID# (EIN) or SSN \_\_\_\_\_  
 Company or Individual's Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip +4 \_\_\_\_\_ Country \_\_\_\_\_  
 Company Contact Name \_\_\_\_\_  
Last First MI Suffix  
 Phone (\_\_\_\_) \_\_\_\_ - \_\_\_\_ Ext. \_\_\_\_\_ Fax (\_\_\_\_) \_\_\_\_ - \_\_\_\_  
 Company Email Address \_\_\_\_\_

**SECTION III – COURSE INFORMATION**

Official Course Title \_\_\_\_\_

Does this training course target individuals seeking:

- INITIAL** Category Certification
- Category Certification **RENEWAL**
- UST** Operator Training

**Underground Tanks**

- UMR     UMX and UMI     UTT

**Aboveground Tanks**

- AMMX     AMNX     AMEX     AFMX     ACVL     AMR     AFR

**UST Operator Training**

- CLASS A             CLASS B             CLASS A & B

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**SECTION IV – INSTRUCTOR INFORMATION** Provide the information requested for each training course instructor. If you need additional space copy this page.

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Instructor Last Name	First Name	MI	Suffix
Title			
Affiliation			
Phone Number	Ext		
Professional Background (Education & Experience – Use space below if needed)			

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Instructor Last Name	First Name	MI	Suffix
Title			
Affiliation			
Phone Number	Ext		
Professional Background (Education & Experience – Use space below if needed)			

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Instructor Last Name	First Name	MI	Suffix
Title			
Affiliation			
Phone Number	Ext		
Professional Background (Education & Experience – Use space below if needed)			

**SECTION V – COURSE OUTLINE ATTACHMENTS**

You must provide the following information as attachments to this application. Label the attachment "Course Outline" and type or print the applicant's name in the top right-hand corner of each attachment sheet. The Course Outline must include all of the following:

- 1. A description of the subject matter to be presented, to include a list of industry standards and regulations referenced .....
- 2. The order in which each topic will be presented .....
- 3. The amount of time dedicated to the presentation of each topic .....
- 4. The name of the instructor presenting each topic, and .....
- 5. The location where the training course will be conducted .....

**SECTION VI – COURSE TEST DESCRIPTION ATTACHMENTS**

You must provide the following information as attachments to this application. Label the attachment "Test Description" and type or print the applicant's name in the top right-hand corner of each attachment sheet. The Test Description must include all of the following:

- 1. A description of the preparation of the test, to include organization and format. ....
- 2. A description of the test content, including representative questions. The test must measure the participant's knowledge of the technical, administrative, and legal requirements related to the subject matter of the training course. ....
- 3. A description of the procedures for administering, monitoring and grading the test. ....
- 4. An indication of the passing score. This score must be achieved by the participant in order to receive a passing grade and certificate from the training provider. ....
- 5. A copy of the certificate given to the participant upon successful completion of the training course. Successful completion means attendance at all sessions and attainment of a minimum passing grade. The Certificate must include the name of the participant, the course title, the name of the training provider, course approval number, the date the training was completed, the date the certificate expires, and the signature of the training course provider. ....

**SECTION VII – CERTIFICATION**

I understand that final approval of the training course may, at the discretion of the department, involve a presentation of the training course to the department by the applicant. In addition, the department may audit the approved training course to ensure adherence to the material submitted in this application.

I certify under penalty of law as provided in 18 PA C.S.A. §4904 (relating to unsworn falsification to authorities) that the information provided in this application is true, accurate and complete to the best of my knowledge and belief.

Typed or printed name of applicant \_\_\_\_\_ Title \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

## Instructions



**pennsylvania**  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF ENVIRONMENTAL CLEANUP AND BROWNFIELDS

## STORAGE TANK SITE-SPECIFIC INSTALLATION PERMIT APPLICATION INSTRUCTIONS

### GENERAL INFORMATION

The following instructions are intended to assist the applicant in properly completing a DEP Storage Tank Site Specific Installation Permit (SSIP) Application. Permitting regulations are in 25 PA Code Chapter 245 Subchapter C. Information is available from and the application must be submitted to:

Department of Environmental Protection  
Bureau of Environmental Cleanup and Brownfields  
Division of Storage Tanks  
P.O. Box 8762  
Harrisburg, PA 17105-8762  
(717) 772-5599

The application package must contain two (2) complete copies of all parts of the application and the required fee. Information must be typed or clearly printed. The application package contains the following:

- General Information Form (GIF)
- Site Specific Installation Permit Form Part I
- Site Specific Installation Permit Form Part II (if required)
- Attachments
- Fee

Please review the application form and attachments carefully before submitting to the Department. The Department will only begin its review after the receipt of a complete application package. Use the Site-Specific Installation Permit Completeness Review Checklist to ensure the submittal of a complete application package.

Applicants are highly encouraged to contact the Department for a pre-application conference or discussion.

Site-Specific Installation Permits will expire five years from the date of issuance unless the Department receives a written extension request from the owner prior to the expiration date and grants an extension.

### INSTALLATION ACTIVITIES WHICH REQUIRE A PERMIT

A SSIP Application is required before the following storage tank systems can be installed:

- Aboveground storage tank (AST) systems with a capacity greater than 21,000 gallons.
- New AST facilities with an aggregate AST capacity greater than 21,000 gallons.
- Field constructed underground storage tank (UST) systems not installed within a previously registered underground storage tank system.
- Storage tank systems with a capacity greater than 1,100 gallons containing a highly hazardous substance.

Refer to the following matrix to determine the applicable requirements:

Tank Type	Facility Type	Tank Location	Part I Required	Mapping Part II #1	Siting Part II #2	Geological Part II #3	Environmental Assessment Part II #4
Large AST	Existing Large	New	Yes	Yes	Yes	Yes	No
Large AST	Existing Small	New	Yes	Yes	Yes	Yes	Yes
Large AST	Existing Large	Same Footprint	Yes	No	No	Yes	No
Large AST	New	New	Yes	Yes	Yes	Yes	Yes
Small ASTs (aggregate >21,000 gal)	New Large	New	Yes	Yes	Yes	Yes	No
Highly Haz AST/UST	Existing or New	New or Same Footprint	Yes	No	No	No	No
UST Field Constructed	Existing or New	New or Same Footprint	Yes	No	No	No	No

**Tank Type: Applies to proposed storage tank**

- Large AST – Aboveground Storage Tank with a capacity greater than 21,000 gallons
- Small AST – Aboveground Storage Tank with a capacity less than or equal to 21,000 gallons
- Highly Haz – UST greater than 1,100 gallons or AST greater than 1,100 and equal or less than 21,000 gallons; storing a Highly Hazardous Substance as listed in the Regulated Substances List.
- UST Field Constructed – Underground Storage Tank that is fabricated on site

**Facility Type: Applies to current facility status**

- Existing Large – Storage tank facility with aggregate registered AST capacity greater than 21,000 gallons.
- Existing Small – Storage tank facility with aggregate registered AST capacity less than or equal to 21,000 gallons.
- New – No registered AST at facility.
- New Large – Facility has no registered AST but aggregate AST capacity will be greater than 21,000 gallons.
- Existing or New – Applies to both existing AST and new facilities.

**INSTRUCTIONS FOR COMPLETING THE SSIP APPLICATION FORM**

**PART I** must be completed by ALL applicants.

- I. Indicate if the storage tank facility is new or existing. Indicate if the existing facility has regulated aboveground storage tanks.
- II. Enter the owner/business name and telephone number.
- III. Enter the facility name and telephone number. If the facility has a storage tank facility identification number, enter the number as it appears on the registration certificate.
- IV. Indicate if the proposed tank(s) is an UST or AST. Enter the substance which will be stored and the substance's CAS No. (Chemical Abstract Service Number). Enter the proposed tank capacity in gallons. List the Fee for each Tank (see V. below to calculate fee).
- V. The minimum fee for a SSIP application is \$20. The fee for USTs is \$20 per tank. Fees for ASTs at an existing AST facility are based on each tank's capacity. The fee is \$20 for each 10,000 gallons of capacity. Round the capacity to the nearest 10,000 gallons and multiply the number of 10,000s by \$20. Example: An AST with a capacity of 42,000 gallons would have an application fee of \$80.

42,000 rounded to nearest 10,000 is 40,000  
40,000 divided by 10,000 is 4  
4 times \$20 equals \$80

The fee for a new large aboveground tank facility is calculated on the aggregate regulated AST capacity. Add the tank capacities and round to the nearest 10,000 gallons.

Make checks payable to "Commonwealth of Pennsylvania".

- VI. Certification that the general requirements for the SSIP will be met and that the application information is true and correct, must be completed by the tank owner or a responsible official of the applicant. The general requirements are found in 25 PA Code §245.232. Acknowledgment of the general requirements is indicated by the responsible official placing his/her handwritten initials in the space before each appropriate statement.

Include a summary describing how the community was informed of the project, and any interaction with the public regarding the project. For new facilities and facility expansions, it is recommended that a notice be published in a newspaper of general circulation or the project be otherwise advertised to the neighboring community. See DEP technical guidance 012-0900-003, "Policy on Public Participation in the Permit Application Review Process" for more information.

Municipal and County notifications should follow the guidelines in DEP Policy 012-0200-001, "Policy for Consideration of Local Comprehensive Plans and Zoning Ordinances in DEP Review of Permits for Facilities and Infrastructure." This policy explains how DEP takes local land use planning and zoning ordinances into account during the permit review process. View this policy online at [www.dep.pa.gov](http://www.dep.pa.gov), Search Library.

A Spill Prevention Response (SPR) Plan is required for facilities with a total aboveground storage tank capacity greater than 21,000 gallons. An updated SPR Plan, which includes the proposed tanks, must be submitted with the SSIP application or to the appropriate DEP regional Environmental Cleanup Program's Storage Tank Section before a SSIP application can be reviewed. Indicate, by checking the appropriate box, the type of submission, complete new plan or revision of an existing plan, and enter the date that the SPR Plan or revision was submitted.

The Department is required to determine the applicant's compliance status with the applicable state and federal laws pursuant to Section 1301 of the Storage Tank Act, 35 P.S. §6921.1301. Please include the applicant's company structure and the names and tax identification numbers of any related companies (i.e. partner, parent company, subsidiary) owning or operating tanks in Pennsylvania.

The certification statement must be signed by the tank owner or a responsible official of the owner.

## PART II

It is recommended that this part of the application be completed by a person experienced in siting requirements and environmental assessment.

1. Mapping requirements include a plot plan and a copy of the 7½ minute USGS topographic map showing the exact location of the proposed tank(s). Maps, plans and cross sections shall be prepared and sealed by a Pennsylvania registered professional engineer, Pennsylvania registered land surveyor or a Pennsylvania registered geologist and be on a scale no less than 1 inch to 400 feet. Mapping requirements are found at §245.233.

The latitude and longitude needs to be shown on the plot plan for the approximate center of each proposed storage tank. DEP expects the level of accuracy for the latitude and longitude coordinates to be within 25 meters. This information and method of determination must be included on the plot plan and in the following format:

- \* Latitude & Longitude expressed in the following format/detail:

Latitude = Degrees as 2-digit decimal ranging from 00 thru 90  
Minutes as 2-digit decimal ranging from 00 thru 60  
Seconds as 2-digit and expressed to ten-thousandths of a second (SS.S)

Longitude = Degrees as 3 digit decimal ranging from 000 thru 180  
Minutes as 2-digit decimal ranging from 00 thru 60  
Seconds as 2-digit and expressed to ten-thousandths of a second (SS.S)

- \* Specific method used to determine latitude/ longitude coordinates:

Map Interpolation, or  
Geographic Position System (GPS) or  
Other method (Specify)

- \* Specify the level of accuracy ie. 6 meter, 10 meter, 25 meter

The plot plan must include:

- facility name
- facility boundaries
- tank locations
- public roads within or adjacent to the facility
- streams, lakes or surface watercourses located in or adjacent to the facility
- municipality and county name
- location of test borings
- location of any mining activities
- location of public and private groundwater supplies
- latitude and longitude for each new tank

The topographic map must include:

- facility name
- municipality and county name
- facility boundaries
- tank location(s)
- quadrangle name
- location of ground water supply sources within 2,500 feet of facility
- surface drainage courses

2. Siting requirements include determination of floodplains, wetlands, and geological features that are in the vicinity of this construction or installation. Siting requirements are found at §245.234. The following agencies may be able to provide information that could assist you in making siting determinations:

Floodplain: eMAP PA <http://www.depgis.state.pa.us/emappa/>

County or Local Emergency Management Agencies

Federal Emergency Management Agency  
[www.fema.gov](http://www.fema.gov)  
(877) 336-2627

Wetlands: Local County Conservation District

DEP Bureau of Waterways Engineering and Wetlands  
Division of Wetlands, Encroachment and Training  
PO Box 8460  
Harrisburg, PA 17105-8460  
(717) 787-3411

3. Answers of "yes" to any of the questions regarding geological considerations requires the submittal of additional geotechnical analysis. Depending on the extent of geological concerns, tank foundation design considerations may need to be included. An appropriately registered professional must complete the Professional Certification enclosed in the SSIP application package, as well as seal any additional geotechnical analysis and/or tank foundation design documentation. The following agency may be able to provide information that could assist you in making geological interpretations.

**Geological Features:**

Department of Conservation and Natural Resources  
Bureau of Topographic and Geological Survey  
3240 Schoolhouse Road  
Middletown, PA 17057  
(717) 702-2017  
[www.dcnr.state.pa.us/topogeo](http://www.dcnr.state.pa.us/topogeo)

4. The environmental assessment addresses the potential impact the proposed tank(s) may have on the environment and public safety. Provide adequate information about the investigation done to determine any potential threats and the proposed mitigation process, which will allow the Department to determine if adequate protection will be provided. The investigation must consider conditions at the site, adjacent locations and down gradient areas. The potential impact considerations must address the possibility of a release from the storage tank system including the containment structures. Environmental assessment requirements are found at §245.235.
- A. **COMMUNITY WATER SUPPLIES** – Applicants seeking public water system location information should use eMapPA. This program contains a buffer tool that allows users to identify nearby water supplies using a GIS application. The tool will also provide the public water supply contact information so users can contact the water supplier if more information is needed. Please note that specific location data of public water supplies is considered sensitive information and may not be provided. Here is the link: <http://www.depgis.state.pa.us/emappa/>
- B. **PRIVATE WATER SUPPLIES** – Use of the eMAP PA tool (<http://www.depgis.state.pa.us/emappa/>) and the Pennsylvania Groundwater Information System (PAGWIS) database (<http://www.dcnr.state.pa.us/topogeo/groundwater/pagwis/index.htm>) will assist you in determining and locating any private wells in the vicinity of your project. The PAGWIS is included as a layer in eMAP PA. Note that all wells within 2,500 feet of the project must be plotted on the topographic map and submitted with the application.
- C. **WETLANDS** – Use available means to determine the presence or absence of wetlands on and near the project site. The agencies listed previously in the instructions under "wetlands" may be able to assist. Also available is an online soil survey tool, USDA Web Soil Survey (<https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>), which may assist in determining if hydric soils exist on the site.
- D. **CRITICAL OR UNIQUE WILDLIFE HABITATS / AREA WHICH SUPPORTS ENDANGERED, THREATENED, OR RARE PLANT OR ANIMAL SPECIES** – The Pennsylvania Natural Diversity Inventory (PNDI) Environmental Review Tool, online at [www.naturalheritage.state.pa.us](http://www.naturalheritage.state.pa.us) is the first step in determining any potential impacts to endangered or threatened species in the area of the project. Click on the link to the "PNDI Project Planning Environmental Review" and follow the directions to produce a PNDI receipt for your project. If the PNDI results indicate that further review is required, follow the instructions on the report to contact the appropriate agency for follow-up. Include the agency's response with the SSIP application.
- E. **HISTORICAL OR ARCHAEOLOGICAL SITES** – Identification of any impact to historical or cultural resources that could be affected during earth-moving activities can be accomplished by contacting the PA Historical and Museum Commission, address below, with a description of the project and location information. A response will be given noting whether or not additional investigation is required.
- PA Historical and Museum Commission  
Bureau of Historic Preservation  
Commonwealth Keystone Building, Second Floor  
400 North Street  
Harrisburg, PA 17120-0093  
Phone: (717) 783-8946
- F. **RECREATIONAL PARKS AND FORESTS, NATURAL AREAS OR ENVIRONMENTAL CENTERS** – Identify any parks, recreational areas, or natural areas in the vicinity of your project. This can be done through the use of maps or by contacting any pertinent Federal, State, or Local agency.
- G. **PENNSYLVANIA SCENIC RIVERS / NATIONAL WILD AND SCENIC RIVER SYSTEM** – Information regarding both PA and national scenic rivers can be found online at <http://www.dcnr.state.pa.us/brc/conservation/rivers/scenicrivers/index.htm>
- H. **PRIME FARMLAND OR AGRICULTURAL SECURITY AREA** – Information regarding farmland issues can be found by contacting the county conservation district. The online Pennsylvania SoilMap tool at [soilmap.psu.edu](http://soilmap.psu.edu) may assist in determining if the soil type in the project area could be considered prime farmland.

- I. **SPECIAL PROTECTION WATERSHEDS AS DESIGNATED IN CHAPTER 93** – Identify whether your project is near or could impact any watersheds designated as High Quality or Exceptional Value in 25 PA Code, Chapter 93. Applicants seeking Watershed location information should use eMapPa. This program contains a buffer tool that allows users to identify nearby watersheds using a GIS application. Here is the link: <http://www.depgis.state.pa.us/emappa/>

**Other Sources of Information**

USGS Topographic maps

DCNR Recreational Guide and Highway Map

Local Emergency Management Agency

**TECHNICAL GUIDANCE REFERENCES**

(Available online at [www.dep.pa.gov](http://www.dep.pa.gov), Search: eLibrary)

- |              |  |
|--------------|--|
| 012-0200-001 | Policy for Consideration of Local Comprehensive Plans and Zoning Ordinances in DEP Review of Permits for Facilities and Infrastructure |
| 012-0900-003 | Policy on Public Participation in the Permit Application Review Process  |
| 400-0200-001 | Policy for Pennsylvania Natural Diversity Inventory (PNDI) Coordination During Permit Review and Evaluation                            |
| 021-2100-001 | Policy for Implementing the Department of Environmental Protection (Department) Permit Review Process and Permit Decision Guarantee.   |

DRAFT



## ABOVEGROUND STORAGE TANK INSTALLATION INSPECTION SUMMARY

<p><b>I. Reason for Inspection</b></p> <p><input type="checkbox"/> New tank system</p> <p><input type="checkbox"/> Relocated tank system</p> <p><input type="checkbox"/> Uncertified installation</p>	<p><b>II. Inspection Date(s)</b></p> <p>_____</p> <p>_____</p> <p>_____</p>	<p style="text-align: center;"><b>FOR DEP USE ONLY</b></p> <p>Reviewer _____</p> <p>Date _____</p> <p>Entered By _____</p> <p>Date _____</p>
<p><b>III. Facility Information</b></p> <p>Facility I.D. Number _____</p> <p>Facility Name _____</p> <p>Facility Address _____</p> <p>_____</p> <p>Municipality _____</p>	<p><b>IV. Inspector Information</b></p> <p>Name _____</p> <p>DEP Inspector Certification Number _____</p> <p>Inspection Category _____</p> <p>Phone ( ) _____</p> <p>Employer _____</p> <p>DEP Company Certification Number _____</p>	
<p><b>V. Tank Identification</b></p> <p>DEP Tank ID number _____ A      Owner Tank ID Number _____</p> <p>Capacity (gallons) _____</p> <p>Tank Configuration:    <input type="checkbox"/> Horizontal    <input type="checkbox"/> Shop Built</p> <p>                                  <input type="checkbox"/> Vertical        <input type="checkbox"/> Field Built</p> <p>                                  <input type="checkbox"/> Elevated Vertical</p> <p>Construction Code _____</p> <p>Substance stored _____</p> <p>Size: diameter _____ (ft) length/height _____ (ft)</p>	<p><b>VI. Permit Information</b></p> <p>DEP Site Specific Installation Permit Number _____</p> <p>Fire/Safety Permit Number _____</p> <p>Issuing Authority _____</p> <p>Date Issued _____</p>	
<p><b>VII. Next Integrity Inspections (If applicable)</b></p> <p>In-Service _____ (mm/dd/yy)</p> <p>Out-of-Service _____ (mm/dd/yy)</p>		
<p><b>VIII. Certified Inspector</b></p> <p>I, the DEP Certified Inspector, have inspected the above referenced tank system. Based on my observation of the tank system, review of examination and tests results and information provided by the owner, I certify under penalty of law as provided in 18 Pa. C.S.A. Section 4904 (relating to unsworn falsification to authorities), that the information provided by me is true, accurate, and complete to the best of my knowledge and belief.</p> <p>_____</p> <p style="text-align: center;">Certified Inspector's Signature <span style="float: right;">Date</span></p>		
<p><b>IX. Owner or Owner's Representative</b></p> <p>I have reviewed the completed inspection report. I certify under penalty of law as provided in 18 PA C.S.A. Section 4904 (relating to unsworn falsification to authorities), the information provided by me is true, accurate, and complete to the best of my knowledge and belief.</p> <p>_____</p> <p style="text-align: center;">Name (Please Print) <span style="float: right;">Title</span> <span style="float: right;">Phone Number</span></p> <p>_____</p> <p style="text-align: center;">Signature <span style="float: right;">Date</span></p>		

Facility ID \_\_\_\_\_ - \_\_\_\_\_ DEP Tank ID \_\_\_\_\_ A Inspection Date \_\_\_\_\_

**X. Installer Information**

Installer Name	Certification Number	Company Name	Company Certification
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**XI. Evaluation of Tank System** Enter the condition of the following components by marking the appropriate blocks.

	Satisfactory	Unsatisfactory	Not Applicable
Materials meet specifications	<input type="checkbox"/>	<input type="checkbox"/>	
Foundation and tank supports	<input type="checkbox"/>	<input type="checkbox"/>	
Welding (procedure, qualification)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tank construction (floor, shell, and roof)	<input type="checkbox"/>	<input type="checkbox"/>	
Appurtenances	<input type="checkbox"/>	<input type="checkbox"/>	
Ancillary equipment (including piping)	<input type="checkbox"/>	<input type="checkbox"/>	
Normal venting	<input type="checkbox"/>	<input type="checkbox"/>	
Emergency venting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Secondary containment (under the tank bottom)	<input type="checkbox"/>	<input type="checkbox"/>	
Please describe:			
Emergency containment design & permeability	<input type="checkbox"/>	<input type="checkbox"/>	
Cathodic Protection	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Internal lining/coating	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
External coating & labeling	<input type="checkbox"/>	<input type="checkbox"/>	
Overfill prevention (gauge, HLA, & automatic shut off or manned operating procedure)	<input type="checkbox"/>	<input type="checkbox"/>	
Hydrostatic test	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alternative test for tightness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nondestructive testing (procedure, qualifications)	<input type="checkbox"/>	<input type="checkbox"/>	
Fire Safety Standards	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Operations & Maintenance plan	<input type="checkbox"/>	<input type="checkbox"/>	
Spill Prevention & Response Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Yes  No Tank installation is in accordance with manufacturer's specifications, engineers design criteria and current industry standards. If no, explain all deficiencies in Section XII.

**XII. Comments** Describe any tank system deficiencies and note additional information discovered during the inspection. If additional comment sheets are needed, label each sheet with facility and tank identification numbers, inspection date and page number.

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Copy below is hereby approved as to form and legality.  
Attorney General

By: *Angela M. Elliott*  
(Deputy Attorney General)

*1-22-18*  
DATE OF APPROVAL

Check if applicable  
Copy not approved. Objections attached.

Copy below is hereby certified to be true and  
correct copy of a document issued, prescribed or  
promulgated by:

DEPARTMENT OF ENVIRONMENTAL  
PROTECTION  
ENVIRONMENTAL QUALITY BOARD

(AGENCY)

DOCUMENT/FISCAL NOTE NO. 7-530

DATE OF ADOPTION OCTOBER 17, 2017

BY *Patrick McDonnell*

TITLE PATRICK MCDONNELL  
CHAIRMAN

EXECUTIVE OFFICER CHAIRMAN OR SECRETARY

Copy below is hereby approved as to form and legality  
Executive or Independent Agencies

BY *Maria A. Z. Lu*

DEC 04 2017

DATE OF APPROVAL

(Deputy General Counsel)  
~~(Chief Counsel - Independent Agency)~~  
(Strike inapplicable title)

Check if applicable. No Attorney General Approval  
or objection within 30 days after submission.

NOTICE OF PROPOSED RULEMAKING

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
ENVIRONMENTAL QUALITY BOARD

Administration of the Storage Tank and Spill Prevention Program

25 Pa. Code, Chapter 245



**PROPOSED RULEMAKING  
ENVIRONMENTAL QUALITY BOARD  
[25 PA CODE CH. 245]**

**Administration of the Storage Tank and Spill Prevention Program**

The Environmental Quality Board (Board) proposes to amend 25 Pa. Code Chapter 245 (relating to Administration of the Storage Tank and Spill Prevention Program). The proposed amendments strengthen the requirements for operation and maintenance of underground storage tank (UST) equipment. Currently, UST owners and operators are required to have spill prevention, overfill prevention, and release detection equipment in place, but are not required to periodically verify the functionality of some of that equipment. This proposed rulemaking would also add a new certification category for persons that only perform minor modifications of UST systems. The proposed rulemaking also shortens the in-service inspection cycle for aboveground storage tanks (ASTs) in underground vaults and small ASTs and clarifies or corrects a number of other provisions in Chapter 245 based on the Department's experience in implementing this chapter since it was updated in 2007.

This proposed rulemaking was adopted by the Board at its meeting on October 17, 2017.

*A. Effective Date*

These proposed amendments will go into effect when the final-form regulations are published in the *Pennsylvania Bulletin*.

*B. Contact Persons*

For further information contact Kris A. Shiffer, Chief, Division of Storage Tanks, P.O. Box 8762, Rachel Carson State Office Building, Harrisburg, PA 17105-8762, (717) 772-5809, or Keith J. Salador, Assistant Counsel, Bureau of Regulatory Counsel, P.O. Box 8464, Rachel Carson State Office Building, Harrisburg, PA 17105-8464, (717) 783-8075. Information regarding submitting comments on this proposal appears in Section J of this preamble. Persons with a disability may use the AT&T Relay Service by calling 1-800-654-5984 (TDD users) or 1-800-654-5988 (voice users). This proposed rulemaking is available on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Environmental Quality Board (EQB)").

*C. Statutory Authority*

The proposed rulemaking has been developed under the authority of section 106 of the Storage Tank and Spill Prevention Act (act) (35 P.S. § 6021.106), which authorizes the Board to adopt rules and regulations governing ASTs and USTs to accomplish the purposes and carry out the provisions of the act; section 301 of the act (35 P.S. § 6021.301), which authorizes the Department to establish program requirements for ASTs; section 501 of the act (35 P.S. § 6021.501), which authorizes the Department to establish program requirements for USTs; and section 1920-A of The Administrative Code of 1929 (71 P.S. § 510-20), which authorizes the

Board to formulate, adopt and promulgate rules and regulations that are necessary for the proper work of the Department.

#### *D. Background and Purpose*

Comprehensive Federal regulations for USTs have been codified by the United States Environmental Protection Agency (EPA) at 40 CFR Part 280. EPA initially promulgated these regulations in 1988. On July 15, 2015, EPA published final revisions to 40 CFR Part 280 in the *Federal Register* (80 FR 41566). These revisions, among other things, added secondary containment requirements for new and replaced tanks and piping; added operator training requirements; added periodic operation and maintenance requirements for UST systems; removed certain deferrals; added new release prevention and detection technologies; updated codes of practice; and made editorial and technical corrections. Secondary containment and operator training requirements that meet the Federal requirements were incorporated into Chapter 245 through a prior rulemaking. Secondary containment reduces releases to the environment by containing releases from the primary containment area in a second containment area to ensure detection before the contaminants reach the environment. Operator training educates UST system operators on the regulations and proper operation and maintenance of their UST systems to prevent releases of contaminants.

These proposed revisions to Chapter 245 are necessary to further prevent releases of contaminants from USTs into the environment. Pennsylvania had 209 confirmed releases from USTs from October 1, 2015 through September 30, 2016. Lack of proper operation and maintenance of UST systems is the main cause of new releases. While releases from USTs themselves are less common than in the past, releases from piping and spills and overfills associated with deliveries, and releases at the dispenser have emerged as more common problems. In addition, release detection equipment is only detecting approximately 50 percent of releases it is designed to detect.

On July 15, 2015, EPA also updated the state program approval requirements in 40 CFR Part 281. Under these changes, EPA is requiring that states revise their UST regulations and apply for initial or revised state program approval within three years of the effective date of the final EPA rule, which was October 13, 2015 (80 FR 41566). Currently, Pennsylvania has state program approval. Therefore, Chapter 245 must be updated to be no less stringent than the Federal requirements so the Department can apply for revised state program approval by October 13, 2018. States and Tribal lands that do not have state program approval were required to comply with the EPA final regulations on October 13, 2015. EPA has not codified companion AST regulations.

Pennsylvania receives approximately \$2.3 million annually in Federal grant funding from EPA under section 9014 of the Solid Waste Disposal Act (42 U.S.C. § 6991m) to aid in administering the UST program. This proposed rulemaking is necessary to ensure continued receipt of Federal grant funds.

- A comprehensive summary of the amendments to Chapter 245 proposed in this rulemaking is provided in Section E of this preamble. Key amendments recommended to improve proper

operation and maintenance of USTs to prevent the release of contaminants into the environment include: A visual inspection of spill prevention equipment and release detection every 30 days.

- A visual inspection of containment sumps and handheld release detection devices annually.
- Testing of spill prevention equipment every three years.
- Inspection of overfill prevention equipment every three years.
- Testing of containment sumps used for interstitial monitoring every three years.
- Annual release detection equipment testing.

In addition to the new operation and maintenance requirements, the proposed rulemaking recommends two other key provisions to prevent releases of contaminants into the environment:

- Release detection requirements are proposed for emergency generator USTs. Previously, emergency generator USTs were deferred from having to meet release detection requirements.
- Flow restrictors (ball float valves) are proposed to be prohibited as an option for overfill prevention in new UST systems and when these devices need to be replaced.

In addition to the above proposed changes, this rulemaking proposes clarifications and corrections to various provisions of Chapter 245 identified as necessary through implementation of this chapter since its last comprehensive update 10 years ago.

The proposed rulemaking would affect approximately 7,100 storage tank owners at over 12,600 storage tank facilities. Industry sectors potentially affected by the proposed rulemaking include retail motor fuel sales, commercial, institutional, manufacturing, transportation, communications and utilities, and agriculture. Federal, state and local government operations would also be affected.

Tank installers and inspectors certified by the Department would likely have the capacity to provide the increased testing and inspections that would be required by the proposed rulemaking. Owners of existing storage tank systems would be provided with timeframes in which to comply with certain requirements. Owners of new storage tank systems would need to comply with the requirements upon the effective date of the final rulemaking.

The Department worked with the Storage Tank Advisory Committee (STAC) during development of this proposed rulemaking. STAC, which was established by section 105 of the act (35 P. S. § 6021.105), consists of persons representing a cross-section of organizations having a direct interest in the regulation of storage tanks in this Commonwealth. As required by section 105 of the act, STAC has been given the opportunity to review and comment on the draft proposed annex. Initially, STAC members were provided with the opportunity to review Department concepts and present concepts that they would like to see incorporated into Chapter 245. This occurred at the December 8, 2015, and June 7, 2016, meetings. STAC was also afforded the opportunity to review and discuss draft proposed regulatory language at the December 6, 2016, and March 7, 2017, meetings. On March 7, 2017, STAC voted to unanimously support the amendments and recommended that the Board consider the amendments for publication as proposed rulemaking. A listing of STAC members and minutes

of STAC meetings are available on the Department’s website at [www.dep.pa.gov](http://www.dep.pa.gov) under “Public Participation”, then “Advisory Committees”, and may also be obtained from Kris Shiffer, whose contact information appears in Section B of this preamble. The Citizens Advisory Council was kept apprised of developments in the regulatory process on a monthly basis.

#### *E. Summary of Regulatory Requirements*

A brief description of the proposed amendments to Chapter 245 follows:

##### *Subchapter A. General Provisions*

###### *General*

###### *§ 245.1. Definitions.*

Revisions to the definitions of the following terms are proposed to provide clarity and to correct errors: “aboveground storage tank,” “cathodic protection tester,” “certified inspector,” “certified installer,” “containment structure or facility,” “de minimis,” “existing underground storage tank system,” “hazardous substance storage tank system,” “minor modification,” “reconstruction,” “regulated substance,” “release detection,” “removal from service,” “storage tank system,” “survey,” and “tank handling activities”. For example, the current definition of “removal from service” implies that such activities only apply to UST systems. The proposed amendment clarifies that the term applies to AST systems, as well.

Revision to the definition of “certification categories” is proposed to include a new certification category called “underground storage tank system minor modification,” which is discussed later in this section.

The definitions of “motor fuel,” “pipeline facilities (including gathering lines),” and “underground storage tank” are proposed for revision to be consistent with the Federal definitions contained in 40 CFR § 280.12 (relating to definitions).

The definition of “underground storage tank” is proposed to be revised by deleting two exclusions and modifying several other exclusions. The exclusions proposed for deletion relate to tanks containing radioactive materials or coolants that are regulated under The Atomic Energy Act of 1954 (42 U.S.C.A. §§ 2011—2297), and an underground storage tank system that is part of an emergency generator system at nuclear power generation facilities regulated by the Nuclear Regulatory Commission under 10 CFR Part 50, Appendix A (relating to general design criteria for nuclear power plants). The exclusion for a wastewater treatment tank system is proposed to clarify that the exclusion only applies to systems regulated under section 307(b) or 402 of the Clean Water Act (33 U.S.C. §§ 1317(b) or 1342) (relating to pretreatment standards and national pollutant discharge elimination system (NPDES) permits) to be consistent with the Federal regulations at 40 CFR § 280.10(b)(2). USTs that would be regulated as a result of these proposed revisions would need to meet the same requirements that all other regulated UST systems must meet. However, with regards to Subchapter E (relating to technical standards for underground storage tanks), certain requirements would not apply as later discussed under § 245.403 (relating to applicability).

Revision to the definition of “release” is being proposed to clarify that all releases into a containment structure or facility pose an immediate threat of contamination of soils, subsurface soils, surface water or groundwater. The only exception would be a release of a regulated substance into a liquid-tight containment sump or emergency containment structure as a result of a tank handling activity, if the certified installer providing direct onsite supervision has control over the regulated substance, the regulated substance is completely contained, and prior to the certified installer leaving the storage tank facility, the total volume of the regulated substance is recovered and removed. Examples include gasoline released as a result of the replacement, removal or disconnection of a piping fitting or section of piping, such as a flexible connector, or replacement or removal of a submersible pump manifold assembly.

The term “aboveground storage tank system” is proposed to be added to be consistent with the fact that a definition of “underground storage tank system” already exists and the term “tank system” as it pertains to AST system requirements currently exists in the regulation.

The term “containment sump” is proposed to be defined as certain containment sumps subject to the periodic testing requirements contained in § 245.437 (relating to periodic testing). The definition is consistent with the Federal definition contained in 40 CFR § 280.12.

The term “environmental covenant” is proposed to be added because the term is used in § 245.311(a)(12) (relating to remedial action plan). This proposed definition is the same as the definition in section 6502 of the Uniform Environmental Covenants Act (UECA) (27 Pa.C.S. §§ 6502) and Chapter 253 (relating to administration of the UECA.)

The term “repair” is proposed to be added to clarify that a repair means to restore a storage tank system component, which has failed to function properly, to its original operating condition. The Federal definition contained in 40 CFR § 280.12 limits repairs to UST system components that have caused a release of product from the UST system. The definition proposed in this chapter does not limit defining repairs in terms of only releases.

The term “spill prevention equipment” is proposed to be defined as spill prevention equipment subject to the periodic testing requirements contained in proposed § 245.437.

The definition “actively involved” is proposed to be deleted as the term is no longer used in §§ 245.111 and 245.113 (relating to certified installer experience and qualifications; and certified inspector experience and qualifications).

The definition “interim certification” is proposed to be deleted as the Department no longer grants interim certification to installers and inspectors of storage tank systems.

The definition “reportable release” is proposed to be deleted as all releases must be reported to Department with the exception of those releases described in proposed § 245.305(i) (relating to reporting releases).

## *Tank Handling Activities*

### *§ 245.21. Tank handling and inspection requirements*

Minor changes have been proposed to this section to clarify the requirements.

## *Tightness Testing Activities*

### *§ 245.31. Underground storage tank system tightness testing requirements.*

This section is proposed to be renamed to address general UST system testing requirements. Subsection (b) is proposed to be deleted. The circumstances as to when tightness testing is required to be conducted would be addressed in Subchapter E (relating to technical standards for underground storage tanks). Subsection (b)(2) would no longer be applicable as installation of single wall USTs are no longer permitted. New subsection (f) is proposed to state that tests or evaluations of spill prevention and overfill prevention equipment, containment sumps, and release detection equipment required under this chapter would be performed by a Department-certified individual holding the appropriate certification and documented on a form provided by the Department. Subsection (f) further proposes to state that the test or evaluation results would be maintained onsite at the storage tank facility or at a readily available alternative site and would be provided to the Department upon request.

## *Tank Registration and Fees*

### *§ 245.41. Tank registration requirements.*

Revisions to subsection (a) are proposed to clarify that storage tank owners would be required to pay the appropriate storage tank registration fee prior to expiration of the current storage tank certificate. Proposed revisions to subsection (c)(8) would require that UST operator training information be provided with the storage tank registration form in order for the Department to consider the registration form to be complete. This is current Department policy that is proposed to be incorporated into regulation. The new subsection (h) being proposed is not a new requirement. This requirement is proposed to be moved from current § 245.423(e) (relating to registration requirements) so that all storage tank registration requirements are contained in one section.

### *§ 245.42. Tank registration fees.*

Revisions to subsection (d) are proposed to clarify that the Department will prorate the registration fee to reflect the percentage of time remaining in the registration year when ownership of a storage tank changes. Also, the proposed revision would clarify that the Department will not refund registration fees due to a change of ownership. This has been long-standing Department policy.

*Subchapter B. Certification Program for Installers and Inspectors of Storage Tanks and Storage Tank Facilities*

*General Certification Requirements*

*§ 245.102. Requirement for certification.*

The date is proposed to be removed from subsection (d) as it has passed and is no longer relevant.

*§ 245.105. Certification examinations.*

Subsection (d) is proposed to be revised to clarify that the technical and administrative examinations are separate examinations. Subsection (f) is proposed to be added to clarify that passing examination scores are valid for a period of 2 years from the date of the examination.

*§ 245.106. Conflict of interest.*

This section is proposed to be revised to clarify when activities of a certified installer can result in a conflict of interest. Subsection (c) is proposed to be added to this section and would prohibit a certified inspector from performing an inspection as required in § 245.411 (relating to inspection frequency) for a facility where the inspector is also the designated Class A or Class B operator as defined in § 245.436 (relating to operator training).

*§ 245.107. Reciprocity.*

This entire section is proposed to be deleted and reserved. Since incorporation of this section into Chapter 245, no installer or inspector in the Commonwealth has been certified utilizing reciprocity because examinations conducted in other states do not test on the requirements in Chapter 245, which is a requirement for reciprocity.

*§ 245.108. Suspension of certification.*

Subsection (a)(4)(iii) is proposed to be revised to add that certification may be suspended for failure to submit reports of modification inspection activities to the Department within 30 days of conducting a modification inspection activity. Revisions are also proposed to subsection (a)(6) to clarify that a suspension can result from failing to maintain certification, and to subsection (a)(9) to clarify when violation of certain environmental laws and regulations can result in suspension.

*§ 245.110. Certification of installers.*

Subsection (b)(1) is proposed to be amended to add overfill prevention equipment evaluations, containment sump and spill prevention equipment testing, and release detection equipment testing to the list of activities that may be conducted by an installer certified to install and modify UST systems (UMX certification). These new periodic testing requirements would need to be conducted by UST owners under new § 245.437.

Subsection (b)(2) is proposed to be revised to add a new certification category (UMI) for installers only certified to make minor modifications to UST systems. Installers certified under this category could also conduct overfill prevention equipment evaluations, containment sump and spill prevention equipment testing, and release detection equipment testing. Creation of this new certification category will afford UST owners with the opportunity to employ individuals who specialize in minor modifications only. In addition, these new installers will be available to assist UST owners in complying with the new periodic testing requirements being proposed under § 245.437.

Certification for UST tightness testing (UTT certification), which is now proposed to be subsection (b)(4), would be amended to add containment sump and spill prevention equipment testing, and release detection equipment testing, to the list of activities that may be conducted with this certification. These new periodic testing requirements would need to be conducted by UST owners under new § 245.437.

Other minor clarifications are proposed throughout this section.

*§ 245.111. Certified installer experience and qualifications.*

Subsection (a) establishes the minimum experience, education, training or certification requirements and the required number of activities in the appropriate category for an initial installer category certification.

This subsection is proposed to be amended to add the requirements for the new UMI certification proposed in § 245.110. To qualify for this certification, a person would need to have 2 years experience, or a college degree and 1 year experience; successful completion of technical training; and documentation of the performance of 10 minor modifications.

Certified installers with the UMX certification have expressed difficulty in achieving the requirement to conduct 9 installations in the 3-year period immediately prior to submitting an application for certification because of the decline in the number of USTs systems being installed. As a result, this subsection is proposed to be amended to allow UMX certification after 10 installations or major modifications, provided the installer has a minimum of 5 installations. Also proposed is that UMX certification can be obtained by having obtained UMI certification together with the proposed activity requirements.

In order to be consistent, the proposed changes for the UMX certification are also being proposed for certification to install and modify aboveground manufactured metallic storage tanks (AMMX certifications) and to install and modify aboveground nonmetallic storage tanks (AMNX certifications).

The types of bachelor's degrees that can be substituted for experience in subsection (c) is proposed to be expanded to include hydrology, geology, or the equivalent of the degrees listed; and the effective date in subsection (g) is proposed to be deleted as the date has passed and is no longer relevant.

*§ 245.112. Certification of inspectors.*

Subsection (b)(1) is proposed to be amended to add containment sump and spill prevention equipment testing, and release detection equipment testing to the activities that may be conducted by a person certified to inspect UST systems and facilities (an IUM certified inspector). These new periodic testing requirements would need to be conducted by UST owners under new § 245.437.

*§ 245.113. Certified inspector experience and qualifications.*

A new subsection (f) is proposed to be added to clarify that corrosion protection training required for IUM certification would need to be documented by completion of a Nationally recognized training course in the area of cathodic protection or corrosion protection, or other training as approved by the Department.

Subsection (j) is proposed to be added to require certified inspectors of field constructed and manufactured ASTs (IAF certified inspectors) and certified inspectors of manufactured ASTs (IAM certified inspectors) to complete Department-provided inspector training prior to conducting AST installation, modification, in-service and out-of-service inspections. This would be similar to the current requirement for certified inspectors of USTs contained in existing subsection (h), which is proposed to be relettered to subsection (i).

Other minor revisions are proposed to this section to clarify the requirements.

*§ 245.114. Renewal and amendment of certification.*

Subsection (c) is proposed to be revised to provide the minimum training requirements for renewal of the new UMI certification category proposed in this rulemaking. In addition, all of the activities requirements that would no longer be applicable to renewal of installer certification are proposed to be deleted.

Subsection (e) is proposed to be deleted because the deadline established has passed and the provision is no longer relevant.

The existing subsection (f), which is proposed to be relettered as subsection (e), would be revised to clarify that inspector training is to be obtained within the 2 years prior to submission of an application for certification, and that inspector training would be provided by the Department. The compliance date in subsection (e)(1) is proposed to be deleted as it has passed and is no longer relevant.

*Company Certification*

*§ 245.121 Certification of companies.*

A revision is proposed to this section to clarify a company would not be allowed to perform the listed activities unless it holds a valid certification from the Department.

*§ 245.123. Suspension of company certification.*

A revision is proposed to subsection (a)(4) to clarify when a violation of certain environmental laws and regulations could result in suspension of a company's certification.

*Standards for Performance*

*§ 245.132. Standards of performance.*

Subsection (a)(2) is proposed to be amended to require that modification inspection reports be submitted to the Department within 30 days of the inspection activity. The current requirement is to submit the report within 60 days from completion of the inspection. This amendment is being proposed in order to shorten the length of time between submittal of the modification report (required within 30 days of completion of the modification) and the modification inspection report.

Subsection (a)(4) is proposed to be revised to clarify that certified companies, certified installers and certified inspectors would need to report to the Department a release of a regulated substance observed in a containment structure or facility while performing services as a certified installer or certified inspector. The details in subsection (a)(4) related to the method and timing of reporting to the Department are proposed to be clarified in a new subsection (a)(6), discussed below. The last two sentences of the existing subsection (a)(4) are proposed for deletion, as they pertain to notification of reportable releases in accordance with § 245.305 (relating to reporting releases). The definition of "reportable release" is proposed for deletion and the revisions to § 245.305 discussed below render these sentences unnecessary.

A new subsection (a)(5) is proposed to be added to require certified companies, certified installers and certified inspectors to report to the Department failed tests of spill prevention equipment, containment sumps, and overfill prevention equipment as required in Chapter 245. Such reports would allow the Department to follow up with facility owners to make sure that faulty equipment and tank components are repaired or replaced.

The new subsection (a)(6) being proposed would require that written notification to the Department be provided upon performing a failed test of spill prevention equipment, containment sumps, and overfill prevention equipment; observing a release of a regulated substance; or observing a regulated substance in a containment structure or facility. This subsection also proposes to require that copies of failed spill prevention equipment tests, containment sump tests, and overfill prevention evaluations be provided to the Department with the notification report.

Existing subsections (a)(6) and (a)(7) are proposed for deletion and restated in new subsection (c) as activities that certified companies and individuals are prohibited from performing.

A new subsection (b) is being proposed to clarify that a company that employs any individual certified in certain categories under this chapter or an individual certified in the same categories would need to participate in the Tank Installer Indemnification Program (TIIP) as required by section 704(a)(1) of the act (35 P.S. § 6021.704(a)(1)), and would need to provide timely payment of TIIP fees as required by section 705(d)(1) and 705(e) of the act (35 P.S. §§

6021.705(d)(1) and 6021.705(e)) and § 977.19(b) (relating to certified company fees for the Underground Storage Tank Indemnification Fund).

### *Training Approval*

#### *§ 245.141. Training approval.*

A new subsection (b)(5) is being proposed that would require an application for training approval to include other information such as copies of any presentations, presenter notes, training handouts, or references necessary for a determination that the training program conforms to the act and Chapter 245.

### *Subchapter C. Permitting of Underground and Aboveground Storage Tank Systems and Facilities*

#### *General*

#### *§ 245.203. General requirements for permits.*

Subsections (c) and (d) are proposed for deletion as they refer to activities that have already occurred and are no longer applicable. The Department has taken final action on the permit applications that were requested in subsection (c) or the Department has notified the persons that the tank systems are deemed permitted or that the permits were withheld or denied.

A new subsection (f) is proposed to clarify the various permit actions or non-actions by the Department that would prohibit a person from delivering or placing a regulated substance in a storage tank.

A new subsection (g) is proposed to clarify that the owner and operator of a storage tank system who causes or allows a violation of the act, Chapter 245, an order of the Department, a condition of a permit issued under the act, or any other applicable law would be subject to enforcement action including suspension, modification or revocation of the permit.

#### *Permits-By-Rule*

#### *245.211. Scope.*

This section is proposed to be deleted and reserved because permits-by-rule are no longer necessary.

#### *245.212. Minimum requirements for obtaining a permit-by-rule.*

This section is proposed to be deleted and reserved. The Department has issued operating permits for registered storage tanks and does not consider any storage tanks to be permitted by rule, so this provision is no longer necessary.

## *General Operating Permits*

### *245.221. Scope.*

This section is proposed to be deleted and reserved as it refers to § 245.211 (relating to the scope of the permit-by-rule provision), which is also proposed for deletion.

### *§ 245.222. Application requirements.*

The word “general” in the term “general operating permit” is proposed for deletion in this section and in the overall title for this section. The term “operating permit” has been used by the Department when referring to the permit that must be obtained prior to placing a storage tank in operation.

Subsection (3) is proposed to be amended to clarify that the owners of large ASTs and large AST tank facilities are required to file Spill Prevention Response Plans with the Department.

Subsection (3)(ii) is proposed to be deleted as tightness testing is not required for new AST systems in order to receive an operating permit.

## *Site-Specific Installation Permits*

### *§ 245.231. Scope.*

Subsection (a)(4) is proposed to be amended to clarify that new, field-constructed UST systems installed within a previously registered UST system do not require a site-specific installation permit.

A new subsection (d) is proposed to clarify that site-specific installation permits expire five years from the date of issuance unless the Department receives a written extension request from the owner prior to the expiration date and the Department grants an extension. Five years provides adequate time to complete construction or installation of the storage tanks and register and receive operating permits for the storage tanks.

### *§ 245.232. General requirements.*

Subsection (b)(1) is proposed to be amended to clarify that the Spill Prevention Response Plan would need to include the proposed storage tank systems for the facility.

### *§ 245.233. Mapping requirements.*

A new subsection (a)(2) is proposed and would require that the site-specific installation permit application contain maps and plans showing the location of the proposed storage tanks.

### *§ 245.234. Siting requirements.*

Subsection (a)(1) is proposed to be amended to clarify that the proposed installation of storage tank systems and facilities on 100-year floodplains or a larger area that the flood of record has inundated would be prohibited unless an industrial use on the proposed site was in existence as

of August 5, 1989. Any industrial use would qualify and such use is not limited to that associated with the prior existence of regulated storage tanks.

Several revisions in this section are proposed to be amended simply to clarify that the requirements apply to storage tank systems rather than tank systems. § 245.236. *Public notice.*

This section is being amended to assist owners of certain ASTs and facilities to identify the information that would need to be provided in the written notice to the local municipality and county in which the proposed AST or facility is to be located prior to submitting a site-specific permit application.

*Subchapter D. Corrective Action Process for Owners and Operators of Storage Tanks and Storage Tank Facilities and Other Responsible Parties*

*§ 245.301. Purpose.*

This section is proposed to be amended to clarify that Subchapter D establishes suspected release investigation requirements as opposed to release confirmation requirements for owners and operators of storage tank systems and storage tank facilities and other responsible parties.

*§ 245.303. General requirements.*

Subsection (e)(1) is proposed to be revised to clarify that the Department may waive or combine one or more of the requirements of Subchapter D in the case of a release to a containment structure or facility that is shown to be liquid-tight.

*§ 245.304. Investigation of suspected releases.*

Subsection (a)(1) is proposed to be amended to clarify that the presence of a regulated substance or an unusual level of vapors from a regulated substance outside of storage tank system components designed to routinely contain or convey product, at or near a storage tank facility, would be a suspected release that would need to be investigated.

Subsection (a)(5) is proposed to be amended to clarify that the sounding of an alarm from a release detection method would be a suspected release that would need to be investigated.

Subsection (a)(6) is proposed to be amended to clarify that damage to a storage tank system which occurs during activities such as inspection, repair or removal from service would be a suspected release that would need to be investigated.

Subsection (b)(6) is being amended to clarify that the sampling and analysis conducted in response to a suspected release may need to include subsurface soil and backfill, vapor, and water, in addition to soil and groundwater. In addition, samples would need to be taken from locations where contamination from a release would most likely be present.

Subsection (c) is being amended to remove reference to the term “reportable release” as the use and definition of that term is proposed to be deleted. All releases would need to be reported to

the Department with the exception of those releases described in proposed § 245.305(i) (relating to reporting releases).

Subsection (d) is proposed for deletion as releases that do not have to be reported to the Department are addressed in proposed § 245.305(i).

*§ 245.305. Reporting releases.*

Existing subsection (b) is proposed for deletion as releases that do not have to be reported to the Department would be addressed in proposed § 245.305(i).

Subsection (c), which would be relettered to (b), would be amended to clarify that the notice required of the owner to report releases would also need to include the cause of the release.

Subsection (f), which would be relettered to (e), would be amended to clarify that the written notice required of the owner to report releases must be provided on a Department-provided form.

Subsection (h), which would be relettered to (g), would be amended to clarify that the owner or operator of an AST facility would be subject to the notification requirements of this subsection only if the aggregate aboveground storage capacity is greater than 21,000 gallons.

New subsection (i) is being proposed to specifically identify those releases that do not require reporting to the Department and further corrective action, provided certain criteria are met. Those criteria would be:

- 1) the owner or operator has control over the release,
- 2) the release is completely contained,
- 3) the total volume of the release is recovered and removed within 24 hours of the release, and
- 4) any defective storage tank system component that caused or contributed to the release is properly repaired or replaced.

Provided all four of the above criteria would be met, the following release situations would not be required to be reported to the Department:

- 1) A release of petroleum to an aboveground surface, including within an emergency containment structure, that is less than 25 gallons.
- 2) A release of a hazardous substance to an aboveground surface, including within an emergency containment structure, that is less than its reportable quantity under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. §§ 9601—9675) and 40 CFR Part 302 (relating to designation, reportable quantities, and notification).
- 3) A release to a liquid-tight containment sump used for interstitial monitoring of piping in accordance with § 245.444(6) (relating to methods of release detection for tanks).

If any other release situation occurs, or if one of the three release situations above occurs, but all four of the above criteria are not met, the release would need to be reported. Some examples of

release situations that would need to be reported to the Department and that would require further corrective action are:

- 1) An accidental release of 5 gallons of gasoline from a dispenser nozzle at a retail service station to a highly weathered and cracked asphalt or concrete surface that prohibits total recovery of the released product.
- 2) An overfill of 20 gallons of diesel fuel during delivery that results in some product reaching a nearby storm sewer; therefore, the release has not been controlled, contained and cannot be completely recovered.
- 3) A release to a liquid-tight containment sump that is not used for interstitial monitoring of piping.
- 4) A release to the interstitial space of a double-walled aboveground or underground storage tank.

*§ 245.306. Interim remedial actions.*

Subsection (e) is proposed to be added to this section that would require a responsible party to notify the Department by telephone or electronic mail as soon as practicable, but no later than 24 hours, after the initiation of interim remedial actions. For releases associated with USTs, the Federal regulations at 40 CFR § 280.62 (relating to initial abatement measures and site check) do not require the initiation of initial abatement measures to be reported, but do require a report to be submitted within 20 days after release confirmation summarizing the initial abatement steps taken. The proposed requirements in subsection (e) differ from the Federal regulations by proposing to require notification when an interim remedial action is initiated. Such notice will allow the Department to monitor early actions taken to clean up a release of contaminants. These initial corrective actions are extremely important in limiting the complexity of the release, the amount of corrective action that must be undertaken, and the ultimate cost of the corrective action.

*§ 245.307. Affected or diminished water supplies.*

Subsection (e) is proposed to be added to require that a responsible party notify the Department within 24 hours of providing an alternate source of water to the owner of the affected or diminished water supply. This provision would allow the Department to monitor corrective actions involving affected or diminished water supplies and to assure that responsible parties are complying with the requirements to provide temporary and permanent water supplies. The Federal requirements at 40 CFR Part 280 do not address providing alternate water supplies to affected water supply owners. However, section 1303 of the act (35 P.S. § 6021.1303) specifically authorizes the Department to adopt regulations for the protection of any source of water for present or future supply to the public or other legitimate use.

*245.309. Site characterization.*

This section is proposed to be amended to clarify the site characterization requirements, although the substantive requirements remain the same.

Subsection (c)(22), which allows for recommendation for further site characterization work, is proposed for deletion. As stated in proposed subsection (c)(23), any additional tasks necessary to meet the objectives of the site characterization should be performed in order to complete the site characterization process. The site characterization process is to result in the submission of a complete site characterization report that addresses all necessary tasks performed during the site characterization and should not need to discuss further site characterization work.

Subsection (c)(24) is proposed to be added and would require the responsible party to notify the Department by telephone or electronic mail as soon as practicable, but no later than 24 hours, after the initiation of site characterization activities. Such activities should be initiated concurrent with the implementation of interim remedial actions. This provision would assure the Department that responsible parties are proceeding with the required site characterization tasks. Too often, responsible parties delay the implementation of site characterization activities and find themselves requesting an extension to submit the site characterization report. The proposed changes should encourage responsible parties to initiate site characterization earlier and significantly reduce the site characterization report extension requests submitted to the Department. The Federal requirements at 40 CFR Part 280 do not include such a notification provision. However, §§ 280.63(b) (relating to initial site characterization) and 280.64(d) (relating to free product removal) do require that owners and operators submit an initial site characterization report and a free product removal report within 45 days of release confirmation, respectively. The Department is not proposing incorporation of these Federal regulatory provisions.

*§ 245.310. Site characterization report.*

The section is proposed to be amended to clarify the requirements, but does not propose substantive changes. The proposed amendments in this section correspond to similar proposed amendments made in § 245.309, as the site characterization report describes the activities undertaken during the site characterization.

Subsection (c)(6), which provides for Department review of the site characterization report without further action, is proposed to be deleted. The Department expects to take action upon review of all site characterization reports submitted under subsection (c).

*§ 245.311. Remedial action plan.*

Subsection (a)(2), which requires submission of a copy of the plan relating to worker health and safety is proposed to be deleted because the Department does not need to review the worker health and safety plan.

Subsection (a)(12) is proposed to be amended to clarify that the description of the proposed postremediation care requirements should include the proposed activity and use limitations to be implemented under an environmental covenant. As discussed above, the term “environmental covenant” is proposed to be defined in § 245.1 consistent with the Uniform Environmental Covenants Act and Chapter 253 (relating to administration of the uniform environmental covenants act.)

A new subsection (a)(14) is proposed which would require the responsible party to provide a description of any water supply that remains affected or diminished, the replacement system that was provided, the analytical results of samples taken, and any maintenance or monitoring that would be required to ensure its functionality until the supply is no longer affected or diminished.

Under subsections (b) and (c), the Department would publish an acknowledgment of receipt of the remedial action plan in the *Pennsylvania Bulletin*. Federal regulations at 40 CFR § 280.67(a) (relating to public participation) also require that notice to the public be provided for each confirmed release requiring a corrective action plan.

Subsections (b)(6) and (c)(6), which provide for Department review of the remedial action plan without further action, are proposed to be deleted. The Department expects to take action upon review of all remedial action plans submitted under subsections (b) and (c). New subsections (b)(6) and (c)(6) are proposed to provide the Department with the option to publish a notice of its final action on the remedial action plan in the *Pennsylvania Bulletin*.

#### *§ 245.312. Remedial action.*

Subsection (c)(4) is proposed to be amended to add that the quantitative analytical results from a replacement water supply system would also to be provided with each remedial action progress report.

A new subsection (c)(10) is proposed that would require each remedial action progress report to include a summary of data collected from any water supply that remains affected or diminished, and any maintenance performed.

Subsection (d) currently provides that the first remedial action progress report shall be received by the Department three months following the date of remedial action plan implementation. This subsection is proposed to be amended to allow the first remedial action progress report to be received by the Department at an alternative interval. In determining this interval, the Department would consider the nature, extent, type, volume or complexity of the release.

Existing subsection (f) provides the responsible party with the ability to suspend implementation of the current remedial action plan should continued implementation of the plan cause additional environmental harm. A new subsection (g) is proposed to be added that would provide the Department with the authority to require suspension of the remedial action, if during implementation of the remedial action plan the Department determines that the remedial action plan will not attain the selected remediation standard or will cause additional environmental harm.

#### *§ 245.313. Remedial action completion report.*

A new subsection (b)(1) is proposed which would require the remedial action completion report to contain data demonstrating that the remedial action(s) has attained the selected standard(s) for the site in accordance with Chapter 250, Subchapter G (relating to demonstration of attainment).

Proposed subsections (b)(3) and (b)(4) would correct citations pertaining to Chapter 250 (administration of the land recycling program).

Subsection (c) is proposed to be amended to provide that the Department would publish an acknowledgment of receipt of the remedial action completion report in the *Pennsylvania Bulletin*.

Subsection (c)(6), which provides for Department review of the remedial action completion report without further action, is proposed to be deleted. The Department will take action upon review of all remedial action completion reports submitted under subsection (c). A new subsection (c)(6) is proposed that would allow the Department to publish a notice of its final action on the remedial action completion report in the *Pennsylvania Bulletin*.

#### *Subchapter E. Technical Standards for Underground Storage Tanks*

##### *General*

##### *§ 245.402. Scope*

This section is proposed to be amended to clarify that this subchapter applies to storage tank systems.

##### *§ 245.403. Applicability.*

Previously, UST systems that stored fuel solely for use by emergency power generators were deferred from complying with the release detection requirements of §§ 245.441—245.446. The Federal regulations at 40 CFR § 280.10(a)(1)(ii)-(iii) that became effective on October 13, 2015, removed the release detection deferral. Therefore, existing subsection (b) is proposed to be deleted and a new subsection (b) is proposed that would require UST systems installed after the date of adoption of the final-form rulemaking to meet the release detection requirements at installation. Existing UST systems are afforded one or two years to meet the release detection requirements depending on the date of installation. This will provide UST owners with the necessary time to decide which release detection method they wish to utilize, or if they wish to permanently close the UST and possibly replace it with an AST.

The Department has not required, as a matter of policy, that existing underground field-constructed storage tanks installed on or before October 11, 1997, comply with the requirements in Chapter 245 (*Policy for Existing Field-Constructed Hazardous Substance Underground Storage Tanks at Facilities Regulated under the Safe Drinking Water Act*, DEP 263-2320-001). The Department intends to rescind this policy. Underground field-constructed storage tanks were previously deferred from Federal regulation. However, as of October 13, 2015, underground field-constructed storage tanks are now regulated in accordance with 40 CFR § 280.10(a)(1)(i). Therefore, existing subsection (c), now proposed subsection (d), has been amended to state that underground field-constructed storage tanks will now be regulated under Chapter 245, but subject to some temporary exclusions. Under proposed subsection (d), owners of existing and previously exempt underground field-constructed storage tanks will have 30 days to register their storage tanks and one year to meet the requirements of §§ 245.421, 245.422, 245.431, 245.432, 245.437, and 245.441—245.446, from the effective date of the final-form regulations, which will be published in the *Pennsylvania Bulletin* when promulgated. In addition, owners of existing underground storage tanks that meet the requirements of proposed subsection (c), discussed in the next paragraph, will have 30 days to register their storage tanks.

As discussed above, the definition of “underground storage tank” is proposed to be revised to delete the exclusions for tanks containing radioactive materials or coolants that are regulated under The Atomic Energy Act of 1954 (42 U.S.C.A. §§ 2011—2297) and underground storage tank systems that are part of emergency generator systems at nuclear power generation facilities regulated by the Nuclear Regulatory Commission (NRC) under 10 CFR Part 50, Appendix A (relating to general design criteria for nuclear power plants). In addition, the exclusion for a wastewater treatment tank system is proposed to be revised consistent with the Federal regulations to apply only to a wastewater treatment tank system that is part of a wastewater treatment facility regulated under sections 402 or 307(b) of the Clean Water Act. USTs that become regulated as a result of these proposed revisions would need to meet the same requirements that all other regulated UST systems must meet. However, with regard to Subchapter E (relating to technical standards for underground storage tanks), UST owners will not need to comply with §§ 245.411, 245.421(b)(3), 245.421(b)(4)(ii)-(iii), 245.422(d), 245.432(g), and 245.436 – 245.446.

USTs containing radioactive material and emergency generator UST systems at nuclear power generation facilities regulated by the NRC are subject to U. S. Department of Energy Orders and NRC regulations that are comparable to the Chapter 245 requirements for new and existing USTs regarding spill and overflow control and operation and maintenance of corrosion protection. Since owners and operators of these UST systems had to meet Federal UST regulations dating back to 1988 that require systems to be designed and constructed to prevent releases during the operating life of the facility due to corrosion or structural failure, these systems should already be in compliance with most of the Chapter 245 requirements.

### *Facility Inspections*

#### *§ 245.411. Inspection frequency.*

Subsections (b)(1), (b)(3) and (c)(2) are proposed for deletion as the deadlines for these requirements have passed and they are no longer applicable. The title of subsection (c) is proposed to be amended from “Subsequent routine facility inspections” to “Subsequent inspections.” The title of subsection (d) is proposed to be amended from “Additional inspections and mandatory training” to simply “Training” and clarifies that UST owners and operators found through inspection to have violations that result in failure to meet EPA guidelines for significant operational compliance, as determined by the Department, shall be retrained in a manner consistent with the Department’s technical document entitled “Underground Storage Tank Class A and Class B Operator Training Courses.”

### *Underground Storage Tank Systems: Design, Construction, Installation and Notification*

#### *§ 245.421. Performance standards for underground storage tank systems.*

Subsection (a)(2) is proposed to be amended to clarify that owners and operators would be required to notify the Department of the proposed installation of specific storage tank system components such as the piping system and dispenser, and not just when a tank or storage tank system is being installed.

Subsection (a)(3) has been amended to clarify that a Department-certified installer, not an inspector, would need to certify that underground storage tank systems changing from unregulated to regulated service meet new underground storage tank system requirements.

Subsection (b)(1)(iii) is proposed to be amended to be consistent with the Federal regulations at 40 CFR § 280.20(a)(3) (pertaining to performance standards for new UST systems).

Subsection (b)(2) is proposed to be amended to be consistent with the Federal regulatory definition of “replaced” at 40 CFR § 280.12, but is not expected to result in a substantive change.

Subsection (b)(3)(i) is proposed to be amended to require that spill and overfill prevention equipment be permanently installed to facilitate the periodic testing that would be required under the new § 245.437, which is discussed below.

Subsection (b)(3)(i)(B)(III) is proposed for deletion because equipment to prevent tank overfilling meeting these requirements is not available and no facilities are currently known to be using this option. In 1991, EPA finalized a minor technical amendment to the Federal UST regulations (40 CFR § 280.20(c)(1)(ii)(C)) allowing overfill prevention equipment to be used closer to the tops of larger tanks when certain minimum levels of performance can be achieved. The Board is interested in comments from any facilities that have installed equipment that meets the requirements of subsection (b)(3)(i)(B)(III) and the testing procedures used to evaluate the effectiveness of the equipment.

The existing subsection (b)(3)(iii) is proposed to be relettered to (b)(3)(iv) and revised to clarify that the prohibition applies to existing ball float valves. A new subsection (b)(3)(iii) is proposed that would prohibit the use of ball float valves when overfill prevention equipment is installed or replaced after the effective date of the final-form rulemaking. This proposed revision is consistent with the Federal regulations at 40 CFR § 280.20(c)(3). This proposed revision is being made to reduce the frequency of UST releases due to operability issues, address system safety concerns, and address personnel safety concerns.

A new subsection (b)(3)(v) is being added to require that the newly proposed spill and overfill prevention equipment tests would need to be documented on a form provided by the Department and would need to be maintained onsite at the storage tank facility or at a readily available alternative site. This proposal is consistent with the Federal requirement at 40 CFR § 280.34 (relating to reporting and recordkeeping).

The language pertaining to ball float valves in subsection (b)(4)(iii) is proposed for deletion as ball float valves would be prohibited from being installed after the date of adoption of the final-form rulemaking.

Subsection (c) is proposed for deletion as duplicative because owners and operators are required provide the certification of installation by a certified installer under the tank registration requirements in § 245.41.

Other minor revisions are proposed to this section to clarify the requirements.

*§ 245.422. Upgrading of existing underground storage tank systems.*

Subsections (b)(2)(ii) and (b)(2)(iii) are proposed for deletion as the timeframes associated with these provisions have passed and they are no longer applicable to cathodic protection upgrades.

Subsection (e) is proposed to be amended to clarify that when an existing dispenser is replaced with another dispenser, and equipment at or below the shear valve needed to connect the dispenser to the UST system is replaced, under-dispenser containment is required. Equipment is clarified to mean check valves, shear valves, vertical risers, flexible connectors, or other transitional components. This is consistent with federal regulatory requirements found at 40 CFR § 280.20(f).

Other minor revisions are proposed to this section to clarify the requirements.

*§ 245.423. Registration requirements.*

This section is proposed to be deleted and reserved because it is duplicative of storage tank registration requirements in § 245.41 (relating to tank registration requirements).

*General Operating Requirements*

*§ 245.432. Operation and maintenance including corrosion protection.*

Subsection (a) is proposed to be amended to clarify that corrosion protection requirements would apply until the UST system is permanently closed or undergoes a change-in-service.

Subsection (a)(2)(iii) is proposed for addition to require owners and operators to document surveys of cathodic protection systems on a form provided by the Department and provide the forms to the Department upon request. This proposal is consistent with the Federal requirement at 40 CFR § 280.34 (relating to reporting and recordkeeping).

Subsection (f) is proposed to be amended to clarify that, in addition to primary and secondary containment structures, containment sumps and spill prevention equipment would need to be maintained in a leak-free condition. This subsection is also proposed to be amended to clarify that if any liquid (e.g., water) or regulated substance is detected, the liquid or regulated substance would need to be immediately removed.

Other minor revisions are proposed to this section to clarify the requirements.

*§ 245.433. Compatibility.*

Subsection (a) is proposed to be amended to delete the language that references specific codes of practice related to material compatibility as this language is duplicative of § 245.405 (relating to codes and standards).

Subsection (b) is proposed to be added to this section to require an owner and operator of a UST storing alternative fuel blends or biodiesel or biodiesel blended fuel to provide information to the

Department, on a form provided by the Department, verifying compatibility with all UST system components. This amendment would codify the Department's current practice.

Subsection (c) is proposed to be added to require an owner and operator of a UST system to demonstrate, upon Department request, the compatibility of the UST system with the material being stored by using one or more of the options listed. This proposal is consistent with the Federal requirement at 40 CFR § 280.32(b)(1) (relating to compatibility).

*§ 245.434. Repairs allowed.*

The requirement under item (3) is proposed to be deleted because it could be interpreted to mean that repairs made to underground fiberglass reinforced plastic tanks by a manufacturer's authorized representative do not require direct, onsite supervision and control of a certified installer. Such supervision and control is required, as stated in the requirement under item (1) and this proposed deletion will eliminate confusion.

The requirement currently in item (5), which is proposed to be renumbered as (4), is proposed to be amended to specifically address how repairs to secondary containment areas of tanks and piping, containment sumps, and spill prevention equipment would be tested. This proposal is consistent with the Federal requirement at 40 CFR § 280.33(d) (relating to repairs allowed). The exception to tightness testing in (ii) when the repaired portion of the UST system can be monitored monthly for releases is proposed to be deleted. The Federal regulations at 40 CFR § 280.33(d)(2) allows this option. However, most manufacturer's specifications and Nationally recognized codes of practice recommend tightness testing of the UST system to determine competency prior to placing product in the UST system.

*§ 245.435. Reporting and recordkeeping.*

Revisions to this section are proposed to clarify the requirements and remove the distinction between permanent and temporary records, as that distinction is no longer relevant. The reporting requirements in subsection (b)(1) are proposed to be moved to a new subsection (c) and the recordkeeping requirements in (b)(2) are proposed to be moved to a new subsection (d). The list of records to be maintained are proposed to be consolidated into one list and several records are proposed to be added to the list.

Subsection (d)(9) is proposed to be added to require that owners and operators maintain documentation showing that their UST systems are continuously participating in the Underground Storage Tank Indemnification Fund (USTIF). In the event of a release at the facility, this information will be necessary to prove eligibility for payment of a USTIF claim.

As will be discussed in more detail below, new requirements are being proposed relating to periodic testing (§ 245.437) and periodic operation and maintenance walkthrough inspections (§ 245.438). New reporting and recordkeeping requirements are proposed to be added to § 245.435 related to these proposed periodic testing and inspection requirements.

New subsection (d)(19) is proposed to require that documentation of the last test of spill prevention equipment and containment sumps and evaluations of overfill prevention equipment

conducted to meet the periodic testing requirements in proposed § 245.437 be maintained. This proposal is consistent with the Federal requirement at 40 CFR § 280.34(b)(5).

New subsection (d)(20) is proposed to require that documentation of periodic testing conducted under proposed § 245.437(a)(1)(i) be maintained. This documentation would need to show that the containment sump and spill prevention equipment are double-walled and that the integrity of both walls is periodically monitored in accordance with § 245.438(a)(1)(i) (relating to periodic operation and maintenance walkthrough inspections). This proposal is consistent with the Federal requirement at 40 CFR § 280.34(b)(5).

New subsection (d)(21) is proposed to require that records of maintenance walkthrough inspections as required in proposed § 245.438 be maintained for the past 12 months. Records would need to include a list of each area checked, whether each area checked was acceptable or needed action taken, a description of actions taken to correct an issue, and delivery records if spill prevention equipment is checked less frequently than every 30 days due to infrequent deliveries. This proposal is consistent with the Federal requirement at 40 CFR § 280.34(b)(6).

New subsection (d)(22) is proposed to clarify that documentation of investigations of suspected releases in accordance with § 245.304 (relating to investigation of suspected releases) be maintained. This documentation must be maintained for the operational life of the storage tank system and retained for a minimum of 1 year after the storage tank system has been permanently closed.

Other minor revisions are proposed to this section to clarify the requirements.

*§ 245.436. Operator training.*

Subsection (a)(2) is proposed to be amended by deleting the date as it has passed and as it is no longer relevant.

Subsection (a)(3)(ii) is proposed to be amended to clarify that storage tank facilities required to have an onsite Class C operator must have emergency contact information and written instructions and procedures in the event of an emergency immediately available upon request.

Subsection (a)(3)(iii) is proposed to be revised to clarify that, for storage tank facilities that do not dispense motor fuel for retail sales to the general public, emergency contact information and written instructions and procedures in the event of an emergency would need to be prominently displayed at the site and visible to the storage tank user.

Subsection (a)(4) is proposed for deletion as the date for compliance has passed and it is no longer applicable.

Subsection (b)(1)(iv) is proposed to be amended to add that Department-certified installers and inspectors with a current UMI certification may perform Class A operator duties when employed or contracted by the tank owner to perform these functions.

Subsection (b)(2)(iv) is proposed to be amended to add that Department-certified installers and inspectors with a current UMI certification may perform Class B operator duties when employed or contracted by the tank owner to perform these functions.

Subsection (b)(3) is proposed to be amended by deleting its subsections (i), (ii) and (iii). The provision in (i) authorizing a Class C operator to control or monitor the dispensing or sale of regulated substances is proposed to be incorporated into (b)(3). The provision in (ii) pertaining to written instructions and procedures is proposed to be incorporated into subsections (a)(3)(ii) and (a)(3)(iii) as discussed above. The provision in subsection (b)(3)(iii) is proposed to be deleted because the requirements related to Class C operator availability at a storage tank facility are addressed in subsection (a)(3) and this provision is unnecessary.

Subsection (c)(3) is proposed to be revised to clarify that training provided by the tank owner or Class A or Class B operator to the Class C operator would need to be specific to the facility and enable the Class C operator to take action in response to emergencies.

Subsection (c)(5) related to reciprocity of training is proposed for deletion. While other states may provide training consistent with the Federal regulations, the Department has determined that training specifically pertaining to Chapter 245 is necessary for Class A and Class B operators in the Commonwealth, and other state training courses do not provide such training.

Subsection (d)(1) is proposed to be amended to require the owner to identify Class A, Class B and Class C operators on a form provided by the Department prior to placing the UST system into use, which is the Department's current practice.

Subsection (e)(2) and (3) are proposed to be amended to remove the terms "manned" and "unmanned" in describing a facility and instead referring to a facility that does or does not dispense motor fuel for retail sales to the general public.

#### *§ 245.437 Periodic testing.*

This section is proposed to be added to be consistent with the Federal requirement at 40 CFR § 280.35 (relating to periodic testing of spill prevention equipment and containment sumps used for interstitial monitoring of piping and periodic inspection of overfill equipment).

Subsection (a)(1) is proposed to require owners and operators to ensure that containment sumps used for interstitial monitoring of piping and spill prevention equipment are tested once every three years to ensure they are liquid-tight. If the containment sump and spill prevention equipment are double-walled, the integrity of both walls must be periodically monitored consistent with the maintenance walkthrough inspections proposed in § 245.438 in lieu of testing the equipment once every three years.

Subsection (a)(2) would require owners and operators to ensure that overfill prevention equipment would be evaluated at least once every three years to ensure that the equipment is set to activate at the correct level and would activate when the regulated substance stored reaches that level.

Subsection (a)(3) would require owners and operators to ensure that electronic and mechanical components of release detection equipment be tested for proper operation at least annually. The required tests would apply to automatic tank gauges and other controllers, probes and sensors, automatic line leak detectors, vacuum pumps and pressure gauges, and hand-held electronic sampling equipment associated with groundwater and vapor monitoring.

Subsection (b) sets forth the criteria under which the required tests and evaluations would to be performed.

Subsection (c) proposes the dates by which owners and operators would need to ensure that the periodic testing requirements are met.

Subsection (c)(1) proposes that, for UST systems installed on or before the effective date of the final-form regulations, the tests and inspections would need to be conducted prior to the next required UST inspection due date occurring after one year from the effective date of the final-form regulations or not later than three years after the effective date of the final-form regulations, whichever occurs first. So, if the effective date of the final-form regulations would be January 1, 2019, the first facility tests and inspections would need to occur prior to the next required UST facility inspection occurring between January 1, 2020, and January 1, 2022. Subsection (c)(2) would establish that for UST systems installed after the effective date of the final-form regulations, the periodic testing requirements of this section would apply at installation.

Subsection (d) would require that the liquids used to perform the periodic tests would need to be reused, treated or disposed of in accordance with applicable requirement in Chapter 91 (relating to water resources general provisions), Chapter 92a (relating to national pollutant discharge elimination system permitting, monitoring and compliance), Chapters 260—270a (relating to hazardous waste management), and Chapters 287—299 (relating to residual waste management). In addition, the Department plans to develop technical guidance for owners and operators of storage tank facilities to follow to ensure test liquids are reused, treated, or disposed of properly.

*§ 245.438 Periodic operation and maintenance walkthrough inspections.*

This section is proposed to be added and is consistent with the Federal requirement at 40 CFR § 280.36 (relating to periodic operation and maintenance walkthrough inspections).

Subsection (a) would require owners and operators to conduct maintenance walkthrough inspections of spill prevention and release detection equipment for UST systems a minimum of every 30 days beginning not later than one year after the effective date of the final-form regulations. For spill prevention equipment associated with UST systems receiving deliveries at intervals greater than every 30 days, the owners and operators could conduct maintenance walkthrough inspections prior to each delivery.

Subsection (b) would require owners and operators to conduct maintenance walkthrough inspections of containment sumps and handheld release detection equipment for UST systems a minimum of every 12 months beginning not later than one year after the effective date of the final-form regulations.

Subsection (c) would set forth the criteria under which the operation and maintenance walkthrough inspections would need to be performed.

#### *Release Detection*

##### *§ 245.441. General requirements for underground storage tank systems.*

The table of release detection methods shown in subsection (a)(3) is proposed for deletion as the dates for compliance have passed and it is no longer applicable.

With the proposed periodic testing and operation and maintenance walkthrough inspection requirements proposed in § 245.437 and § 245.438, respectively, the current requirement to monitor containment sumps and dispenser pan sumps on a monthly basis contained in subsection (e) are proposed to be deleted as unnecessary.

##### *§ 245.442. Periodic monitoring requirements for petroleum underground storage tank systems.*

The title of this section is proposed to be amended to clarify this section is related to monitoring for releases of petroleum underground storage tank systems.

Subsection (a) is proposed to be amended to clarify the existing requirements related to the methods and frequency of release detection monitoring for petroleum systems with USTs and underground piping.

Subsection (b)(1) is proposed to be amended to allow the use of any of the release detection methods in § 245.444 (relating to methods of release detection for tanks), as proposed to be amended, when monitoring for release detection in tanks every 30 days as currently required. Subsections (b)(1)(i)-(iv) are proposed for deletion because the established timeframes have passed or these requirements are no longer necessary since the release detection methods available for use have been expanded.

##### *§ 245.443. Requirements for hazardous substance underground storage tank systems.*

This section is proposed to be revised to set forth and distinguish between the release detection requirements for hazardous substance underground storage tank systems installed on or before November 10, 2007, and those hazardous substance storage tank systems installed after November 10, 2007.

##### *§ 245.444. Methods of release detection for tanks.*

This section is proposed to be amended to clarify that the release detection methods provided for tanks would meet the requirements of both §§ 245.441 and 245.442 (relating to general requirements for UST systems and periodic monitoring requirements for petroleum UST systems). The inventory control method of release detection for tanks in subsection (1) is proposed to be deleted because the timeframe for this method's continued use has passed. An end date for this method's continued use was established in a prior rulemaking (37 Pa.B. 5979 (November 10, 2007)).

The manual tank gauging method of release detection in subsection (2), which is proposed to be renumbered as (1), is proposed to be revised to clarify in subsection (1)(v) that this method would no longer be available for USTs of greater than 1,000 gallons nominal capacity. Tanks for this size would need to use another method because of the potential for a substantial release using the manual tank gauging method. The requirements pertaining to tank capacities of 1,001 to 2,000 gallons is also proposed for deletion from the table in subsection (1)(iv).

The automatic tank gauging method in subsection (4), which is proposed to be renumbered as (3), is proposed to be revised to remove the reference to the inventory control method currently in subsection (1) as that method is proposed to be deleted and the timeframe for use of this method has passed.

The statistical inventory reconciliation (SIR) method for release detection in subsection (8), which is proposed to be renumbered as (7), is proposed to be amended by deleting subsection (7)(ii)(A), which requires that reports be available within 20 days of the end of the monitored period. Owners and operators of underground storage tanks using SIR to meet the tank release detection requirement must determine the leak status of their underground storage tanks within the 30-day monitoring period. EPA established the 30-day monitoring period in the 1988 federal UST regulations and re-confirmed it in the 2015 federal UST regulations. UST system owners and operators may use SIR or another method to meet the tank release detection requirement, as long as the method meets specified performance standards. One performance standard that applies to all release detection methods is the need to determine the tank's leak status in a 30-day monitoring period. That means owners and operators using SIR or another release detection method must determine the leak status of their USTs within the 30-day monitoring period. This amendment is being proposed to be consistent with the Federal regulations.

*§ 245.445. Methods of release detection for piping.*

The automatic line leak detector method for release detection of piping in subsection (1) is proposed to be revised and adds subsection (1)(ii), which would require owners and operators of UST systems that store fuel solely for use by emergency power generators to install methods that trigger an audible or visual alarm to meet the release detection requirement. Automatic line leak detectors that either restrict or shut off the flow of regulated substances would not be required to avoid the potential for facilities such as hospitals and nursing homes to be without power at any time.

Subsection (1)(iii) is proposed to be added to require pressurized piping installed on or before November 10, 2007, that conveys a regulated substance, except piping used in UST systems that store fuel for emergency power under (1)(ii), to be equipped with a release detection method that restricts or automatically shuts off the flow of regulated substances in the event of a 3-gallon-per-hour leak rate, if the storage tank facility is unattended while open for business.

## *Out-of-Service Underground Storage Tank Systems and Closure*

### *§ 245.451. Temporary removal from service (out-of-service).*

In this section, the word “closure” is proposed to be replaced with the term “removed from service,” “removal from service,” or “out-of-service.” The word “closure” would only be used when permanent closure occurs.

Subsection (b) is proposed to be amended to delete the requirement that release detection be performed until the tank is empty. A tank temporarily removed from service must be empty.

Subsection (c) is proposed to be revised to require owners and operators to empty the tank being placed temporarily in out-of-service status prior to submission of the registration form to the Department.

Subsection (e) is proposed to be amended to require inspections to be conducted at 3-year intervals on UST systems in temporary out-of-service status. Inspections could not be delayed for underground storage tank systems in temporarily removed from service status. This revision is consistent with Federal regulations, which do not defer the 3-year inspection requirement for tank systems in temporary removal from service status.

A new subsection (i) is proposed to provide the Department with the ability to require tests to be performed of the UST system in temporary out-of-service status when returning the storage tank system to currently-in-use status. Storage tanks that are temporarily out-of-service status are often in this status for a number of years. The results of this testing will determine if the storage tank may be brought back into operation.

### *§ 245.452. Permanent closure and changes-in-service.*

In subsection (b), the words “Tanks taken out of service permanently” are proposed to be replaced with “Tanks being permanently closed.” Taken “out of service” implies a temporary condition and is proposed to be reserved for use with the term “temporary out-of-service.”

Subsection (c) is proposed to be amended to clarify that removal or closure-in-place of underground piping, in addition to replacement of underground piping, is considered a permanent closure. Underground piping includes remote fill lines connected to a storage tank. In addition, proposed revisions to subsection (c) clarify that excavation beneath the dispenser and removal of the dispenser would be permanent closure of that part of the UST system. The requirements applicable to permanent closure of a UST system would apply to the permanent closure of system piping, remote fill lines, and dispensers.

Subsection (e) is proposed to be amended to clarify that the owner would need to complete and submit an amended storage tank registration form, signed by the owner and the certified installer that provided direct onsite supervision of the tank handling activity, to the Department within 30 days of the completion of permanent closure or change-in-service of the storage tank.

*Subchapter F. Technical Standards for Aboveground Storage Tanks and Facilities*

Several sections in this subchapter are proposed to be amended simply to clarify that the requirements apply to aboveground storage tanks and facilities. If no other revisions are proposed, those sections are not discussed further in this preamble.

*General*

*§ 245.501. Purpose.*

The purpose of this subchapter is proposed to be amended to clarify that the technical standards and requirements established by this subchapter also apply to ASTs in underground vaults. Specific requirements applicable to ASTs in underground vaults are established in current § 245.523 (relating to aboveground storage tanks in underground vaults).

*§ 245.503. Variances.*

Subsection (6) is proposed to be added to clarify that the Department will publish approved variances in the *Pennsylvania Bulletin*.

*§ 245.505. Applicability.*

Subsections (1), (2) and (3) are proposed for deletion as the ASTs regulated under this chapter are no longer excluded from the monitoring, in-service inspection and out-of-service inspection requirements outlined in these subsections. Internal citations are also updated.

*Operations and Maintenance*

*§ 245.512. Facility operations and spill response plan.*

This section is proposed to be amended to require that Spill Prevention Response Plan revisions be submitted to the Department within 120 days of any necessary updates to the plan. The current regulation is silent as to when an updated plan needs to be submitted to the Department.

*§ 245.513. Preventive maintenance and housekeeping requirements.*

This section is proposed to be amended throughout to clarify that storage tank facility owners and operators are responsible for compliance. Subsection (b)(1)(iii) is proposed to be added to clarify that the continuous leak detection system required by § 245.523(7) for an AST with an underground vault would need to be checked as part of the visual inspection conducted every 72 hours.

Subsection (b)(2) is proposed to be amended to clarify that the monthly maintenance inspection would need to be performed for each AST system.

Subsection (b)(2)(v) is proposed to be added to require that the monthly maintenance inspection include a check of the cathodic protection system, if installed, to ensure the equipment is functioning as designed.

Subsection (c) is proposed to be revised to replace the general requirement for good housekeeping practice to reduce spills and safety hazards with a specific requirement that would require storage tank facility owners and operators to immediately initiate the actions necessary to correct deficiencies noted during the 72-hour visual and monthly maintenance inspections required by this section.

Subsection (d) is proposed to be added to set forth the requirements for repairing AST systems. All repairs to aboveground storage tank systems shall be properly conducted in accordance with the manufacturer's instructions, a code of practice developed by a Nationally recognized association, or an independent testing laboratory.

*§ 245.514. Security.*

Subsection (b) is proposed to be added as an additional level of security. This subsection would require owners and operators of AST facilities with an aggregate aboveground storage capacity greater than 21,000 gallons to maintain a written log book. Each log book entry would need to identify the name of the individual performing tank handling and inspection activities, the individual's signature, the company name, the date of work, start and end times, and a brief description of work performed, including tank identification. Department experience has shown that log books either do not exist at facilities or, where they do exist, the information being maintained is often vague or incomplete. The use of a log book containing the proposed information is a best management practice for storage tank owners and operators.

*§ 245.516. Recordkeeping requirements.*

Subsection (a) is proposed to be amended to require owners and operators of AST systems to provide records required by Chapter 245 and to cooperate fully when inspections, monitoring and testing are being conducted by the Department, certified installers or certified inspectors, and when requests for document submission, testing and monitoring by the owner or operator are made under section 107(c) of the act (35 P. S. § 6021.107(c)). The provisions in subsection (a) relating to the location of records are proposed to be moved to a new subsection (b) and are proposed to be revised to clarify the requirements.

The recordkeeping requirements in subsection (b) are proposed to be relettered as subsection (c). The distinction between permanent and temporary records is no longer relevant and this subsection is proposed to be amended to identify all records that are to be maintained for the operational life of the aboveground storage tank system and retained for 1 year after the system has been permanently closed. Records previously identified under subsection (c) as temporary records are proposed to be included in this subsection. In addition, written log books required under proposed § 245.514(b), records of 72-hour visual inspections for the last 12 months, and documentation of investigations of suspected releases are proposed to be added to the list of records to be maintained.

## *Design, Construction and Installation*

### *§ 245.522. New aboveground storage tank installations and reconstructions.*

Revisions are proposed to this section to clarify its requirements and to propose a new subsection (g) to clarify that ASTs previously regulated by the Department would need to meet performance requirements for new AST systems prior to returning to regulated tank status. This provision would codify the Department's current policy.

### *§ 245.523. Aboveground storage tanks in underground vaults.*

In addition to revisions proposed in this section to clarify that the requirements apply to aboveground storage tanks, revisions are also proposed to clarify that the vault leak detection system in (7) must activate an alarm that automatically shuts down the dispensing system if vapors or liquids are detected, not if releases occur; and to clarify that the leak detection monitoring records in (11) must be retained for 12 months as required under § 245.516.

### *§ 245.526. Piping for aboveground storage tanks.*

Subsection (c) is proposed to be amended to clarify that all piping in contact with the soil or an electrolyte would need to be adequately protected from corrosion in accordance with current codes of practice, not only piping installed after October 11, 1997. Current codes of practice do not differentiate corrosion protection requirements based on installation date.

## *Corrosion and Deterioration Prevention*

### *§ 245.531. General corrosion and deterioration requirements.*

This section is proposed to be amended to clarify its requirements. Specifically, proposed revisions to subsection (a) clarify that the tank system shall be continuously protected from corrosion and deterioration. Proposed revisions to subsection (b) clarify that metallic tank bottoms, not metallic tank systems, need to be evaluated by a corrosion expert. Proposed revisions to subsection (c) clarify that any tank bottom not adequately protected from corrosion and deterioration would need to be upgraded immediately, not when the tank bottom is replaced.

### *§ 245.532. Cathodic protection systems.*

Revisions are proposed to this section to remove the reference to corrosion protection on new, reconstructed or relocated tanks or the replacement of the tank bottom, as corrosion protection requirements are not limited to these tanks or tank bottoms. The reference to API 651 or associations such as NACE as an example of another method that can be used is proposed to be deleted as this language is duplicative of § 245.504 (relating to referenced organizations).

### *§ 245.534. Interior linings and coatings.*

Revisions are proposed to this section to clarify the requirements in subsection (a) and to remove the reference to API 652 or associations such as NACE examples of current nationally

recognized design coded for interior linings and coatings, and to require Department approval of an alternate inspection schedule in subsection (c).

#### *Release Prevention and Leak Detection*

##### *§ 245.541. Overfill prevention requirements.*

Revisions are proposed to this section to clarify the requirements. Proposed revisions to subsection (a) clarify that owners and operators must ensure that spills do not occur during filling of the storage tank; must ensure the tank volume is greater than the volume of product to be delivered prior to the transfer; and must ensure that the transfer operation is monitored constantly to prevent overfilling and spilling.

Subsection (b)(2) is proposed to be amended to add that manned operator shutdown procedures be in writing and provided to the Department upon request.

Subsection (e) is proposed to be amended to remove the examples of national industry standards for overfill protection and to remove the compliance date that has already passed.

##### *§ 245.542. Containment requirements for aboveground storage tank systems.*

This section is proposed to be revised to clarify the requirements. The references in subsection (d) and (d)(2) to a compliance date that has passed are proposed to be deleted.

Subsection (f) is proposed to be amended to require that any water, not only stormwater, be removed from the emergency containment area as soon as possible and to clarify that the water is to be removed from the containment before it comes in contact with the AST or piping, or before it reduces the capacity of the containment by 10% or more.

##### *§ 245.543. Leak detection requirements.*

Subsection (d) is proposed to be amended to remove the examples of national industry standards.

#### *Aboveground Storage Tank Inspections*

##### *§ 245.551. General requirements for third party inspections.*

Subsection (b) is proposed to be amended to clarify that Department-certified inspectors must be certified for the applicable inspector certification category in order to conduct the inspections required by this section.

##### *§ 245.552. In-service inspections.*

Revisions are proposed to this section to clarify the requirements. The date referenced in subsection (d)(1) is no longer relevant and is proposed to be deleted. All of existing subsection (d)(2) is also proposed to be deleted because it relates to timeframes for initial tank inspections that have already passed and are no longer relevant.

Subsection (d)(5), which is proposed to be renumbered as (d)(4) is proposed to be amended to clarify that an in-service inspection interval for an AST that is temporarily removed from service may only be delayed if agreed upon by the Department.

A new subsection (d)(5) is proposed to be added to address all ASTs in underground vaults that require an in-service inspection. Subsections (d)(5)(i) and (ii) propose that vaulted ASTs with a capacity greater than 5,000 gallons, and vaulted ASTs storing highly hazardous substances with a capacity greater than 1,100 gallons, would need to have in-service inspections conducted within 6 and 12 months of installation and at least every three years thereafter. Subsection (d)(5)(iii) proposes to allow the Department to require more frequent in-service inspections when a prior inspection identifies corrosion, deterioration or other violations.

Subsection (d)(5) proposes to increase the frequency of in-service inspections on large ASTs in underground vaults from once every five years to once every three years. The in-service inspection frequency on small ASTs in underground vaults is proposed to increase from once every 10 years to once every three years. The Department has discovered numerous issues with vaulted ASTs including corrosion, improper installation, and water infiltration. A shortened inspection cycle is proposed to help improve compliance. Currently, the inspection cycle for USTs is once every three years. The Department has seen a marked improvement in UST facility compliance rates since implementation of the three-year inspection cycle. Some vaulted AST systems are required to conduct line leak detection similar to UST systems.

A new subsection (d)(6) is proposed to be added to require that existing ASTs in underground vaults with scheduled in-service inspections greater than three years from the effective date of the final-form regulation be inspected by the next currently scheduled in-service inspection date, unless notified otherwise by the Department.

*§ 245.553. Out-of-service inspections.*

Revisions are proposed to this section to clarify the requirements. The date referenced in subsection (e)(1) is no longer relevant and is proposed to be deleted. All of existing subsection (e)(2) is also proposed to be deleted because it relates to timeframes for initial tank inspections that have already passed and are no longer relevant.

Proposed subsection (e)(3) is proposed to be amended to clarify that an out-of-service inspection interval for an AST that is temporarily removed from service may only be delayed if agreed upon by the Department.

*§ 245.554. Installation and modification inspections.*

Revisions in this section are proposed to clarify the requirements. The requirement to keep inspection reports for the operational life of the storage tank are proposed to be deleted and a new subsection (d) is proposed to be added to clarify that completed inspection reports for installation and modification inspections would need to be retained with the facility records in accordance with § 245.516 (relating to recordkeeping requirements).

### *Closure and Removal from service Requirements*

#### *§ 245.561. Permanent closure or change-in-service.*

Subsection (1) is proposed to be amended to delete references to an unregulated tank as these references are no longer necessary based on the definition of “change-in-service” in § 245.1 (relating to definitions).

Subsection (2) is proposed to be amended to clarify the amended registration form requirements of owners completing a permanent closure or change-in-service.

#### *§ 245.562. Temporary removal from service (out-of-service).*

Subsection (f) is proposed to be revised to clarify that ASTs would need to be permanently closed within 5 years of being placed temporarily out-of-service unless the owner requests in writing an extension to the temporary out-of-service period and the Department approves the request. This proposal would eliminate the need to extend the temporary out-of-service period under the variance process in accordance with § 245.503 (relating to variances).

Subsection (g) is proposed to be added to allow the Department to impose conditions and require the submission of documentation when reviewing and approving a request for an extension of the temporary out-of-service period.

### *Subchapter G. Simplified Program for Small Aboveground Storage Tanks*

#### *General*

#### *§ 245.603. General storage tank facility requirements.*

Subsection (a) is proposed to be amended to require that Spill Prevention Response Plan revisions be submitted to the Department within 120 days of any necessary updates to the plan. The current regulation is silent as to when an updated plan needs to be submitted to the Department.

Subsection (c) is proposed to be added as an additional level of security. This subsection requires owners and operators of storage tank facilities with an aggregate aboveground storage capacity greater than 21,000 gallons to maintain a written log book. Each log book entry is to identify the name of the individual performing tank handling and inspection activities, the individual’s signature, the company name, the date of work, start and end times, and a brief description of work performed, including tank identification. Department experience has shown that log books either do not exist at facilities or, where they do exist, the information being maintained is vague and incomplete. The use of a log book with the proposed information is a best management practice for the storage tank owner and operator.

*§ 245.605. Applicability.*

This section is proposed to be amended to delete the date for registration as it has passed and is no longer relevant, and to delete the temporary exclusions of certain technical requirements as the timeframes for these exclusions have also passed.

*§ 245.606. Variances.*

This new section is being proposed to extend the use of the variance process to owners of small ASTs, as it is currently afforded to owners of large ASTs. The language in this proposed section mirrors the language in § 245.503 (relating to variances).

*Technical Requirements*

*§ 245.612. Performance and design standards.*

Subsection (d)(1) is proposed to be revised to clarify that spill and overfill protection controls operated with double-walled ASTs to meet both emergency and secondary containment requirements must be permanently installed. Subsection (d)(2) is proposed to be amended to clarify that the shutdown procedure for the overfill alarm or prevention device or monitoring gauge must be in writing.

Existing subsections (e) and (f) are proposed to be deleted as compliance timeframes have passed or other requirements have made them obsolete, so they are no longer applicable.

Existing subsection (h), which is proposed to be relettered as subsection (f), would eliminate the need for ASTs that are internally lined to comply with § 245.534(c) (relating to interior linings and coatings). Therefore, the interior linings or coatings would not have to be inspected by a Department-certified, AST inspector at installation, when undergoing a major modification, or at least every 10 years.

A new subsection (h) is proposed to be added that would require AST systems and storage tank system components whose failure could contribute to a release of product to be maintained in a good state of repair to ensure they function as designed.

*§ 245.613. Monitoring standards.*

Subsection (b)(1) is proposed to be amended to clarify that monthly operation and maintenance checks would need to include a visual examination of the containment structure or facility for deterioration. Subsection (b)(4) is proposed to be revised to clarify the functionality of the leak detection system must be checked. Subsection (b)(5) is proposed to be added to provide for a check of the cathodic protection system, if installed, to ensure the equipment is functioning as designed.

*§ 245.614. Requirements for closure.*

This entire section is proposed to be deleted and reserved. The requirements for temporary removal from service (out-of-service) and permanent closure or change-in-service are proposed

to be set forth in proposed §§ 245.617 (relating to temporary removal from service (out-of-service) and 245.618 (relating to permanent closure or change-in-service), respectively. The requirements for closure are proposed to be placed at the end of the subchapter as they are in Subchapters E and F.

*§ 245.615. Recordkeeping requirements.*

Subsection (b) establishes the records to be maintained for the operational life of the AST system. A new subsection (b)(7) is proposed to add documentation of investigations of suspected releases to the list of records that must be maintained. A new subsection (b)(8) is proposed to add that written log book information be maintained as required under § 245.603(c).

*§ 245.616. Inspection requirements.*

In general, subsection (c) currently requires the owner and operator of small ASTs storing regulated substances with a capacity greater than 5,000 gallons and the owner and operator of small ASTs storing highly hazardous substances with a capacity greater than 1,100 gallons to have in-service inspections conducted every 10 years. Subsection (c) is proposed to be revised to increase the frequency of in-service inspections on these small ASTs from once every 10 years to once every 5 years. Department inspection records show that less than 50% of ASTs inspected meet current requirements. A shortened inspection cycle is being proposed to improve compliance. Currently, the inspection cycle for USTs is once every three years. The Department has seen a marked improvement in UST facility compliance rates since implementation of the three-year inspection cycle.

Subsection (c)(1) is proposed to be amended to require that ASTs installed after the effective date of the final-form regulations be initially inspected within five years of installation, as opposed to the current 10 years.

New subsection (c)(2) is being proposed to allow existing AST systems with scheduled in-service inspections more than five years from the effective date of the final-form regulations to be inspected by that next currently scheduled in-service inspection date, unless notified otherwise by the Department. Subsequent in-service inspections would need to be conducted once every 5 years.

Existing subsections (c)(2)-(3) are proposed to be deleted as the timeframes for compliance have passed and they are no longer applicable.

Subsection (c)(4) is proposed to be deleted and addressed in proposed subsection (e). Subsection (e) is proposed to be added to sets forth the requirements to delay an in-service inspection interval for ASTs that are temporarily removed-from-service. Prior to placing product in the AST, the delayed inspection would need to be conducted, deficiencies noted during inspection would need to be addressed and remedied, and an amended registration form would need to be completed and submitted to the Department.

§ 245.617. *Temporary removal from service (out-of-service).*

§ 245.618. *Permanent closure or change-in-service.*

These sections are proposed to be added. Section 245.617 would establish the temporary removal from service requirements that currently exist in § 245.614 (relating to requirements for closure) and are proposed for deletion. The only revised language in this section pertains to temporary removal from service in subsection (f). Subsection (f) would provide the Department with the ability to impose conditions and require submission of documentation when reviewing and approving a request for an extension of the temporary removal from service period.

Section 245.618 would establish the permanent closure and change-in-service requirements that currently exist in § 245.614 (relating to requirements for closure). This new section does not propose any revisions to the requirement that currently exist.

*Subchapter H. Financial Responsibility Requirements for Owners and Operators of Underground Storage Tanks and Storage Tank Facilities*

§ 245.704. *General requirements.*

Subsection (a) is proposed to be amended to clarify that continuously participating in the Underground Storage Tank Indemnification Fund administered by the Pennsylvania Department of Insurance would mean paying all applicable fees in a timely fashion and conforming with all other requirements of Chapter 245 and the act. All UST owners are required by the act to participate in the USTIF.

*F. Benefits, Costs, and Compliance*

*Benefits*

When enacting the Storage Tank and Spill Prevention Act, the General Assembly of the Commonwealth found and declared the following:

- (1) The lands and waters of this Commonwealth constitute a unique and irreplaceable resource from which the well-being of the public health and economic vitality of this Commonwealth is assured.
- (2) These resources have been contaminated by releases and ruptures of regulated substances from both active and abandoned storage tanks.
- (3) Once contaminated, the quality of the affected resources may not be completely restored to their original state.
- (4) When remedial action is required or undertaken, the cost is extremely high.
- (5) Contamination of groundwater supplies caused by releases from storage tanks constitutes a grave threat to the health of affected residents.
- (6) Contamination of these resources must be prevented through improved safeguards on the installation and construction of storage tanks.

35 P.S. § 6021.102. The regulatory scheme established by the act to prevent releases of contaminants from storage tanks, as implemented through Chapter 245, provide the important benefits articulated in the General Assembly's findings.

The primary purpose of these proposed amendments to Chapter 245 is to further reduce the potential for releases of contaminants from underground and aboveground storage tanks by strengthening the requirements related to properly operating and maintaining release detection equipment. These proposed revisions would require that UST equipment to be inspected and tested regularly, which will help to further reduce the number of releases from USTs and in turn protect public health and the environment. Incorporation of these UST revisions into Chapter 245 will enable Pennsylvania to retain approval of its UST program from EPA and remain eligible for continued substantial Federal funding for the UST program.

A substantial portion of the beneficial impacts associated with this proposed rulemaking are avoided cleanup costs as a result of preventing releases and reducing the severity of releases from USTs. EPA, in the analysis of the potential benefits associated with its final UST regulation which became effective on October 13, 2015, estimated the typical cost of a small-extent, soil-only remediation to be \$25,300, and the typical cost of a large-extent, groundwater-contamination remediation to be \$428,200. These costs are in 2008 dollars. During calendar year 2016, the average cost per closed claim paid by the USTIF was \$360,807, and the total paid for all claims was \$31,672,157.

While the reduced cleanup costs associated with the proposed rulemaking cannot be accurately quantified, a decrease in release frequency and severity is expected to result in both a reduction of the average cost per closed claim and the total annual claim payments made by the USTIF. Groundwater contamination incidents and vapor intrusion remediation costs are expected to be reduced or avoided, which would reduce the need for USTIF claims and payments and potentially reduce fees paid by UST owners to fund USTIF. These fees are typically passed on to the public at motor fuel retail locations. Thus, any decrease in release frequency achieved by the proposed rulemaking would benefit the public and the environment by protecting soil and water resources, and reducing costs associated with necessary corrective action.

Other benefits of decreasing the frequency of releases from storage tanks that cannot be quantified or monetized include the avoidance of human health risks, protection of ecological receptors, protection of gallons of groundwater each year, and avoided property devaluation.

The proposed rulemaking would also benefit storage tank owners and operators and the Department by reducing the staff time and cost associated with releases from storage tanks and through proposed provisions that would reduce administrative costs. For example, this rulemaking proposes to add a new UST certification category to allow individuals to perform tank handling activities such as repairs that do not involve excavation without having to obtain the (full) certification to install and modify storage tank systems, and to perform tests of UST systems recommended by this proposed rulemaking. Creation of this new certification category would afford UST owners with the opportunity to employ individuals who specialize in modifications only, which could save UST owners some of the costs associated with minor modification work and system testing. This proposed "minor modification" certification

category would also provide opportunities for existing certified companies to employ individuals who specialize in minor modification work. In addition, it may create an incentive for persons interested in only performing “minor modification” work to become certified and establish their own companies. In either case, the establishment of this new certification category is expected to result in the creation of a significant number of jobs within the certified installer community, which may reduce the cost of UST system testing over time.

The increase in proposed inspections and testing by storage tank owners is expected to reduce Department costs. For example, these proposed amendments will require all ASTs in underground vaults that require an in-service inspection to be inspected within six and 12 months of installation and at least every three years thereafter due to their history of non-compliance. This mirrors the inspection requirement for USTs. Also, the initial inspection requirement and in-service inspection cycle for small ASTs will be shortened from 10 years to five years. Based on current in-service inspections, the compliance rate with regulatory requirements is less than 50 percent. When the facility operations inspection cycle for USTs was shortened from five years to three years in a prior rulemaking, the Department observed increased regulatory compliance, fewer releases and a reduction in the severity of releases from USTs, which reduced Department staff time needed to follow-up on non-compliant facilities.

#### *Compliance costs*

In general, the proposed rulemaking recommends additional storage tank testing and inspection of existing release detection equipment for UST, small ASTs and ASTs in vaults, and does not propose changes that would require large-scale investments in equipment or significant changes to operations at the facility level. The only exception are the one-time costs to replace ball float valves following failure of the overfill prevention evaluation with alternate overfill prevention equipment and to add release detection to those emergency generator USTs that were previously deferred from regulation. These one-time costs apply to a limited number of UST systems. Of the 22,456 existing UST systems regulated in the Commonwealth, 3,588 have ball float valves for overfill prevention and 629 are emergency generator UST systems without a form of release detection.

The increased cost of compliance associated with this proposed rulemaking is less than the costs that would be imposed on storage tank facility owners and operators without the proposed changes. Most of the proposed changes are necessary for Pennsylvania’s regulations in Chapter 245 to be consistent with Federal requirements for USTs and retain EPA approval of State program. Without these revisions, EPA could not continue to approve the State program and would then be required to implement the UST program in the Commonwealth. Therefore, UST owners would incur the increased costs for their UST facilities detailed below to comply with the Federal requirements at 40 CFR Part 280 even if Chapter 245 was not revised due to EPA’s revised regulations for USTs.

#### *Analysis of UST compliance costs*

Within the Commonwealth, 7,772 UST facilities are regulated consisting of 22,456 UST systems, for an average of 2.89 UST systems per facility. Compliance costs for the proposed

UST regulatory requirements are estimated in this analysis based on a UST facility with 3 UST systems that have the following features:

- Three 10,000-gallon UST systems with two storing gasoline and one storing diesel;
- 100 feet of piping per UST system;
- One fill port per UST system;
- Spill prevention equipment at each UST system;
- Two drop tube shut-off devices and one ball float valve for overfill prevention equipment;
- Four dispensers each with an under-dispenser containment sump;
- One submersible turbine pump sump/tank top sump per UST system; and
- One automatic tank gauge (ATG) with a ATG probe per UST system.

Costs presented on a facility basis were adjusted for the fact that each UST facility has on average 2.89 UST systems. The Department contacted five Department-certified companies from various regions of the Commonwealth to estimate cost for the various requirements of this proposed rulemaking for the UST facility described above.

The maintenance walkthrough inspection requirement proposed for UST facilities involves a visual inspection of spill prevention equipment and release detection every 30 days and a visual inspection of containment sumps and handheld release detection devices annually. All 7,772 UST facilities would be required to conduct 30-day maintenance walkthrough inspections. The 5,817 UST facilities with containment sumps would be required to conduct the annual visual inspection. These inspections can be performed by the UST owner, operator, or other employee of the UST owner resulting in no cost other than the necessary time to conduct the inspections. However, some UST owners may choose to utilize third-party companies to conduct the maintenance walkthrough inspections. If a UST owner chose to hire a third party company, the owner would incur costs. However, this action would be voluntary and is not required by the proposed regulations.

Testing of spill prevention equipment and containment sumps and evaluation of overfill prevention equipment at UST facilities would be required every 3 years. All 22,456 UST systems have overfill prevention equipment and would be required to conduct evaluations. Likewise, all UST systems would require spill prevention equipment tests. Thirty-nine percent, or 8,835 UST systems at 3,245 UST facilities, have containment sumps used for interstitial monitoring of piping that would need to be tested. These tests and evaluations would need to be conducted by appropriate certified individuals.

Although the cost for testing and evaluation would only be incurred every 3 years, the costs are estimated on an annualized basis for purposes of this analysis (i.e., the testing and evaluation costs are divided by three to estimate the cost per year). The estimated annual cost range and average annual cost for each evaluation or test per facility on an annual basis are summarized in the table below:

<b>Evaluation or Test</b>	<b>Estimated Range of Annual Costs</b>	<b>Estimated Average Annual Cost</b>
Overfill Prevention Equipment	\$96 - \$161	\$112
Spill Prevention Equipment	\$88 - \$209	\$127
Containment Sump	\$257 - \$899	\$546

Based on the estimated average cost, the total annualized cost to a UST facility owner for equipment testing and evaluation every 3 years is estimated to range from \$239 - \$785. The lower cost would apply to a facility that does not have containment sumps used for interstitial monitoring of piping. Based on these per facility costs, the annualized cost to evaluate and test equipment at all UST facilities is estimated to be \$3,629,278.

This proposed rulemaking would prohibit continued use of flow restrictors (ball float valves) as an option for overfill prevention when these devices need to be replaced. A total of 3,588 UST systems are reported to have ball float valves as the form of overfill prevention. The increased cost to repair a ball float valve or replace a ball float valve with another ball float valve versus providing another form of overfill prevention (e.g., shut-off device or alarm) is estimated to range from \$975 - \$1,100 with the average cost to be \$1,038. The average cost represents the one-time increased cost to a UST owner for this overfill prevention equipment replacement. Replacement of a ball float valve would only be necessary when the equipment no longer functions as originally designed and fails the 3-year overfill evaluation requirement. Based on the average cost, the total one-time increased cost to replace ball float valves with another form of overfill prevention for all UST systems is estimated to be \$3,724,344.

Annual release detection equipment testing would be required by this proposed rulemaking for all 22,456 UST systems. Operability tests would need to be conducted of the electronic and mechanical components of release detection equipment. The annualized cost to a UST facility owner for this release detection testing requirement is estimated to range from \$337 - \$1,036, with the average cost to be \$592. Based on the average cost, the annual cost to test release detection equipment at all UST facilities is estimated to be \$4,601,024. These costs are based on an average underground storage tank facility consisting of three UST systems and four dispensers. Facilities that have fewer UST systems are expected to have lower costs.

This proposed rulemaking would require release detection for emergency generator USTs. An estimated 629 UST systems are reported as not having any form of release detection. For this analysis, an automatic tank gauge is used as the form of release detection for these systems and would need to be tested annually for operability, however, other lower cost methods of tank release detection could be chosen by the UST owner depending on type and location of UST system. The cost for the operability tests for these systems were included in the cost for release detection equipment testing described above. The cost for the addition of an ATG ranges from \$4,000 - \$30,000 with the average estimated cost to be \$16,875. Cost estimates are dependent on several factors including amount of excavation required to install wiring and conduit, access to the UST system and location of the UST system to utilities and buildings. The average cost represents the one-time cost to a UST owner to add an ATG for release detection. Based on the average cost, the total one-time cost to add release detection to emergency generator USTs is estimated to be \$10,614,375.

The following discussion and tables summarize the total estimated annualized cost that UST facilities could incur for the testing and inspections proposed in this rulemaking when UST owners, operators, or other employees of the UST owner conduct all maintenance walkthrough inspections:

	Annualized O&M <sup>1</sup> Costs <sup>2</sup>	One-Time Costs <sup>3</sup>	Number of Potentially Affected Facilities/Systems	Total Annualized O&M <sup>1</sup> Costs <sup>4</sup>	Total One-Time Costs <sup>5</sup>
Maintenance walkthrough inspections	\$0	\$0	7,772 facilities	\$0	\$0
Periodic testing/inspection of: overfill prevention equipment, spill prevention equipment, and containment sumps <sup>6</sup>	\$239 - \$785	\$0	7,772 facilities	\$3,629,278	\$0
Eliminate ball float valves when overfill prevention equipment is replaced	\$0	\$1,038	3,588 UST systems	\$0	\$3,724,344
Operability tests for release detection	\$592	\$0	7,772 facilities	\$4,601,024	\$0
Remove release detection deferral for emergency generator USTs	\$0	\$16,875	629 UST systems	\$0	\$10,614,375
	\$831 - \$1,377			\$8,230,302	\$14,338,719

<sup>1</sup> Operation and Maintenance.

<sup>2</sup> Per UST facility.

<sup>3</sup> Per UST system. One-time costs do not apply to all UST systems.

<sup>4</sup> For all UST facilities.

<sup>5</sup> For all UST systems. One-time costs do not apply to all UST systems.

<sup>6</sup> The lower range of the annualized O&M costs is for facilities that do not have containment sumps used for interstitial monitoring of piping.

The annualized increased operation and maintenance (O&M) costs to conduct maintenance walkthrough inspections, inspect overfill prevention equipment, test spill prevention equipment and containment sumps, and test release detection equipment per UST facility is estimated to range from \$831 - \$1,377. The total annualized increased costs for these inspections and tests at all UST facilities are estimated to be \$8,230,302.

The total one-time costs to replace all ball float valves with alternate overfill prevention equipment and to add release detection to those emergency generator USTs is estimated to be \$14,338,719. These one-time costs apply to a limited number of UST systems. Currently, 3,588 UST systems (<16%) have ball float valves for overfill prevention and 629 UST systems (<3%) are emergency generator USTs that would need to add release detection equipment. Owners of emergency generator UST systems will be afforded one to two years under this proposed

rulemaking to make an informed decision to either add the necessary release detection, close the UST system, or close the UST system and install a new AST.

#### *Analysis of AST compliance costs*

As with UST systems, the primary focus of the proposed rulemaking for AST systems is on an increased inspection frequency for small ASTs and ASTs in vaults. The Department again contacted five Department-certified companies from various regions of the Commonwealth to estimate the increased cost to AST owners for the proposed inspection requirements.

This proposed rulemaking would require all ASTs in underground vaults that require an in-service inspection to be inspected within six to 12 months of installation and at least every three years thereafter. ASTs with a capacity greater than 5,000 gallons, and ASTs storing highly hazardous substances with a capacity greater than 1,100 gallons, would be subject to these inspection requirements.

At the current time, no large ASTs in underground vaults are registered with the Department and 31 small AST systems in underground vaults would need to increase inspections from once every 10 years to once every 3 years. These small ASTs have an average size of approximately 9,800 gallons.

The reported annualized cost range for an in-service inspection of a vaulted AST every 10 years, as currently required, is \$78 to \$315, and the average annualized cost is \$179. The estimated annualized cost range for an in-service inspection of a vaulted AST every 3 years is \$260 to \$1,050, and the estimated average annualized cost is \$595. Thus, the annualized increased cost to an AST owner of a vaulted AST for an in-service inspection every 3 years is estimated to be \$416. The total annualized increased cost to all AST owners who would be subject to the proposed 3-year inspection requirement is estimated to be \$12,896.

The proposed rulemaking would also shorten the initial inspection requirement and in-service inspection cycle for small ASTs (other than small ASTs in underground vaults) from 10 years to 5 years. This requirement would apply to small ASTs with a capacity greater than 5,000 gallons, and small ASTs with a capacity greater than 1,100 gallons that store highly hazardous substances. An estimated 6,847 small ASTs with an average size of 11,500 gallons would need to increase their inspections to every 5 years under the proposed rulemaking.

The reported annualized cost range for an in-service inspection of a small AST every 10 years, as currently required, is \$44 to \$200, and annualized average cost is \$98. The estimated annualized cost range for an in-service inspection of a small AST every 5 years, as being proposed, is \$88 to \$400, and the estimated average annualized cost is \$196. Thus, the annualized increased cost to an AST owner of a small AST for the proposed 5 year inspection period is estimated to be \$98. The total annualized increased cost to all AST owners who would be subject to the proposed 5 year inspection period is estimated to be \$671,006.

The table below summarizes the estimated increased annualized costs discussed above that could be incurred by AST system owners under the proposed rulemaking:

	Annualized O&M Costs	One-Time Costs	Number of Potentially Affected Systems	Total Annualized O&M Costs	Total One-Time Costs
Increased inspection frequency for vaulted ASTs	\$416	\$0	31 AST systems	\$12,896	\$0
Increased inspection frequency for small ASTs	\$98	\$0	6,847 AST systems	\$671,006	\$0
		\$0		\$683,902	\$0

Additional compliance costs associated with this proposed rulemaking that cannot be estimated are the costs to UST systems that were previously excluded from the definition of an underground storage tank, but would be subject to Chapter 245 under the proposed rulemaking (e.g., tanks containing radioactive materials or coolants that are regulated under The Atomic Energy Act of 1954 (42 U.S.C.A. §§ 2011—2297), wastewater treatment tank systems that are not part of a wastewater treatment facility regulated under Sections 307(b) or 402 of the Clean Water Act and underground storage tank systems that are part of an emergency generator system at nuclear power generation facilities regulated by the Nuclear Regulatory Commission under 10 CFR Part 50, Appendix A (relating to general design criteria for nuclear power plants). In addition, existing field-constructed USTs installed on or before October 11, 1997, would be regulated under Chapter 245 under the proposed rulemaking.

The number of USTs in these categories that would be subject to Chapter 245 under the proposed rulemaking is unknown because they are not currently required to be registered with the Department. Registration would be required within 30 days after the effective date of the final-form regulation. Field-constructed USTs installed on or before October 11, 1997, are temporarily excluded from other regulatory requirements of Chapter 245 until one year after the effective date of the final-form regulation. Upon registration of a UST that was previously excluded from regulation, the Department would work with the tank owner to bring the UST into regulatory compliance. Due to the unique nature of these USTs, the steps that would be necessary to bring the USTs into compliance are expected to vary widely. Thus, compliance costs associated with the regulation of this universe of USTs cannot be estimated.

USTs containing radioactive material and emergency generator UST systems at nuclear power generation facilities regulated by the Nuclear Regulatory Commission (NRC) are subject to U. S. Department of Energy Orders and NRC regulations that are comparable to the Chapter 245 requirements for new and existing USTs regarding spill and overflow control, operation and maintenance of corrosion protection, and release detection. Since owners and operators of these UST systems had to meet Federal UST regulations dating back to 1988 that require systems to be designed and constructed to prevent releases during the operating life of the facility due to corrosion or structural failure, these systems may already be in compliance and therefore incur no additional costs.

#### *Analysis of Department costs*

Under this proposed rulemaking, the Department would incur minimal additional costs to publish notices in the *Pennsylvania Bulletin* for the following:

- Acknowledgment of receipt of the remedial action plan.
- Notice of the Department's final action on the remedial action plan.
- Acknowledgment of receipt of the remedial action completion report.
- Notice of the Department's final action on the remedial action completion report.
- Notice of variances approved by the Department.

### *Compliance assistance plan*

As previously noted, the proposed rulemaking would affect approximately 7,100 storage tank owners at over 12,600 storage tank facilities. Industry sectors potentially affected by the proposed rulemaking include retail motor fuel sales, commercial, institutional, manufacturing, transportation, communications and utilities, and agriculture. Federal, State and local government operations will also be affected.

Department-certified storage tank installers, inspectors and companies would also need to comply with this proposed rulemaking. At the current time, nearly 900 individuals and approximately 350 companies have certifications from the Department under Chapter 245. Currently certified tank installers and inspectors will likely have the capacity to provide the increased testing and inspections that will be required by the proposed rulemaking. In addition, the addition of a new certification category for minor modifications would allow individuals to perform tank handling activities such as repairs that do not involve excavation without having to obtain the (full) certification to install and modify storage tank systems. With this new certification, individuals will also be able to perform tests of UST systems required by this proposed rulemaking.

The visual inspection of spill prevention and release detection equipment, containment sumps, and handheld release detection devices could be performed by the UST owner, operator, or other employee of the UST owner. However, UST owners can choose to utilize a third-party company to conduct the maintenance walkthrough inspections. In all cases, owners of existing storage tank systems would be provided with timeframes in which to comply with the new requirements. Owners of new storage tank systems would need to comply with the requirements upon the effective date of the final-form regulations.

Financial assistance is not anticipated or planned. The Department would provide technical and compliance assistance outreach through its web site, publications, forms and presentations to various industry groups and organizations. Webinars explaining the regulatory revisions are also planned.

### *Paperwork requirements*

The proposed rulemaking includes the following new notification, reporting and other paperwork requirements:

- Certified installers and inspectors would need to report regulated substance observed in a containment structure or facility within 48 hours on a form provided by the Department.

- Certified installers or inspectors would need to report failed tests of UST spill prevention equipment, containment sumps, and overfill prevention equipment within 48 hours on a form provided by the Department. A copy of the test results would also need to be provided to the Department with the notification report.
- Responsible parties would need to notify the Department by telephone or electronic mail as soon as practicable, but no later than 24 hours, after the initiation of interim remedial actions in response to a release.
- Responsible parties would need to notify the Department, by telephone or electronic mail, within 24 hours of providing an alternate source of water to the owner of an affected or diminished water supply in response to a release.
- Responsible parties would need to notify the Department by telephone or electronic mail as soon as practicable, but no later than 24 hours after the initiation of site characterization activities in response to a release.
- The Department would need to publish an acknowledgment of receipt of the remedial action plan and notice of its final action on the plan in the *Pennsylvania Bulletin*.
- The Department would need to publish an acknowledgment of receipt of the remedial action completion report and notice of its final action on the report in the *Pennsylvania Bulletin*.
- Owners and operators would need to notify the Department of the proposed installation of specific UST system components such as the piping system and dispenser, and not just when a tank or tank system is being installed, on a form provided by the Department.
- Certified installers and inspectors would need to document tests or evaluations of UST spill prevention and overfill prevention equipment, containment sumps, and release detection equipment on a form provided by the Department. Owners and operators would need to maintain test or evaluation results onsite at the storage tank facility or at a readily available alternative site and shall provide the forms to the Department upon request.
- Surveys of UST cathodic protection systems would need to be documented on a form provided by the Department and would need to be provided to the Department upon request.
- Owners and operators of USTs storing alternative fuel blends or biodiesel or biodiesel blended fuel would need to submit, on a form provided by the Department, information verifying that all system components are compatible with the proposed substance to be stored, prior to storing the substance in the UST.
- Owners and operators would need to maintain documentation showing that their UST systems are continuously participating in the USTIF.
- Owners and operators would need to maintain documentation of the last test of UST spill prevention equipment and containment sumps used for interstitial monitoring of piping and evaluation of overfill prevention equipment.
- For containment sumps used for interstitial monitoring of piping and spill prevention equipment not required to be tested, UST owners and operators would need to maintain documentation showing that the equipment is double-walled and the integrity of both walls is periodically monitored.
- UST owners and operators would need to maintain records of maintenance walkthrough inspections for the past 12 months.
- Owners would need to ensure that Class A, Class B and Class C operators are identified on a form provided by the Department prior to placing the UST system into use.

- Owners and operators of AST facilities with an aggregate aboveground storage capacity greater than 21,000 gallons would need to maintain a written log book. Each log book entry would need to identify the name of the individual performing tank handling and inspection activities, the individual's signature, the company name, the date of work, start and end times, and a brief description of work performed, including tank identification.
- In addition to routine monthly inspections, AST owners and operators would need to maintain 72-hour maintenance inspections for the past 12 months.
- AST owners and operators would need to maintain documentation of investigations of suspected releases.
- When a high-level alarm with a manned operator shutdown procedure is used, owners and operators of ASTs would need to document the shutdown procedure and provide it to the Department upon request.
- When an overfill alarm or prevention device or monitoring gauge is utilized, owners and operators of ASTs would need to document the shutdown procedure.

The following new forms would be used to implement this rulemaking:

- Underground Storage Tank Groundwater/Vapor Monitoring System Functionality Testing Form
- Underground Storage Tank Sensor Functionality Testing Form
- Underground Storage Tank Automatic Line Leak Detector Functionality Testing Form
- Underground Storage Tank Pressure/Vacuum Monitoring Functionality Testing Form
- Underground Storage Tank Spill Prevention Equipment/Containment Sump Integrity Testing Form
- Underground Storage Tank Automatic Tank Gauge Functionality Testing Form
- Underground Storage Tank Overfill Prevention Evaluation Form
- Aboveground Storage Tank Lining Inspection Summary and Instructions

The following existing forms would be revised to implement this rulemaking:

- Underground Storage Tank Facility Operations Inspection Report Form Instructions (2630-FM-BECB0501)
- Underground Storage Tank Facility Operations Inspection (2630-FM-BECB0501a)
- Underground Storage Tank System Installation/Closure Notification Form (2630-FM-BECB0127)
- Planning for Permanent Closure Checklist - Underground Storage Tank Systems (2630-FM-BECB0126)
- Underground Storage Tank Modification Report (2630-FM-BECB0575)
- Underground Storage Tank System Closure Report Form (2630-FM-BECB0159)
- Aboveground Storage Tank Integrity Inspection Summary and Instructions (2630-FM-BECB0150)
- Aboveground Storage Tank System Closure Report Form (2630-FM-BECB0514)
- Planning for Permanent Closure Checklist - Aboveground Storage Tank Systems (2630-FM-BECB0512)
- Aboveground Storage Tank System Closure Notification Form (2630-FM-BECB0513)

- Notification of Release/Notification of Contamination (2620-FM-BECB0082)
- Storage Tanks Registration/Permitting Application Form and Instructions (2630-PM-BECB0514)
- Storage Tank Installer/Inspector Certification Application Form and Instructions (2630-PM-BECB0506)
- Storage Tank Training Course Approval Application and Instructions (2630-PM-BECB0402)
- Storage Tank Site-Specific Installation Permit Application Instructions (2630-PM-BECB0002)
- Initial Qualifications – Storage Tank Installer and Inspector Certification (2630-PM-BECB0506b)
- Renewal Qualifications – Storage Tank Installer and Inspector Certification (2630-PM-BECB0506b2)
- Instructions – Storage Tank Installer and Inspector Certification – Attachment A (2630-PM-BECB0506c)

The following form could be deleted under the proposed rulemaking:

- Aboveground Storage Tank Installation Inspection Summary (2630-FM-BECB0602). This form is being incorporated into the Aboveground Storage Tank Integrity Inspection Summary and Instructions (2630-FM-BECB0150).

#### *G. Pollution Prevention*

The Federal Pollution Prevention Act of 1990 established a national policy that promotes pollution prevention as the preferred means for achieving state environmental protection goals. The Department encourages pollution prevention, which is the reduction or elimination of pollution at its source, through the substitution of environmentally friendly materials, more efficient use of raw materials, and the incorporation of energy efficiency strategies. Pollution prevention practices can provide greater environmental protection with greater efficiency because they can result in significant cost savings to facilities that permanently achieve or move beyond compliance.

The primary purpose of the proposed rulemaking is to strengthen the UST requirements by increasing the emphasis on properly operating and maintaining equipment. The proposed revisions would require that UST equipment be operated and maintained properly, which would help to further reduce the number of releases from USTs and in turn protect public health and the environment.

The proposed rulemaking also would require all ASTs in underground vaults that require an in-service inspection to be inspected within six and 12 months of installation and at least every 3 years thereafter due to their history of non-compliance. This mirrors the inspection requirement for USTs. Also, the initial inspection requirement and in-service inspection cycle for small ASTs would be shortened from 10 years to five years. Based on current in-service inspections, the compliance rate with regulatory requirements is less than 50 percent. The facility operations inspection cycle for USTs was shortened from five years to three years in a prior rulemaking, which has resulted in increased regulatory compliance. Increased compliance with the proposed

regulatory requirements would mean fewer releases and a reduction in the severity of releases from ASTs.

#### H. *Sunset Review*

The Board is not proposing a sunset date for these regulations, since they are needed for the Department to carry out its statutory authority. The Department would continue to closely monitor these regulations for their effectiveness and recommend updates to the Board as necessary.

#### I. *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on February 13, 2018, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Environmental Resources and Energy Committees. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b) which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Department, the General Assembly and the Governor.

#### J. *Public Comments*

Interested persons are invited to submit to the Board written comments, suggestions, support or objections regarding the proposed rulemaking. Comments, suggestions, support or objections must be received by the Board by March 26, 2018. Comments may be submitted to the Board online, by e-mail, by mail or express mail as follows.

Comments may be submitted to the Board by accessing eComment at <http://www.ahs.dep.pa.gov/eComment>.

Comments may be submitted to the Board by e-mail at [RegComments@pa.gov](mailto:RegComments@pa.gov). A subject heading of the proposed rulemaking and a return name and address must be included in each transmission.

If an acknowledgement of comments submitted online or by e-mail is not received by the sender within 2 working days, the comments should be retransmitted to the Board to ensure receipt. Comments submitted by facsimile will not be accepted.

Written comments should be mailed to the Environmental Quality Board, P.O. Box 8477, Harrisburg, PA 17105-8477. Express mail should be sent to the Environmental Quality Board,

Rachel Carson State Office Building, 16th Floor, 400 Market Street, Harrisburg, PA 17101-2301.

*K. Public Hearings*

If sufficient interest is generated as a result of this publication, a public hearing will be scheduled at an appropriate location to receive additional comments.

PATRICK MCDONNELL,  
*Chairperson*

Annex A  
TITLE 25. ENVIRONMENTAL PROTECTION  
PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Subpart D. ENVIRONMENTAL HEALTH AND SAFETY  
CHAPTER 245. ADMINISTRATION OF THE STORAGE TANK AND SPILL  
PREVENTION PROGRAM

Subchapter A. GENERAL PROVISIONS

GENERAL

§ 245.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

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*Aboveground storage tank*—One or a combination of stationary tanks with a capacity in excess of 250 gallons, including the underground pipes and dispensing systems connected thereto within the emergency containment area, which is used, will be used or was used to contain an accumulation of regulated substances, and the volume of which, including the volume of piping within the storage tank facility, is greater than 90% above the surface of the ground. The term includes tanks which can be visually inspected, from the exterior, in an underground area and tanks being constructed or installed for regulated use. The term does not include the following, or pipes connected thereto:

\*\*\*\*\*

(viii) Tanks [which are] **regulated under 58 Pa.C.S. Chapter 32 (relating to oil and gas development)** used to store brines, crude oil, drilling or frac fluids and similar substances or materials and are directly related to the exploration, development or production of crude oil or natural gas [regulated under the Oil and Gas Act (58 P. S. § § 601.101—601.605)].

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**Aboveground Storage Tank System**—**An aboveground storage tank, connected piping and ancillary equipment within the emergency containment area and emergency and secondary containment.**

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***Actively involved***—To perform or to conduct direct onsite supervision or oversight of the minimum number of qualifying activities in § 245.111 or § 245.113 (relating to certified

**installer experience and qualifications; and certified inspector experience and qualifications) for renewal of installer or inspector certification in each applicable category, within the period in § 245.114(a)(3) (relating to renewal and amendment of certification).]**

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*Cathodic protection tester*—A person who can demonstrate an understanding of the principles and measurements of common [type]types of cathodic protection systems as applied to buried or submerged metal piping and tank systems. At a minimum, the person shall have documented education and experience in soil resistivity, stray current, structure to soil potential and component electrical isolation measurements of buried metal piping and tank systems.

*Certification categories*—

(i) Individual certification categories issued to certified installers or certified inspectors to perform tank handling, tightness testing or inspection activities on aboveground or underground storage tank systems and facilities.

(ii) The term includes category specific certifications in one or more of the following:

(A) Storage tank inspector certification categories:

(I) IAF—Inspection of aboveground field constructed and aboveground manufactured storage tank systems and facilities.

(II) IAM—Inspection of aboveground manufactured storage tank systems and facilities.

(III) IUM—Inspection of underground storage tank systems and facilities.

(B) Storage tank installer certification categories:

(I) ACVL—Aboveground storage tank system civil installation and modification.

(II) AFMX—Aboveground field constructed metallic storage tank installation, modification and removal, and aboveground manufactured metallic storage tank modification.

(III) AFR—Aboveground field constructed storage tank system removal.

(IV) AMEX—Aboveground storage tank system mechanical installation, modification and removal.

(V) AMMX—Aboveground manufactured metallic storage tank system installation and modification.

(VI) AMNX—Aboveground nonmetallic storage tank system installation and modification.

(VII) AMR—Aboveground manufactured storage tank system removal.

(VIII) TL—Storage tank liner installation and modification, and underground storage tank liner evaluation.

(IX) UMX—Underground storage tank system installation and modification.

**(X) UMI – Underground storage tank system minor modification.**

[~~(X)~~] **(XI)** UTT—Underground storage tank system tightness tester.

[~~(XI)~~] **(XII)** UMR—Underground storage tank system removal.

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*Certified inspector*—A person certified by the Department to conduct inspections of tanks or storage tank facilities and who may conduct environmental audits. A certified inspector may not be an [~~employee~~] **employee** of a tank owner.

*Certified installer*—A person certified by the Department to install, modify or remove storage tanks. A certified installer may be an [~~employee~~] **employee** of a tank owner.

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*Containment structure or facility*—Anything built, installed or established which comes in contact with regulated substances that are spilled, leaked, emitted, discharged, escaped, leached or disposed from a storage tank or storage tank system, **including**[. **The term includes but is not limited to,**] a vault, dike, wall, building or secondary containment structure around an underground or above[-]ground storage tank, or any rock or other fill material placed around an underground storage tank.

**Containment sump—A liquid-tight container designed to protect the environment by containing leaks and spills of regulated substances from piping, dispensers, pumps and related components in the containment area. Containment sumps may be single-walled or secondarily contained and located at the top of the tank (tank top or submersible turbine pump sump), underneath the dispenser (under-dispenser containment sump), or at other points in the piping run (transition or intermediate sump).**

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*De minimis*—With regard to products containing regulated substances, the term applies when the regulated substance is of insufficient concentration to be required to appear on a [~~Material~~] Safety Data Sheet [(~~MSDS~~)](**SDS**). The term does not apply to section 507 of the act (35 P. S. § 6021.507) as it pertains to site contamination.

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**Environmental Covenant—A servitude arising under an environmental response project which imposes activity and use limitations under the Uniform Environmental Covenants Act (27 Pa.C.S. §§ 6501-6517).**

\*\*\*\*\*

*Existing underground storage tank system*—An underground storage tank system used to contain an accumulation of regulated substances [or] for which installation has either commenced [on or before December 22, 1988.] or been completed in accordance with this chapter. Installation is considered to have commenced if the following apply:

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*Hazardous substance storage tank system*—

(i) A storage tank system that contains a hazardous substance defined in section 101(14) of CERCLA (42 U.S.C.A. § 9601(14)).

(ii) The term does not include a storage tank system that contains a substance regulated as a hazardous waste under [Subtitle C of CERCLA] Subchapter III of the Solid Waste Disposal Act (42 U.S.C. §§ 6921—6939g) (relating to hazardous waste management), or mixture of the substances and petroleum, and which is not a petroleum system.

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*[Interim certification*—Certification granted by the Department on an interim basis under section 108 of the act (35 P. S. § 6021.108) to installers and inspectors of storage tank systems or storage tank facilities.]

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*Minor modification*—

(i) An activity to upgrade, repair, refurbish or restore all or part of an existing storage tank system or storage tank facility which does not alter the design of that storage tank system or storage tank facility, but[, ] which may effect affect the integrity of that storage tank system or storage tank facility.

(ii) The term does not include an activity directly affecting the tank portion of the storage tank system or an activity directly affecting an underground component of the storage tank system.

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*Motor fuel*—~~[Petroleum or a petroleum-based substance that is]~~ A complex blend of hydrocarbons typically used in the operation of a motor engine, such as motor gasoline, aviation gasoline, No. 1 or No. 2 diesel fuel or any [grade of gasohol, and is typically used in the operation of an internal combustion engine]blend containing one or more of these substances such as motor gasoline blended with alcohol.

\*\*\*\*\*

*Pipeline facilities (including gathering lines)*—New and existing pipe rights-of-way and associated equipment, facilities or buildings [regulated under the Hazardous Liquid Pipeline Safety Act of 1979 or the Natural Gas Pipeline Safety Act of 1968, codified without substantive change in 1994 by Pub. L. No. 103-272, 108 Stat. 1371 (49 U.S.C.A. § § 60101—60125) which may include coastal, interstate or intrastate pipelines].

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*Reconstruction*—The work necessary to reassemble a storage tank that has been dismantled and relocated to a new [site]location.

*Regulated substance*— [(i)] An element, compound, mixture, solution or substance that, when released into the environment, may present substantial danger to the public health, welfare or the environment which is one of the following:

[(A)] (i) A substance defined as a hazardous substance in section 101(14) of CERCLA, including hazardous substances that are liquid or gaseous, or suspended therein regardless of holding temperature, but not including a substance regulated as a hazardous waste under Subtitle C of the Resource Conservation and Recovery Act of 1976 (42 U.S.C.A. § § 6921—6931).

[(B)] (ii) Petroleum, including crude oil or a fraction thereof and petroleum hydrocarbons which are liquid at standard conditions of temperature and pressure (60° F and 14.7 pounds per square inch absolute), including, but not limited to, oil, petroleum, petroleum mixed with ethanol, fuel oil, oil sludge, oil refuse, oil mixed with other nonhazardous wastes and crude oils, gasoline and kerosene.

[(C)] (iii) Other substances determined by the Department by regulation whose containment, storage, use or dispensing may present a hazard to the public health and safety or the environment, but not including gaseous substances used exclusively for the administration of medical care. This includes the following other regulated substances:

[(I)] (A) Nonpetroleum oils including biodiesel; synthetic fuels and oils, such as silicone fluids; tung oils and wood-derivative oils, such as resin/rosin oils; and inedible seed oils from plants, which are liquid at standard conditions of temperature and pressure. The requirements in this chapter for petroleum tanks in [clause] subparagraph [(B)] (ii) apply for this group of substances.

[(II)] (B) Pure ethanol intended for blending with motor fuel. The requirements in this chapter for petroleum tanks in [clause] subparagraph [(B)] (ii) apply.

*Release*—Spilling, leaking, emitting, discharging, escaping, leaching or disposing from a storage tank into surface waters and groundwaters of this Commonwealth or soils or subsurface soils in an amount equal to or greater than the reportable released quantity determined under section 102 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C.A. § 9602), and regulations promulgated thereunder, or an amount equal to or greater than a discharge as defined in section 311 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1321) and regulations promulgated thereunder. The term also includes spilling, leaking, emitting,

discharging, escaping, leaching or disposing from a storage tank into a containment structure or facility that poses an immediate threat of contamination of the soils, subsurface soils, surface water or groundwater. **All spills, leaks, emissions, discharges, escapes, leaching or disposals of a regulated substance into a containment structure or facility pose an immediate threat of contamination of the soils, subsurface soils, surface water or groundwater, except when a regulated substance is present in a liquid-tight containment sump or emergency containment structure as a result of a tank handling activity, if the certified installer providing direct onsite supervision has control over the regulated substance, the regulated substance is completely contained and, prior to the certified installer leaving the storage tank facility, the total volume of the regulated substance is recovered and removed.**

*Release detection*—The determination, through a method or combination of methods, whether a release of a regulated substance has occurred from a storage tank **system** into the environment or into the interstitial space between the storage tank **system** and its secondary containment around it.

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*Removal*—Activities involving removal of storage tank system components, ancillary equipment and appurtenances. The term includes removal from service activities when a storage tank or storage tank system is removed, but excludes site assessment activities.

*Removal from service*—The term includes the following:

(i) Activities related to rendering [an underground] a storage tank system permanently unserviceable. Activities include the oversight of the proper draining and cleaning of the storage tank system of product liquids, vapors, accumulated sludges or solids, and completing one of the following:

(A) Leaving the storage tank system in the ground and filling the tank with inert, solid material.

(B) Dismantling or removing the storage tank system from the tank site.

(ii) [Discontinued use, abandonment, closure] **Closure-in-place** and permanent closure [but does not include temporary closure as those terms are used in the act].

(iii) Site assessment activities required under Subchapter E (relating to technical standards for underground storage tanks) and applicable State law, which are the responsibility of owners and operators, but are not conducted by certified installers or inspectors.

**Repair**—An activity that restores to original operating condition a tank, piping, spill prevention equipment, overfill prevention equipment, corrosion protection equipment, release detection equipment or other storage tank system component that has failed to function properly.

*Reportable release*—A quantity or an unknown quantity of regulated substance released to or posing an immediate threat to surface water, groundwater, bedrock, soil or sediment. The term does not include the following, if the owner or operator has control over the

release, the release is completely contained and, within 24 hours of the release, the total volume of the release is recovered or removed in the corrective action:

(i) A release to the interstitial space of a double-walled aboveground or underground storage tank.

(ii) A release of petroleum to an aboveground surface that is less than 25 gallons.

(iii) A release of a hazardous substance to an aboveground surface that is less than its reportable quantity under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C.A. § § 9601—9675) and 40 CFR Part 302 (relating to designation, reportable quantities, and notification).]

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**Spill prevention equipment—A liquid-tight container placed around the fill pipe or fill port riser of a storage tank designed to capture any product that may spill when the delivery hose is disconnected including, but not limited to, a catchment basin, spill containment bucket, or spill containment box.**

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*Storage tank system— [An] All or part of an underground or aboveground storage tank, associated underground or aboveground piping directly serving that storage tank, and one or more of the following which are directly associated with that storage tank:*

(i) Ancillary equipment.

(ii) Foundation.

(iii) Containment structure or facility.

(iv) Corrosion protection system.

(v) Release detection system.

(vi) Spill and overflow protection system.

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*Survey—For purposes of § 245.303(d) (relating to general requirements), the term means a study to establish background for surface water, groundwater, soil and sediment prior to the use of a storage tank facility.*

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*Tank handling activities—Activities to install, modify, perform change-in-service, or [remove] close all or part of a storage tank system or storage tank facility. The term does not include maintenance activities.*

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*Underground storage tank*—One or a combination of tanks (including underground pipes connected thereto) which are used, were used or will be used to contain an accumulation of regulated substances, and the volume of which (including the volume of underground pipes connected thereto) is 10% or more beneath the surface of the ground. The term includes tanks being constructed or installed for regulated use. The term does not include:

(i) Farm or residential tanks of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes.

(ii) Tanks used for storing heating oil for consumptive use on the premises where stored unless they are specifically required to be regulated by Federal law.

(iii) A septic or other subsurface sewage treatment tank.

(iv) A pipeline facility (including gathering lines) **[regulated under] which is one of the following:**

**(A) [The Natural Gas Pipeline Safety Act of 1968.] Regulated under 49 U.S.C. Chapter 601.**

**(B) [The Hazardous Liquid Pipeline Safety Act of 1979] An intrastate pipeline facility regulated under state laws as provided in 49 U.S.C. Chapter 601 and which is determined by the Secretary of the United States Department of Transportation to be connected to a pipeline or to be operated or intended to be capable of operating at pipeline pressure or as an integral part of a pipeline.**

(v) An interstate [or intrastate] pipeline facility regulated under State laws comparable to the provisions of law in subparagraph (iv).

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**[(xiii) Tanks containing radioactive materials or coolants that are regulated under The Atomic Energy Act of 1954 (42 U.S.C.A. §§ 2011—2297).]**

**[(xiv)](xiii) A wastewater treatment tank system that is part of a wastewater treatment facility regulated under section 307(b) or 402 of the Clean Water Act (33 U.S.C. §§ 1317(b) or 1342) (relating to pretreatment standards and national pollutant discharge elimination system (NPDES) permits).**

**[(xv)](xiv) Equipment or machinery that contains regulated substances for operational purposes such as hydraulic lift tanks and electrical equipment tanks.**

**[(xvi)](xv) An underground storage tank system that contains a de minimis concentration of regulated substances.**

**[(xvii)](xvi) An emergency spill or overflow containment underground storage tank system that is expeditiously emptied after use.**

**[(xviii) An underground storage tank system that is part of an emergency generator system at nuclear power generation facilities regulated by the Nuclear Regulatory Commission under 10 CFR Part 50, Appendix A (relating to general design criteria for nuclear power plants).]**

**[(xix)](xvii) Other tanks excluded by policy or regulations promulgated under the act.**

### **TANK HANDLING AND INSPECTION ACTIVITIES**

#### **§ 245.21. Tank handling and inspection requirements.**

(a) Tank handling activities shall be conducted by a certified installer except in the case of modification to an aboveground nonmetallic storage tank, which may be modified by the tank manufacturer. Storage tank facility owners and operators **[may not] shall** use persons who are **[not]** Department-certified to conduct tank handling activities except as noted in this subsection. The certified installer shall perform the tank handling activity or provide direct onsite supervision and control of the activity.

(b) Tank handling activities conducted on all **aboveground** field constructed storage **[tanks] tank systems** and tank handling activities conducted on all aboveground storage **[tanks] tank systems** having a capacity greater than 21,000 gallons shall be inspected by a certified inspector, except in the case of a minor modification or removal from service.

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### **[TIGHTNESS] TESTING ACTIVITIES**

#### **§ 245.31. Underground storage tank system [tightness] testing requirements.**

(a) Tightness testing activities shall be conducted by a Department-certified underground storage tank system tightness tester (UTT), except when performed by an owner or operator using installed automatic tank gauging or monitoring equipment meeting requirements of § 245.444[(3)](2) and [(4)](3) (relating to methods of release detection for tanks).

**[(b) Tightness testing is required to be conducted when it is:**

**(1) Used as a method of release (leak) detection as prescribed in § § 245.442(b)(1), 245.443(1), 245.444(3) and 245.445(2).**

**(2) Used to complete the installation of a new single wall constructed underground storage tank. The testing is an integral part of the installation process.**

**(3) Used in conjunction with cathodic protection upgrading as prescribed in § 245.422(b)(2)(iii) or (v) (relating to upgrading of existing underground storage tank systems).**

**(4) Used to test tanks repaired in response to a release as prescribed in § 245.434(5) (relating to repairs allowed).**

**(5) Otherwise required by the Department.]**

**([e]b)** Tightness testing shall be conducted in accordance with equipment manufacturer's written instructions and using the recommended written practices, procedures and established test method protocols developed by the sources in § 245.132(a)(1) (relating to standards of performance).

**([d]c)** A failed valid tightness test will, regardless of the test method, constitute a suspected release, except as provided in § 245.304(b) (relating to investigation of suspected releases). A failed valid tightness test conducted as part of an investigation of a suspected release constitutes a confirmed release.

**([e]d)** A complete written test report shall be provided to the tank owner as documentation of test results within 20 days of the test. The test methodology, a certification that the test meets the requirements of § 245.444[(3)](2) or § 245.445(2) (relating to methods of release detection for piping), and sufficient test data, which were used to conclude that the underground storage tank system passed or failed the tightness test, shall be included in the test report.

**([f]e)** Certified underground storage tank system tightness testers (UTT) shall maintain complete records of tightness testing activities for a minimum of 10 years as provided in § 245.132(a)(3) (relating to standards of performance).

**[(g) Tightness testing of the underground storage tank system's piping shall be conducted by a Department-certified underground storage tank system tightness tester (UTT) after November 10, 2008.]**

**(f) Tests or evaluations of spill prevention and overfill prevention equipment, containment sumps, and release detection equipment required under this Chapter shall be performed by a Department-certified individual holding the appropriate certification category and documented on a form provided by the Department. Results shall be maintained onsite at the storage tank facility or at a readily available alternative site and shall be provided to the Department upon request.**

## **TANK REGISTRATION AND FEES**

### **§ 245.41. Tank registration requirements.**

(a) Tank owners shall properly register each storage tank by meeting the requirements of this section and paying the registration fee prior to registration certificate expiration as required by § 245.42 (relating to tank registration fees).

(b) Tank owners shall register each aboveground storage tank and each underground storage tank with the Department, except as specifically excluded by Department policy or this chapter, on a form provided by the Department, within 30 days after installation or acquisition of an ownership interest in the storage tank. Unless otherwise approved by the Department, a regulated substance may not be placed in the tank and the tank may not be operated until the tank is properly registered and the Department approves an operating permit for the tank.

(c) A form for registration of a storage tank must be complete upon submission to the Department and provide the following:

- (1) Tank owner, operator, **property owner**, and contact information.
- (2) General facility, site and location information.
- (3) Specific tank description and usage information, including regulated substance or substances that will be stored in each tank.
- (4) Specific tank construction, system components and installation information.
- (5) **[Owner or owner's representative] Owner's** certification validating the registration information and operating permit application.
- (6) Certified tank installer information and signature (when required).
- (7) Certified tank inspector information and signature for certain classes of tanks addressed in § 245.21 (relating to tank handling and inspection requirements).

**(8) Trained underground storage tank operator information, as required by § 245.436 (relating to operator training).**

**([8]9)** Other applicable information that may be required by the Department.

(d) The owner's registration form shall also serve as an operating permit application. The Department may register a tank and not approve an operating permit for the tank if the application, tank system or the storage tank facility does not meet the requirements of this chapter or the permit applicant is in violation of the act. The Department will automatically withhold or withdraw the operating permit for a storage tank that is reported on the registration form in **[temporary closure or] temporary removal from service (out-of-service)** status. Tank owners may not store, dispense from or place a regulated substance in a storage tank that does not have an operating permit unless otherwise agreed upon by the Department. Additionally, certain classes of tanks require a site-specific installation permit prior to beginning construction of a new or replacement storage tank in accordance with Subchapter C (relating to permitting of underground and aboveground storage tank systems and facilities). Submission of a site-specific installation permit application is a separate requirement for these tanks that is not satisfied by the registration form submission.

(e) A combination of tanks that operate as a single unit require registration of each tank unless otherwise agreed upon by the Department. A tank that has separate compartments within the tank shall be registered separately and charged a separate tank fee for each compartment unless the compartments are connected in a manner that fills, dispenses and operates as a single unit maintaining the same regulated substance at the same operating level in each compartment.

(f) Tank owners shall submit a registration form to amend registration information previously submitted to the Department within 30 days of a change in the previously submitted information. These changes include the following:

- (1) Removal or relocation of a storage tank to a new facility.
- (2) Temporary or permanent closure or removal from service of a storage tank.
- (3) Change in use of a storage tank to or from regulated or nonregulated status, for example, changing a storage tank to use as a process vessel.
- (4) Change in substance or substances stored in the tank, unless otherwise agreed upon by the Department.
- (5) Change of ownership or change of operator[—**new and previous owner**].
- (6) Change of contact, mailing address or telephone number.
- (7) Installation of a new or replacement storage tank at an existing facility.
- (g) The Department may require submission of supporting documentation and process information for exemption or exclusion from regulation for a tank change in status or use from a regulated to a nonregulated status.

**(h) Beginning October 24, 1988, a person who sells a tank intended to be used as a regulated storage tank or a property containing an existing regulated storage tank shall notify the purchaser, in writing, of an owner's obligations under this section.**

**§ 245.42. Tank registration fees.**

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(c) The Department will issue an invoice to the tank owner after receipt of a complete registration form under § 245.41(c) (relating to tank registration requirements). **[A] The tank owner [filing a registration] shall remit the appropriate fee upon receipt of the invoice.**

(d) Registration expiration dates are established for storage tanks according to facility location. The Department will prorate the registration fee established by this section to reflect the percentage of time remaining in the registration year from the date of initial registration **or change of ownership** of a storage tank. The Department will not refund registration fees if an owner permanently closes a storage tank or exempts a storage tank through a change-in-service to store a nonregulated substance or change to nonregulated use (such as a process vessel) prior to the expiration of the storage tank's registration, **nor will the Department refund registration fees due to a change of ownership.**

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**Subchapter B. CERTIFICATION PROGRAM FOR INSTALLERS  
AND INSPECTORS OF STORAGE TANKS AND STORAGE  
TANK FACILITIES**

**§ 245.102. Requirement for certification.**

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(d) [After March 23, 1992, a] A certified installer or certified inspector may not perform tank handling or inspection activities as an employee of a company unless the company holds a valid certification issued by the Department under this chapter.

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**§ 245.105. Certification examinations.**

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(d) To receive a passing grade on the examinations, the applicant for certification shall achieve a minimum score of 80% on each technical [section] examination and a minimum score of 80% on the administrative [section of the] examination.

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**(f) Passing examination scores are valid for a period of 2 years from the date of the examination.**

**§ 245.106. Conflict of interest.**

(a) Except as provided in subsection (b), a certified inspector may not be one or more of the following:

- (1) An employee of the tank owner, the tank owner or operator.
  - (2) A certified installer on the same tank handling activity **on an aboveground storage tank system** for which [he is a] **the installer is the** certified inspector.
  - (3) An employee of a company that employs a certified installer on the same tank handling activity for which [he is a] **the employee is the** certified inspector, when the tank handling activity is performed on a field-constructed storage tank. This prohibition extends to a company that owns, or is owned by, the employer, in whole or in part.
- (b) A certified inspector who is a certified installer may conduct a tank handling activity to correct a deficiency identified by the same certified individual or company during an inspection of the operation of [a] **an underground storage tank [facility] system or the inspection of the integrity, installation, or modification of an aboveground storage tank system.** Notwithstanding this exception, subsection (a)(2) still prohibits a certified inspector from subsequently inspecting a tank handling activity which the certified inspector conducted to

correct a deficiency noted **[in] during an integrity, installation, or modification** inspection of **[the operation of a] an aboveground** storage tank **[facility] system**.

**(c) A certified inspector may not perform an inspection as required in § 245.411 (relating to inspection frequency) for a facility where the inspector is also the designated Class A or Class B operator as defined in § 245.436 (relating to operator training).**

**§ 245.107. [Reciprocity.] Reserved.**

**[(a) A person holding a valid certification issued under the law of another state, territory or the District of Columbia may be issued a certificate in a classification equivalent to the classification of the certification issued by the other state, territory or District of Columbia, if the person proves to the satisfaction of the Department that he is competent to conduct activities in the classification for which certification is being requested. In making its determination, the Department will consider the following:**

**(1) That the other certification was issued as a result of the passing of an examination equivalent in technical content to that given by the Department for that classification.**

**(2) That the applicant can be shown to have complied with the laws and requirements of the state, territory or District of Columbia, issuing the other certification in conducting activities for which the other certification was issued.**

**(3) That the applicant meets the experience and qualification requirements of this chapter for the category of certification being requested.**

**(4) The applicant achieves a passing grade on all administrative sections of the certification examination required by this chapter for the category of certification being requested.**

**(b) The applicant shall submit an application for certification to the Department in accordance with § 245.104 (relating to application for installer or inspector certification). ]**

**§ 245.108. Suspension of certification.**

**(a) The Department may suspend the certification of a certified installer or certified inspector for good cause which includes, but is not limited to:**

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**(4) In the case of a certified inspector's failure to:**

**(i) Inform the owner or operator and the Department of conditions or procedures that are not in accordance with the manufacturer's technical and procedural specifications for installation, construction, modification or operation of the storage tank system or storage tank facility and not in compliance with the act or this chapter.**

**(ii) Conduct, review or observe a test or inspection activity required by the act or this chapter.**

(iii) Submit reports of inspection activities to the Department within 60 days of conducting [the]an inspection [activities] activity, **except for reports of modification inspection activities, which shall be reported to the Department within 30 days of conducting a modification inspection activity.**

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(6) Working as a certified installer or certified inspector in a certification category for which the person has failed to obtain **or maintain** certification.

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(9) A violation of The Clean Streams Law, the Air Pollution Control Act or the Solid Waste Management Act or regulations promulgated under those statutes by the certified individual which **[results in the following:**

(i) Causes] **causes** pollution, causes a threat of pollution or causes harm to the public health, safety or welfare.

**[(ii) Occurs as a result of the certified individual conducting activities related to the installation, modification, removal or inspection of storage tank systems.]**

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#### **§ 245.110. Certification of installers.**

(a) An installer certification authorizes the person to whom it is issued to conduct tank handling activities or tightness testing activities pertaining to storage tank systems or storage tank facilities in one or more of the categories in subsection (b).

(b) Installer certifications may be issued for the following categories:

(1) *Underground storage tank system[-]installation and modification {UMX}*. Installation and modification of underground **[storage tanks and]** storage tank systems including, but not limited to, the tank and all associated ancillary equipment, appurtenances, corrosion protection systems, structural components and foundations. This category also includes conducting preinstallation air pressure tests for underground storage tank systems, **overflow prevention equipment evaluations, containment sump and spill prevention equipment testing, and release detection equipment testing.**

**(2) Underground storage tank system minor modification {UMI}. Limited to the performance of minor modifications of underground storage tank systems. This category also includes conducting overflow prevention equipment evaluations, containment sump and spill prevention equipment testing, and release detection equipment testing.**

**([2]3) Underground storage tank system[-]removal {UMR}**. Removal from service of underground storage tank systems **[or storage tank facilities]**.

**([3]4)** *Underground storage tank system[-]tightness tester {UTT}*. Tightness testing activities involved in conducting and interpreting results of volumetric and nonvolumetric tests on underground storage tank systems **[or storage tank facilities]**. **This category also includes containment sump and spill prevention equipment testing and release detection equipment testing.**

**([4]5)** *Aboveground manufactured metallic storage tank system[-]installation and modification {AMMX}*. Installation and modification of aboveground manufactured metallic storage tank systems, including, but not limited to, the tank and all associated ancillary equipment, appurtenances and corrosion protection systems. This category also covers foundations, **containment structures** and structural components when they are designed by an engineer qualified in civil construction or when installing small aboveground UL-labeled tanks with manufacturer's installed self-containment or diking systems.

**([5]6)** *Aboveground nonmetallic storage tank system[-]installation and modification {AMNX}*. Installation and modification of aboveground nonmetallic **[storage tanks or ]**storage tank systems, including, but not limited to, the tank and all associated ancillary equipment and appurtenances. This category also covers foundations and structural components when they are designed by an engineer qualified in civil construction or as specified by the tank manufacturer.

**([6]7)** *Aboveground manufactured storage tank system[-]removal {AMR}*. Removal from service of aboveground manufactured storage tank systems **[or storage tank facilities]**.

**([7]8)** *Aboveground field constructed metallic storage tank[-]installation, modification and removal {AFMX}*. Installation, modification and removal of aboveground field constructed metallic storage tanks and corrosion protection systems. This category also covers the modification of tank **shell** components of an aboveground manufactured **metallic** storage tank **[system]**.

**([8]9)** *Aboveground field constructed storage tank system[-]removal {AFR}*. Removal from service of aboveground field constructed and manufactured aboveground storage tank systems **[or storage tank facilities]**.

**([9]10)** *Aboveground storage tank system mechanical[-]installation, modification and removal {AMEX}*. Installation, modification and removal of tank related mechanical appurtenances, including, but not limited to, valves, fill piping, suction piping, foam system piping, pumps, corrosion protection systems, release detection systems, and spill and overfill prevention systems that are components of an aboveground storage tank system **[or storage tank facility]**.

**([10]11)** *Aboveground storage tank system[-]civil {ACVL}*. Installation and modification of tank related structural components, including, but not limited to, foundations, dike walls, field grading, above and below grade vaults, pump supports, pipe supports, corrosion protection systems and drainage systems associated with an aboveground storage tank system**[or storage tank facility]**.

**([11]12)** *Storage tank[-]liner {TL}*. Activities involved in installation or modification of internal linings for underground and aboveground storage tank systems **[or storage tank facilities]** and

the evaluation of underground storage tank linings as required in § 245.422(b)(1)(ii) (relating to upgrading of existing underground **storage tank** systems).

**§ 245.111. Certified installer experience and qualifications.**

(a) An applicant shall meet the following minimum experience, education, training or certification requirements and have completed the required number of activities in the appropriate category for an initial installer category certification:

<i>Category</i>	<i>Experience, Education, Training or Certification</i>	<i>Total Number of Activities Completed</i>
UMX	2 years, or college degree and 1 year  Technical training	<b><u>[9 installations] 10 installations or major modifications (at least 5 installations)</u></b>
	<b><u>or</u></b> <b><u>UMI certification</u></b>	<b><u>10 installations or major modifications (at least 5 installations)</u></b>
<b><u>UMI</u></b>	<b><u>2 years, or college degree and 1 year</u></b>  <b><u>Technical training</u></b>	<b><u>10 minor modifications</u></b>
UMR	2 years, or college degree and 1 year  Technical training	6 removals
UTT	Department-approved training with testing equipment manufacturer's certification	None
AMMX	2 years, or college degree and 1 year  Technical training	<b><u>[9 installations] 10 installations or major modifications (at least 5 installations)</u></b>
	<b><u>or</u></b> <b><u>UMX certification</u></b>	None
	Technical training	

	or AFMX certification	None
AMNX	2 years, or college degree and 1 year  Technical training	<b>[9 which may be installations or major modifications] <u>10 installations or major modifications (at least 5 installations)</u></b>  6 AST installations
	or AMMX certification	
AMR	2 years, or college degree and 1 year  Technical training	6 removals
	or UMR certification	None
	or AFR certification	None
AFMX	3 years, or college degree and 2 years  Technical training	12 which may be installations or major modifications
AFR	2 years, or college degree and 1 year  Technical training	6 removals
AMEX	3 years, or college degree and 2 years  Technical training	12 installations or modifications (at least 6 installations)
ACVL	3 years, or college degree and 2 years  Technical training	12 installations or modifications (at least 6 installations)
TL	2 years[/] Manufacturer's certification	9 tank linings

\*\*\*\*\*

(c) A college degree being substituted for experience shall **be at a minimum a bachelor's degree** in civil engineering, mechanical engineering, environmental engineering, petroleum engineering, chemical engineering, structural engineering, [or] geotechnical engineering, **hydrology, geology, or equivalent degree as determined by the Department.**

\*\*\*\*\*

(g) The technical training required by subsection (a) shall be completed during the experience interval and shall be demonstrated through the submission of proof of successful completion of a category-specific training course approved by the Department in accordance with § 245.141. Successful completion means attendance at all sessions of the training and attainment of the minimum passing grade for the approved course. **[The requirement for category-specific technical training is effective November 10, 2008.]**

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**§ 245.112. Certification of inspectors.**

(a) An inspector certification authorizes the person to whom it is issued to conduct inspection activities for storage tank systems and storage tank facilities in one or more of the categories in subsection (b).

(b) Inspector certifications may be issued for the following categories:

(1) IUM underground storage tank systems and storage tank facilities. **This category also includes containment sump and spill prevention equipment testing and release detection equipment testing.**

(2) IAM aboveground manufactured storage tank systems and storage tank facilities.

(3) IAF aboveground field constructed and aboveground manufactured storage tank systems and storage tank facilities.

**§ 245.113. Certified inspector experience and qualifications.**

(a) An applicant shall meet the following minimum experience, education, training or certification requirements, and have completed the required number of activities in the appropriate category for an initial inspector category certification:

	<i>Category Experience, Education, Training or Certification</i>	<i>Total Number of Activities Completed</i>
IUM	4 years, or college degree and 2 years,	None

**and**

Department-approved tank tightness testing familiarization course or UTT certification,

**and**

UMX certification,

**and**

Corrosion protection training

IAM	4 years, or college degree and 2 years API 653 certification or	None
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STI inspector certification  
or

Department-approved aboveground **storage** tank inspector certification

IAF	4 years, or college degree and 2 years API 653 certification or Department-approved aboveground <b><u>storage</u></b> tank inspector certification	12 integrity or construction inspections
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\*\*\*\*\*

(c) A college degree being substituted for experience shall be, **at a minimum, a bachelor's degree** in civil engineering, mechanical engineering, environmental engineering, petroleum engineering, chemical engineering, structural engineering, geotechnical engineering, hydrology, geology, **[or environmental studies] or equivalent degree as determined by the Department.**

\*\*\*\*\*

**(f) Corrosion protection training required for IUM certification shall be documented by completion of a Nationally recognized training course in the area of cathodic protection or corrosion protection, or other training as approved by the Department.**

**([f]g)** When conducting an aboveground storage tank structural integrity inspection on an aboveground field constructed metallic storage tank, the Department certified inspector shall also possess API Standard 653 (Tank Inspection, Repair, Alteration and Reconstruction Certification).

**([g]h)** The applicant shall certify completion of safety training which is appropriate for the certification category. Training must be in accordance with regulatory requirements and industry

standards and procedures such as Occupational Safety and Health Administration requirements in 29 CFR 1910 (relating to occupational and health standards for industry).

**([h]i)** Certified inspectors of underground storage tanks (IUM) shall complete Department-provided inspector training prior to conducting [UST facility operation] inspections on underground storage tank systems as required in § 245.411 (relating to inspection frequency).

**(j) Certified inspectors of aboveground storage tanks (IAF and IAM) shall complete Department-provided inspector training prior to conducting AST installation, modification, in-service and out-of-service inspections required in §§ 245.551-554 (relating to inspection requirements for large aboveground storage tanks) and § 245.616 (relating to inspection requirements for small aboveground storage tanks).**

**§ 245.114. Renewal and amendment of certification.**

(a) Certification categories [renewed after January 9, 2008,] will have a uniform expiration date of 3 years from the issuance date of the first category obtained or renewed after January 9, 2008.

(b) [After the conversion to a uniform expiration date as provided in subsection (a), the] The issued certification will be valid for 3 years from the previous expiration date, unless suspended or revoked before that date.

(c) An applicant shall meet the following [minimum] training requirements [or number of activities] in the appropriate category for renewal of installer certification:

<i>Category</i>	<i>[t]Training</i>	<i>[Total Number of Activities Completed (Renewal by activities to be phased out November 10, 2009)]</i>
UMR	Examination or Technical training Administrative training	[6 removals]
UMX	Examination or Technical training Administrative training	[9 installations or major modifications]
<b><u>UMI</u></b>	<b><u>Examination or Technical training Administrative training</u></b>	
UTT	Testing equipment manufacturer's certification Administrative training	[None]

AMMX	Examination or Technical training Administrative training	<b>[9 installations or major modifications]</b>
AMNX	Examination or Technical training Administrative training	<b>[9 installations or major modifications]</b>
AFMX	Examination or Technical training Administrative training	<b>[12 installations or major modifications]</b>
AFR	Examination or Technical training Administrative training	<b>[6 removals]</b>
AMR	Examination or Technical training Administrative training	<b>[6 removals]</b>
AMEX	Examination or Technical training Administrative training	<b>[12 installations or major modifications]</b>
ACVL	Examination or Technical training Administrative training	<b>[12 installations or major modifications]</b>
TL	Manufacturer's certification Administrative training	<b>[9 tank linings]</b>

(d) An applicant shall meet the following requirements in the appropriate category for renewal of inspector certification:

*Category Qualifications and Training*

- IUM Department inspector training
- IAM API 653 certification  
or  
STI Inspector certification  
or  
Department approved inspector certification  
and  
Department inspector training
- IAF API 653 certification  
or  
Department-approved inspector certification  
and  
Department inspector training

**[(e) Renewal of categories based on number of activities completed without technical training or examination as provided in subsection (c) will be a method of renewal until November 10, 2009.]**

**[(f)e] Technical, [and] administrative, and inspector training shall be obtained within 2 years prior to application submission.**

**(1) Administrative and inspector training will be provided by the Department. [Administrative training in subsection (c) is required after November 10, 2009.]**

**(2) Technical training is category-specific and must be approved by the Department in accordance with § 245.141 (relating to training approval).**

**[(g)f] An applicant for renewal shall:**

**(1) Submit a completed application for renewal to the Department 60 to 120 days prior to the expiration date or examination test date. Applicants who fail to submit a renewal application within 60 days following the expiration date shall meet the experience, qualifications and examination requirements for initial certification as required in § 245.111 or § 245.113 (relating to certified installer experience and qualifications; certified inspector experience and qualifications) and the requirements in § 245.105 (relating to certification examinations).**

**(2) The applicant shall certify completion of safety training which is appropriate for the certification category. Training must be in accordance with regulatory requirements and industry standards and procedures such as Occupational Safety and Health Administration requirements in 29 CFR 1910 (relating to occupational and health standards for industry).**

**(3) Successfully complete training programs which may be required by the Department. Successful completion means attendance at all sessions of training and attainment of the minimum passing grade established by the Department in the approval of the training course under § 245.141 for all sections of all qualifying tests given as part of the training course.**

**[(h)g] A certified installer or certified inspector shall notify the Department and seek amendment of the certification from the Department whenever:**

**(1) There is a change in the information provided in the application for the certification. This request shall be made within 14 days from the date of a change in information.**

**(2) The certified installer or certified inspector wishes to conduct tank handling or inspection activities in installer or inspector certification categories other than those approved by the Department as set forth on the certification.**

**(3) The certified installer or certified inspector wishes to eliminate installer or inspector certification categories from the certification.**

**(4) The EQB amends certification categories or qualification requirements and establishes a phase-in period for the new requirements.**

**(i)h)** Certified installers or certified inspectors required to amend their certifications in accordance with paragraph (1) or (3) shall apply for amendment on a form provided by the Department.

**(j)i)** Certified installers or certified inspectors required to amend their certifications in accordance with subsection **(h)g)(2)** shall comply with the applicable requirements of this chapter related to application, experience, qualifications and examination.

## COMPANY CERTIFICATION

### § 245.121. Certification of companies.

A company may not **perform or** employ a certified installer or certified inspector to perform tank handling, tightness testing or inspection activities unless the company holds a valid certification issued by the Department under this chapter and the company verifies that the certified installer or certified inspector holds a valid certification issued under this chapter for the appropriate category.

### § 245.123. Suspension of company certification.

(a) The Department may suspend the certification of a certified company for good cause, which includes, but is not limited to:

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(4) A violation of The Clean Streams Law, the Air Pollution Control Act or the Solid Waste Management Act or regulations promulgated thereunder by the company or a certified installer or a certified inspector employed by the company which **results in the following:**

**(i) Causes] causes** pollution, causes a threat of pollution or causes harm to the public health, safety or welfare.

**[(ii) Occurs while conducting activities related to the installation, modification, removal from service or inspection of storage tank systems.]**

\*\*\*\*\*

## STANDARDS [FOR] OF PERFORMANCE

### § 245.132. Standards of performance.

(a) Certified companies, certified installers and certified inspectors shall:

(1) Maintain current technical and administrative specifications and manuals, **[Nationally-recognized] Nationally recognized** codes and standards, and State and Federal regulations which pertain to the categories for which certification was issued. **[Nationally-recognized]**

**Nationally recognized** organizations are identified in § § 245.405, 245.504 and 245.604 (relating to codes and standards; and referenced organizations).

(2) Complete and submit to the Department, within 60 days of ~~[the]~~**an** inspection activity, **except for a modification inspection, which shall be submitted within 30 days of the inspection activity,** or 30 days of a tank handling activity, a Department-approved form certifying that the tank handling activity or inspection activity conducted by the certified installer or certified inspector meets the requirements of the act and this chapter and accurately describes the conditions of the storage tank system and facility. For tank handling activities involving multiple certified individuals and certification categories, the tank handling report shall be submitted within 30 days of the completion of all project tank handling and inspection activities.

(3) Maintain complete records of tank handling and inspection activities, nondestructive examination and testing results and tightness testing records for a minimum of 10 years.

(4) Report to the Department a release of a regulated substance; **[or] suspected or confirmed [confirmed or suspected] contamination of soil, surface or groundwater from regulated substances; or a regulated substance observed in a containment structure or facility,** while performing services as a certified installer or certified inspector.

**(5) Report to the Department failed tests of spill prevention equipment, containment sumps, and overfill prevention equipment conducted as required in this Chapter.**

**(6) [This notification shall be submitted to the Department] As required by paragraphs (4) and (5), notify the Department in writing within 48 hours of performing the failed test or observing a release of a regulated substance, suspected or confirmed contamination, or a regulated substance in a containment structure or facility on a form provided by the Department. If the notification is being submitted because of a failed valid tightness test, spill prevention equipment test, containment sump test, or overfill prevention evaluation, a copy of the test results shall also be provided to the Department with the notification report. [When there is a reportable release, the notification may be submitted jointly by the owner, operator, certified installer and certified inspector. In this instance, the written notification report shall be submitted to the Department, at the appropriate regional office, in accordance with § 245.305 (relating to reporting releases).]**

**[(5)] (7) Perform certified installer or certified inspector activities so that there is no release of regulated substances or contamination of soil, surface or groundwater caused by regulated substances from a storage tank system or storage tank facility.**

**[(6) Not affix the certified installer's or certified inspector's signature or certification number to documentation concerning the installation or inspection of a component of a storage tank system project or to documentation concerning tank handling or inspection activity, unless:**

**(i) The storage tank system project was accomplished by the certified installer or under the installer's direct, onsite supervision and control.**

**(ii) Inspection activities were conducted on the storage tank system project by the certified inspector, or under the inspector's direct, onsite supervision and control and as required by the act and this chapter and the certified inspector was present at the site during the conducting of inspection activities on the storage tank system project and as required by the act and this chapter.**

**(iii) Installation or modification inspection activities were conducted on a large or field constructed aboveground storage tank and the certified inspector was involved prior to the initiation of the project and was present at critical times, so that the inspector can reliably determine that the following requirements were met:**

**(A) Industry standards and project specifications were followed throughout the tank handling activity.**

**(B) Appropriate testing and nondestructive examinations were properly conducted.**

**(C) The tank is suitable for operational service.**

**(7) Not certify to an owner or operator or the Department that a storage tank system project or component thereof is complete unless it complies with the act or this chapter. Project certification applies to both certified activities and nontank handling activities that may have been performed as part of the project.]**

**(8) Adhere to equipment manufacturer's instructions, accepted industry standards and applicable industry codes of practice when performing tank handling, tightness testing or inspection activities or other nontank handling activities on the project.**

**(9) Provide requested records and documentation to the Department under section 107(c) of the act (35 P. S. § 6[201]021.107(c)).**

**(b) A company that employs any individual certified in the UMX, UMR, UMI, or UTT category or an individual certified in the UMX, UMR, UMI, or UTT category who is not employed by a certified company shall participate in the Tank Installer Indemnification Program (TIIP) as required by section 704(a)(1) of the act (35 P.S. § 6021.704(a)(1)), and shall provide timely payment of TIIP fees as required by sections 705(d)(1) and 705(e) of the act (35 P.S. §§ 6021.705(d)(1) and 6021.705(e)) and § 977.19(b) (relating to certified company fees for the Underground Tank Storage Tank Indemnification Fund).**

**(c) Certified companies, certified installers and certified inspectors may not:**

**(1) Affix the certified installer's or certified inspector's signature or certification number to documentation concerning the installation or inspection of a component of a storage tank system project or to documentation concerning tank handling or inspection activity as required by the act and this chapter unless:**

**(i) The storage tank system project was performed by the certified installer or under the installer's direct, onsite supervision and control.**

**(ii) Inspection activities were conducted on the storage tank system project by the certified inspector, or under the inspector's direct, onsite supervision and control.**

**(iii) Installation or modification inspection activities were conducted on a large or field-constructed aboveground storage tank and the certified inspector was involved prior to the initiation of the project and was present at critical times so that the inspector can reliably determine that the following requirements were met:**

**(A) Industry standards and project specifications were followed throughout the tank handling activity.**

**(B) Appropriate testing and nondestructive examinations were properly conducted.**

**(C) The tank is suitable for operational service.**

**(2) Certify to an owner or operator or the Department that a storage tank system project or component thereof is complete unless it complies with the act and this chapter. Project certification applies to both certified activities and nontank handling activities that may have been performed as part of the project.**

**[(b)](d)** A certified installer or certified inspector shall display **[a]** his or her **Department-issued** certification identification card or certificate upon request.

**[(c)](e)** \*\*\*

## TRAINING APPROVAL

### § 245.141. Training approval.

(a) Providers of training for which approval is required under this chapter shall, at least 120 days prior to the scheduled date of the training program, request approval from the Department for the training program.

(b) An application for approval must include the following information:

(1) The name and address of the person offering the training.

(2) The title of the course.

(3) The name, title, affiliation and professional background of each course instructor and a detailed outline of the course which includes a description of the subject matter to be presented, the order of presentation and the amount of time scheduled for the presentation.

(4) A narrative describing the preparation and administration of a test to be given at the conclusion of the course. This test must test the participant's knowledge of the technical, administrative and legal requirements related to the subject matter of the course. The narrative

must also describe a procedure for conducting and grading of the test that assures careful monitoring and expeditious transmission of test results to the applicant and the Department.

**(5) Other information necessary for a determination that the training program conforms to the act and this chapter such as copies of any presentations, presenter notes, training handouts, or references.**

(c) Training approval shall be for 3 years from the date of issuance. An applicant for renewal shall submit a completed application for renewal to the Department 60 to 120 days prior to the expiration date.

(d) The Department may approve industry recognized training without the submission of an application as provided in subsection (a).

**Subchapter C. PERMITTING OF UNDERGROUND AND ABOVEGROUND STORAGE TANK SYSTEMS AND FACILITIES**

**GENERAL**

**§ 245.203. General requirements for permits.**

(a) **[Except as provided in subsections (b)—(d), a]A** person may not operate an aboveground or underground storage tank system or storage tank facility, or install a storage tank system or facility covered by § 245.231 (relating to scope), unless the person has first applied for and obtained a permit for the activity from the Department under **this subchapter.**

(b) **[A person is not required to submit a separate application for a permit if the storage tank system is subject to a permit-by-rule.]**The storage tank system must be registered with the Department in accordance with Subchapter A (relating to general provisions) and be maintained and operated in compliance with the standards and requirements of the Department under the act and this chapter. Failure to comply with standards could result in administrative or other Departmental actions against the storage tank owner~~[/]~~ **and** operator.

**[(c) A person may continue to operate an existing storage tank system, registered with the Department on or before October 11, 1997, when the tank system is operated for its intended use, until the Department notifies the person to submit a permit application under this subchapter or the Department notifies the person the tank system is deemed permitted, if the person maintains and operates the storage tank system in compliance with the act and this chapter.**

**(d) Operation of existing storage tank systems will be allowed to continue until the Department takes final action on the permit application requested in subsection (c) or the Department notifies the person that the tank system is deemed permitted or that the permit is withheld or denied.]**

**[(e)] (c)** Operating permits will be renewed automatically on an annual basis concurrent with registration. There will be no additional fee or paperwork required beyond the registration requirements.

**[(f)] (d)** The Department will automatically withhold or withdraw the operating permit for a storage tank that is reported under § 245.41 (relating to tank registration requirements) in **[temporary closure or]** temporary removal from service (out-of-service) status. The Department may renew the permit when an amended registration form is received showing the tank returning from **[temporary closure or]** temporary removal from service status to an operating status.

**[(g)] (e)** A storage tank system may not be operated if the Department suspends, revokes or denies the tank operating permit. **[A person may not deliver or place a regulated substance in a storage tank if the Department suspends, revokes or denies the tank operating permit.]**

**(f) A person may not deliver or place a regulated substance in a storage tank if the Department suspends, revokes or denies the tank operating permit, if the tank operating permit is in a withheld or withdrawn status, or if the tank operating permit has not been issued.**

**(g) The owner and operator of a storage tank system who causes or allows a violation of the act, this chapter, an order of the Department, a condition of a permit issued under the act, or any other applicable law is subject to enforcement action including suspension, modification or revocation of the permit.**

#### **[PERMITS-BY-RULE]**

**§ 245.211. [Scope.] Reserved.**

**[The following storage tank systems are subject to permit-by-rule for operation:**

**(1) Aboveground storage tank systems with a capacity less than or equal to 21,000 gallons, except highly hazardous substance storage tank systems.**

**(2) Underground manufactured storage tank systems storing petroleum.]**

**§ 245.212. [Minimum requirements for obtaining a permit-by-rule.] Reserved.**

**[(a) A storage tank system listed in § 245.211 (relating to scope) shall be deemed to have a permit-by-rule for operation if the following conditions are met:**

**(1) The storage tank system is properly registered.**

**(2) Tank handling and inspection activities are performed by Department certified individuals, as specified in Subchapter B (relating to certification program for installers and inspectors of storage tanks and storage tank facilities).**

**(3) If necessary, the corrective action process regulations in Subchapter D (relating to corrective action process for owners and operators of storage tanks and storage tank facilities and other responsible parties) are followed.**

**(4) The storage tank system meets the applicable technical, administrative and operational requirements for underground tank systems specified in Subchapter E (relating to**

**technical standards for underground storage tanks) or for aboveground tank systems specified in Subchapter G (relating to simplified program for small aboveground storage tanks).**

**(5) The owner of an underground storage tank system has met the applicable financial responsibility requirements of Subchapter H (relating to financial responsibility requirements for owners and operators of underground storage tanks and storage tank facilities).**

**(6) If required, the owner submits a current Spill Prevention and Response Plan that meets the Department's requirement under Chapter 9 of the act (35 P. S. § § 6021.901—6021.904).**

**(b) The owner/operator of a storage tank system who causes or allows violations of the act, regulations thereunder, an order of the Department, or a condition of a permit issued under the act is subject to administrative or other actions including suspension, modification or revocation of the permit.]**

#### **[GENERAL] OPERATING PERMITS**

**§ 245.221. [Scope.] Reserved.**

**[Storage tank systems not covered by § 245.211 (relating to scope) are subject to general operating permits.]**

**§ 245.222. Application requirements.**

**Applications for [a] an [general] operating permit shall be submitted on a [Department form]form provided by the Department. The application must certify the following:**

**(1) General requirements for all storage tank systems are as follows:**

**(i) The storage tank system is properly registered.**

**(ii) Tank handling and inspection activities are performed by Department-certified individuals, as specified in § 245.21 (relating to tank handling and inspection requirements) and Subchapter B (relating to certification program for installers and inspectors of storage tanks and storage tank facilities).**

**(iii) The storage tank system is in compliance with applicable administrative, technical and operational requirements as specified in Subchapter E, Subchapter F or Subchapter G (relating to technical standards for underground storage tanks; technical standards for aboveground storage tanks and facilities; and simplified program for small aboveground storage tanks).**

**(2) In addition to the requirements of paragraph (1), an owner of an underground storage tank system shall meet the applicable financial responsibility requirements of Subchapter H (relating to financial responsibility requirements for owners and operators of underground storage tanks and storage tank facilities).**

(3) In addition to the requirements of paragraph (1), an owner of **[an] a large** aboveground storage tank **[system] or large aboveground storage tank facility** shall **[meet the following requirements:**

(i) A) **file a** current Spill Prevention Response Plan[,]**] that is in compliance with Chapter 9 of the act (35 P. S. § § 6021.901—6021.904)[, is filed]** with the Department.

**[(ii) For new tanks, proof that an appropriate tightness test of the aboveground tank system has been completed.]**

## SITE-SPECIFIC INSTALLATION PERMITS

### § 245.231. Scope.

(a) Site-specific installation permits are required prior to the construction, reconstruction or installation of one or more of the following:

(1) New aboveground storage tank systems with a capacity greater than 21,000 gallons at an existing large aboveground storage tank facility.

(2) New large aboveground storage tank facilities.

(3) New highly hazardous substance tank systems.

(4) New underground field constructed storage tank systems **not installed within a previously registered underground storage tank system.**

(b) Site-specific installation permit applications meeting the requirements in § § 245.232(a)(1) and (2) and 245.236 (relating to general requirements; and public notice) are required to be approved prior to construction, reconstruction or installation. Additional application requirements include the following:

(1) Large aboveground storage tank system at a new facility or existing small aboveground **storage** tank facility requires compliance with § 245.232(a)(3) and (4) and (b).

\*\*\*\*\*

**(d) Site-specific installation permits will expire five years from the date of issuance unless the Department receives a written extension request from the owner prior to the expiration date and grants an extension.**

### § 245.232. General requirements.

(a) Applicants for site-specific **installation** permits shall provide the following:

\*\*\*\*\*

(b) In addition to the items required by subsection (a), owners of aboveground storage tank systems or facilities required to apply for a site-specific installation permit shall include:

(1) A [current] Spill Prevention Response Plan for the facility that includes the proposed storage tank systems demonstrating [that is in] compliance with Chapter 9 of the act (35 P. S. § § 6021.901—6021.904).

(2) Proof of notification to the municipality and county prior to submitting the application for a site-specific installation permit under section 1101(a) of the act [(35 P. S. § 621.1101(a))] 35 P.S. § 6021.1101(a) and § 245.236 (relating to public notice). Acceptable proof of notification includes, but is not limited to, copies of letters sent to the affected municipality and county and legal notices published in a newspaper of general circulation in the area where the project is proposed.

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#### **§ 245.233. Mapping requirements.**

(a) A site-specific installation permit application shall contain maps and plans of the proposed storage tank system or facility site showing the following:

(1) The boundaries for the proposed facility site.

**(2) The location of the proposed storage tanks.**

~~(2)~~3 The location and names of public roads within or adjacent to the proposed facility site.

~~(3)~~4 The location of proposed monitoring wells.

~~(4)~~5 The municipality and county.

~~(5)~~6 The elevation and location of test borings and core samples.

~~(6)~~7 The ownership, if known, location and extent of known workings of active, inactive and abandoned underground mines including mine openings within the proposed permit site.

~~(7)~~8 Streams, lakes or surface watercourses located on or adjacent to the proposed permit site.

~~(8)~~9 The location and ownership of public or private groundwater supplies within 2,500 feet of the proposed permit site.

~~(9)~~10 Sufficient slope measurements to adequately represent the existing land surface configuration of the proposed permit site.

\*\*\*\*\*

#### **§ 245.234. Siting requirements.**

(a) The Department will not issue a site-specific storage tank system or facility installation permit if:

(1) The installation of storage tank systems and facilities is proposed on 100-year floodplains or a larger area that the flood of record has inundated unless [the] an industrial use on the proposed site was in existence as of August 5, 1989.

(2) The installation of storage tank systems and facilities is proposed in wetlands in a manner inconsistent with Chapter 105 (relating to dam safety and waterway management).

\*\*\*\*\*

(b) The applicant shall provide the following additional information if appropriate:

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(3) A professional engineer's construction design criteria and engineering specifications necessary to mitigate surface or subsurface conditions which may result in excessive storage tank system settlement or unstable support of the applicant's proposed storage tank systems.

**§ 245.235. Environmental assessment.**

(a) An application for a site-specific installation permit must include an environmental assessment on a form prescribed by the Department.

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**§ 245.236. Public notice.**

The owner of a proposed new large aboveground storage tank facility or proposed aboveground storage tank system with greater than 21,000 gallons capacity or proposed new highly hazardous substance tank shall provide written notice to the local municipality and county in which the proposed aboveground system or facility is to be located prior to submitting a permit application. **This notice shall inform the local municipality and county of the location, capacity, and projected installation date of the proposed storage tank system and the substance to be stored in the tank.**

**Subchapter D. CORRECTIVE ACTION PROCESS FOR OWNERS AND OPERATORS OF STORAGE TANKS AND STORAGE TANK FACILITIES AND OTHER RESPONSIBLE PARTIES**

**§ 245.301. Purpose.**

This subchapter establishes suspected release investigation, release reporting, [release confirmation] and corrective action requirements for owners and operators of storage [tanks] tank systems and storage tank facilities and other responsible parties.

**§ 245.302. Scope.**

This subchapter applies to releases of regulated substances from storage [tanks] tank systems regulated under the act.

**§ 245.303. General requirements.**

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(c) For corrective actions required by this subchapter, it will be presumed as a rebuttable presumption of law in civil and administrative proceedings that a person who owns or operates an aboveground or underground storage tank system is liable, without proof of fault, negligence or causation, for damage, contamination or pollution within 2,500 feet of the perimeter of the site of a storage tank system containing or which contained a regulated substance of the type which caused the damage, contamination or pollution. The presumption may be overcome by clear and convincing evidence that the person so charged did not contribute to the damage, contamination or pollution.

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(1) The damage, contamination or pollution existed prior to the use of a storage tank system at the facility to contain an accumulation of regulated substances, as determined by surveys of the site and within 2,500 feet of the perimeter of the storage tank system or facility.

(2) An adjacent landowner refused to allow the owner or operator of a storage tank system at a new facility access to property within 2,500 feet of the perimeter of a storage tank facility to conduct a survey.

(3) The damage, contamination or pollution was not within 2,500 feet of the perimeter of a storage tank system.

\*\*\*\*\*

(e) The Department may waive or combine one or more of the requirements of this subchapter based on:

(1) The nature, extent, type, volume or complexity of the release[.], including a release to a containment structure or facility that is shown to be liquid-tight.

(2) The general characteristics of the site and the regulated substances which were released.

(3) The corrective action which occurred subsequent to the release.

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**§ 245.304. Investigation of suspected releases.**

(a) The owner or operator of a storage [tanks and] tank system or storage tank [facilities] facility shall initiate and complete an investigation of [an indication of] a suspected release of a

regulated substance as soon as practicable, but no later than 7 days after the indication of a release. An indication of a release includes one or more of the following conditions:

(1) The presence of a regulated substance or an unusual level of vapors from a regulated substance [of unknown origin, at] outside of storage tank system components designed to routinely contain or convey product, at or near a storage tank facility.

(2) Evidence of a regulated substance or vapors in soils, basements, sewer lines, utility lines, surface water or groundwater in the surrounding area.

(3) Unusual operating conditions, indicative of a release, such as the erratic behavior of product dispensing equipment.

(4) The sudden or unexpected loss of a regulated substance from a storage tank system[,] or the unexplained presence of water in a storage tank system.

(5) Test, sampling or monitoring results, including the sounding of an alarm, from a release detection method which indicate a release.

(6) The discovery of holes in or damage to a storage tank system during activities such as inspection, repair or removal from service.

(7) Other events, conditions or results which may indicate a release.

(b) The investigation required by subsection (a) shall include a sufficient number of the procedures outlined in this subsection and be sufficiently detailed to confirm whether a release of a regulated substance has occurred. The owner or operator shall investigate the indication of a release by one or more of the following procedures:

(1) A check of product dispensing or other similar equipment.

(2) A check of release detection monitoring devices.

(3) A check of inventory records to detect discrepancies.

(4) A visual inspection of the storage tank system or the area immediately surrounding the storage tank system.

(5) Testing of the storage tank system for tightness or structural soundness.

(6) Sampling and analysis of soil, subsurface soil and backfill, vapor, water, or groundwater at a location where contamination from a release would most likely be present.

(7) Other investigation procedures which may be necessary to determine whether a release of a regulated substance has occurred.

(c) **[If] Except as provided in § 245.305(i) (relating to reporting releases), if** the investigation confirms that a [reportable] release has occurred, the owner or operator shall report the release in accordance with § 245.305 (relating to reporting releases) and initiate corrective action.

**[(d) If the investigation confirms that a nonreportable release has occurred, the owner or operator shall take necessary corrective actions to completely recover or remove the regulated substance which was released.]**

**[(e)](d) If the investigation confirms that a release has not occurred, further [investigation] corrective action by the owner or operator is not required.**

**§ 245.305. Reporting releases.**

**(a) The owner or operator of a storage [tanks and] tank system or storage tank [facilities] facility shall notify the appropriate regional office of the Department as soon as practicable, but no later than 24 hours, after the confirmation of a [reportable] release.**

**[(b) Upon the occurrence of a confirmed, nonreportable release, the owner or operator shall take necessary corrective actions to completely recover or remove the regulated substance which was released.]**

**[(c)](b) The notice required by subsection (a) shall be by telephone and describe, to the extent of information available, the regulated substance involved, the quantity of the regulated substance involved, when the release occurred, where the release occurred, the cause of the release, the affected environmental media, [relevant, available] information concerning impacts to water supplies, buildings or to sewer or other utility lines, and interim remedial actions planned, initiated or completed.**

**[(d)](c) Within 15 days of the notice required by subsection (a), the owner or operator shall provide written notification to the Department and to each municipality in which the [reportable] release occurred, and each municipality where that release has impacted environmental media or water supplies, buildings or sewer or other utility lines.**

**[(e)](d) The owner or operator shall provide written notification to the Department and each impacted municipality of new impacts to environmental media or water supplies, buildings, or sewer or other utility lines discovered after the initial written notification required by subsection [(d)](c). Written notification under this subsection shall be made within 15 days of the discovery of the new impact.**

**[(f)](e) Written notification required by this section shall contain the same information as required by subsection [(c)](b) and shall be on a form provided by the Department.**

**[(g)](f) If the Department determines that a release poses an immediate threat to public health and safety, the Department may evaluate and implement reasonable procedures to provide the public with appropriate information about the situation which may, at a minimum, include a summary of the details surrounding the release and its impacts in a newspaper of general circulation serving the area in which the impacts are occurring.**

**[(h)](g) Upon the occurrence of a [reportable] release at the aboveground storage tank, the owner or operator of a [aboveground] storage tank [facilities] facility with [a] an aggregate aboveground storage capacity greater than 21,000 gallons shall immediately notify the county emergency management agency, the Pennsylvania Emergency Management Agency and the**

Department. Downstream water companies, downstream municipalities and downstream industrial users within 20 miles of an aboveground storage tank facility located adjacent to surface waters shall be notified on a priority basis based on the proximity of the release by the owner or operator or the agent of the owner or operator within 2 hours of a release which enters a water supply or which threatens the water supply of downstream users. If the owner or operator or an agent fails to notify or is incapable of notifying downstream water users, the county emergency management agency shall make the required notification. This notification shall be done in accordance with section 904 of the act (35 P. S. § 6021.904).

**[(i)](h)** The owner or operator of a storage [tanks and] tank system or storage tank [facilities] facility shall immediately notify the local fire authority where fire, explosion or safety hazards exist [at the site.] as a result of a release.

**(i) Release reporting under this section and further corrective action under this subchapter are not required for the following releases if the owner or operator has control over the release, the release is completely contained, the total volume of the release is recovered and removed within 24 hours of the release, and any defective storage tank system component that caused or contributed to the release is properly repaired or replaced:**

**(1) A release of petroleum to an aboveground surface, including within an emergency containment structure, that is less than 25 gallons.**

**(2) A release of a hazardous substance to an aboveground surface, including within an emergency containment structure, that is less than its reportable quantity under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. §§ 9601—9675) and 40 CFR Part 302 (relating to designation, reportable quantities, and notification).**

**(3) A release to a liquid-tight containment sump used for interstitial monitoring of piping in accordance with § 245.444(6) (relating to methods of release detection for tanks).**

#### **§ 245.306. Interim remedial actions.**

(a) [Upon confirming that a release has occurred in accordance with § 245.304 (relating to investigation of suspected releases) or after a release from a storage tank is identified in another manner, the] A responsible party shall immediately initiate the following interim remedial actions necessary to prevent or address an immediate threat to human health or the environment **from a release** while initiating, as necessary, one or more of the tasks identified in § 245.309(c) (relating to site characterization):

(1) Remove the regulated substance from the storage tank **system** to prevent further release to the environment.

(2) Identify, mitigate and continue to monitor and mitigate, fire, explosion and safety hazards posed by vapors and free product.

(3) Prevent further migration of the regulated substance released from the storage tank system into the environment as follows:

(i) If contaminated soil exists at the site, the interim remedial action may include excavation of the soils for treatment or disposal.

(ii) If free product is present, free product recovery shall be initiated immediately.

(4) Identify and [sample] analyze samples of affected water supplies and water supplies with the potential to be affected in a reasonable and systematic manner consistent with § 245.309(b)(1) and (4) and (c)(4), (6), ~~(12)~~ and ~~[(13)] (16)~~. The responsible party shall restore or replace an affected or diminished water supply in accordance with § 245.307 (relating to affected or diminished water supplies). The responsible party shall provide a copy of the sample results to the water supply owner and the Department within 5 days of receipt of the sample results from the laboratory.

(b) At sites where free product recovery, regulated substance removal or contaminated soil excavation is performed, the responsible party shall:

(1) Conduct recovery, removal, storage, treatment and disposal activities in a manner that prevents the spread of contamination into previously uncontaminated areas.

(2) Handle flammable products in a safe and competent manner to prevent fires or explosions.

(3) Obtain required State and local permits or approvals for treatment and disposal activities.

(4) Minimize the amount of soil and subsurface material affected by a release of a regulated substance by segregating the unaffected soil and subsurface material from the material affected by a release of a regulated substance.

(c) If interim remedial actions such as free product recovery [affects or diminishes] affect or diminish the quality or quantity of a water supply, the responsible party shall restore or replace the water supply in accordance with § 245.307.

(d) Where soil and subsurface material affected by a release is removed from the site, the person removing the material shall provide to the owner, operator, landowner or other responsible party a receipt documenting acceptance of the material at a permitted treatment or disposal facility.

(e) A responsible party shall notify the Department by telephone or electronic mail as soon as practicable, but no later than 24 hours, after the initiation of interim remedial actions.

§ 245.307. Affected or diminished water supplies.

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(e) A responsible party shall notify the Department, by telephone or electronic mail, within 24 hours of providing an alternate source of water to the owner of the affected or diminished water supply.

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**§ 245.309. Site characterization.**

(a) Upon confirming that a **[reportable]** release has occurred in accordance with § 245.304 (relating to investigation of suspected releases) or after a **[reportable]** release from a storage tank **system** is identified in another manner, the responsible party shall perform a site characterization.

(b) The objectives of a site characterization are to accomplish the following:

(1) Determine whether additional interim remedial actions are necessary to abate an imminent hazard to human health or the environment.

(2) Determine whether additional site characterization work is required upon completion of an interim remedial action.

(3) Determine or confirm the sources of contamination.

(4) Provide sufficient physical data, through field investigations, to determine the regulated substances involved, and the extent of migration of those regulated substances in surface water, groundwater, soil or sediment.

(5) Determine, from measurements at the site, values **[for input parameters] necessary for fate and transport analysis** including hydraulic conductivity, source dimensions, hydraulic gradient, water table fluctuation and fraction organic carbon **[necessary for fate and transport analysis]**.

(6) Provide sufficient information to select a remediation standard.

(7) Provide sufficient information to allow for completion of a remedial action plan or a design for remedial action.

(c) The responsible party shall conduct the site characterization activities necessary to satisfy the objectives established in subsection (b). The site characterization shall include the following tasks, as necessary, based on the nature, extent, type, volume or complexity of the release:

(1) Identifying the need for and initiating additional interim remedial actions.

(2) Opening **[and sampling]** storage tanks **and analyzing samples of the contents** to determine the regulated substances stored in the tanks.

(3) **[Tightness] Performing tightness** testing or other release detection testing and monitoring to determine the structural integrity of the storage tank **system**.

(4) **[Identify and sample] Identifying and analyzing samples of** affected water supplies and water supplies with the potential to be affected **which were** not previously identified or sampled under § 245.306(a)(4) (relating to interim remedial actions). The responsible party shall restore or replace an affected or diminished water supply in accordance with § 245.307 (relating to

affected or diminished water supplies). The responsible party shall provide a copy of the sample results to the water supply owner and the Department within 5 days of receipt of the sample results from the laboratory.

(5) Determining the location of the ecological receptors identified in § 250.311(a) (relating to evaluation of ecological receptors).

(6) **[A review of the site history] Reviewing the history of operations, releases and corrective actions at the site.**

(7) **[A review and analysis of data from] Reviewing and analyzing data collected during removal from service and interim remedial action activities.**

(8) Using geophysical survey techniques to locate storage tanks and to determine geologic and hydrogeologic characteristics of affected hydrogeologic zones and hydrogeologic zones with the potential to be affected.

(9) **[Drilling soil borings, conducting soil gas surveys and collecting] Using soil survey techniques which include drilling soil borings and analyzing** soil samples to determine soil characteristics and the horizontal and vertical extent of soil contamination.

(10) Using **direct push probes**, piezometers, well points, monitoring wells, **[and] public and private wells, and other resources** to:

(i) Determine the direction of groundwater flow.

(ii) Determine soil, geologic, hydrogeologic and aquifer characteristics, **including parameters necessary for fate and transport analysis.**

(iii) **[Measure] Determine** the horizontal **and vertical** extent and **[thickness] evaluate the properties** of free product **in the subsurface.**

(iv) **[Sample] Analyze** groundwater **samples** to determine the horizontal and vertical extent of groundwater contamination.

**[(11) A demonstration that groundwater is not used or currently planned to be used.]**

**[(12) Sampling] (11) Analyzing** surface water and **[sediments] sediment samples** to determine the extent of surface water and sediment contamination.

**[(13)] (12) Assessing potential migration pathways, including sewer lines, utility lines, wells, geologic structures, [and] hydrogeologic conditions, and vapor intrusion into structures.**

**[(14)] (13) Performing site surveying and topographic mapping.**

**[(15)] (14) Developing a conceptual site model that describes the sources of contamination, fate and transport of contaminants, actual and potential receptors and an evaluation of the vapor intrusion pathway.**

[(16)] **(15)** Handling and disposing of site characterization wastes.

[(17)] **(16)** Preparing and implementing a site-specific plan for the provision of the following:

(i) Worker health and safety in accordance with OSHA requirements established at 29 CFR 1910.120 (relating to hazardous waste operations and emergency response), including health and safety policies, medical monitoring, training and refresher courses, emergency and decontamination procedures, personal protective equipment and standard work practices.

(ii) The identification, management and disposition of solid, hazardous, residual and other wastes generated as part of the site characterization.

(iii) [A] **Establishment of data quality objectives and a quality assurance/quality control program for the performance of site characterization field activities and for the accurate collection, storage, retrieval, reduction, analysis and interpretation of [site characterization] all data that will be collected during the corrective action, according to appropriate standards and guidelines for environmental remediation.**

[(18)] **(17)** [An analysis of] **Analyzing** the data collected as a result of the site characterization.

[(19)] Selection of] **(18)** **Selecting** a remediation standard.

**(19) Demonstrating that groundwater is not used or currently planned to be used in accordance with the selected remediation standard.**

(20) If the site-specific standard is selected, [performance of] **performing** a risk assessment in accordance with Chapter 250, Subchapter F (relating to exposure and risk determinations).

(21) [Recommendation of] **Developing** preferred remedial action options **to attain the selected remediation standard.**

(22) [Recommendation for further site characterization work.

**(23) Developing a conceptual design of the selected remedial action options and identifying] Identifying additional investigations or pilot studies needed to design and implement [a detailed] the preferred remedial action [plan] options.**

[(24) Additional] **(23) Performing additional** tasks necessary to [characterize the site] **meet the objectives established in subsection (b).**

**(24) Notifying the Department by telephone or electronic mail as soon as practicable, but no later than 24 hours, after the initiation of site characterization activities.**

#### § 245.310. Site characterization report.

(a) [The] **A** responsible party shall prepare and submit to the Department within 180 days of reporting a [reportable] release under § 245.305(a) (relating to reporting releases), or within an alternative time frame as determined by the Department, [two copies of] a site characterization

report which describes the activities undertaken in accordance with § 245.309 (relating to site characterization). **The responsible party shall submit two copies of the site characterization report to the Department unless directed otherwise.** The site characterization report shall be complete and concisely organized and shall contain the following elements, as necessary, based on the nature, extent, type, volume or complexity of the release:

(1) A narrative description of the site and the historical and current operations conducted at the site.

(2) A site map showing location of buildings, roads, storage tanks, including those removed from service or closed in place, utilities, property boundaries, topographic contours, potential receptors and other information pertinent to the site characterization.

(3) A description of natural and manmade features pertinent to the site characterization.

(4) Details of interim remedial actions conducted at the site in accordance with § 245.306 (relating to interim remedial actions). These details shall include the following, as necessary:

(i) A description of the type and volume of the regulated substance removed from the storage tank.

(ii) A discussion of fire, explosion and safety hazards which have been identified, mitigated and monitored.

(iii) A discussion of necessary relocation of affected residents.

(iv) Where free product recovery is performed, **a description of:**

(A) The regulated substance released **[and], the thickness of free product in wells, boreholes or excavations, and the properties and vertical and horizontal distribution of any free product remaining in the subsurface.**

(B) The type of free product recovery system used.

(C) Whether a discharge has or will take place during the recovery operation, and where this discharge is or will be located.

(D) The type of treatment applied to, and the effluent quality expected from, a discharge.

(E) The steps that have been or are being taken to obtain necessary permits or approvals for a discharge.

(F) The volume and disposition of the recovered free product.

(G) The date free product recovery was initiated.

(H) The date free product recovery was completed.

(v) Where excavation of contaminated soil is performed, **a description of:**

- (A) The regulated substance released and actual volume of soil excavated.
- (B) The method used to determine the existence and extent of contaminated soil.
- (C) The treatment method or disposition of the excavated soil, including receipts documenting acceptance of the material at a permitted treatment or disposal facility.
- (D) The date excavation was initiated.
- (E) The date excavation was completed.
- (F) The rationale for terminating soil excavation where the contaminated soil has not been excavated, including the volume of contaminated soil remaining in place, and a description of what steps will be taken to address the soils that remain unexcavated.
- (5) **[The] Details of actions conducted at the site in accordance with § 245.307 (relating to affected or diminished water supplies). These details shall include the steps that have been or are being taken to restore or replace affected or diminished water supplies.**
- (6) A description of the type and characteristics of regulated substances involved, including quantities, physical state, concentrations, toxicity, propensity to bioaccumulate, persistence and mobility.
- (7) The results of tightness testing or other release detection method used or conducted to determine the structural integrity of the storage **[tanks] tank systems**.
- (8) The details of removal from service activities conducted at the site.
- (9) The identification of the sources of contamination, including the actual or estimated date and quantity of release from each source.
- (10) The location and description of affected water supplies and water supplies with the potential to be affected.
- (11) **[A description of further site characterization work needed.] A statement certifying that the site-specific plan, prepared for worker health and safety in accordance with OSHA requirements established at 29 CFR § 1910.120 (relating to hazardous waste operations and emergency response), including health and safety policies, medical monitoring, training and refresher courses, emergency and decontamination procedures, personal protective equipment and standard work practices, was implemented.**
- (12) A discussion and **[conclusions that demonstrate] analysis to demonstrate that** the site characterization objectives outlined in § 245.309(b) have been satisfied.
- (13) The rationale, equipment, methodology and results of geophysical surveys.
- (14) The location, rationale and logs of soil borings.

(15) The location, rationale, construction details, including methods and materials, and depth to groundwater of piezometers, well points and monitoring wells.

(16) Groundwater contour maps depicting groundwater flow direction at the site.

(17) A description of methods and equipment used to determine site-specific soil, geologic, hydrogeologic and aquifer properties.

(18) Sampling locations and rationale for selection of these locations.

(19) The results of a survey used to identify and sample public and private wells.

(20) Parameters analyzed for, analytical methods used and detection limits of these methods.

(21) Field and laboratory analytical results and interpretations.

(22) Contaminant distribution maps in the media and contaminant phases.

(23) A conceptual site model **[describing] which describes** the sources of contamination, **the** fate and transport of contaminants, **[and] actual and** potential receptors, **and evaluates the vapor intrusion pathway.**

(24) The disposition of site characterization wastes.

(25) A copy of site-specific plans prepared and implemented for the provision of the following:

**[(i) Worker health and safety in accordance with OSHA requirements established at 29 CFR 1910.120 (relating to hazardous waste operations and emergency response), including health and safety policies, medical monitoring, training and refresher courses, emergency and decontamination procedures, personal protective equipment and standard work practices.]**

**[(ii)](i) The identification, management and disposition of solid, hazardous, residual and other wastes generated as part of the site characterization.**

**[(iii) A] (ii) The data quality objectives and quality assurance/quality control program for the performance of site characterization field activities and for the accurate collection, storage, retrieval, reduction, analysis and interpretation of site characterization data.**

(26) The identification of the remediation standard which has or will be attained at the site.

(27) The Department's written determination that groundwater is not used or currently planned to be used, **if needed to attain the remediation standard selected or to be selected.**

(28) The impacts to ecological receptors as a result of the evaluation conducted in accordance with § 250.311 or § 250.402(d) (relating to evaluation of ecological receptors; and human health and environmental protection goals).

(29) The impacts to surface water as a result of the evaluation conducted in accordance with § 250.309 or § 250.406 (relating to MSCs for surface water; and relationship to surface water quality requirements).

(30) A **[discussion] summary** of the remedial action **[options selected to remediate the site] option(s) that will be used at the site to attain the selected remediation standard. The summary shall include a description of the components of each option, a conceptual design and a description of any additional investigation needed to complete the design of each option.**

(31) A risk assessment report in accordance with § 250.409 (relating to risk assessment report).

(32) A demonstration that no current or future exposure pathways exist following the procedures described in § 250.404 (relating to pathway identification and elimination).

**[(33) A conceptual design of the remedial action options selected.]**

**[(34)](33) A report of additional tasks performed to [characterize the site] meet the objectives in 245.309(b).**

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(c) Following submission of a complete site characterization report prepared under subsection (a), selecting the site-specific standard, or subsection (b), the Department will do one or more of the following:

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**[(6) Review the site characterization report without further action.]**

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### **§ 245.311. Remedial action plan.**

(a) Unless a site characterization report is submitted in accordance with § 245.310(b) (relating to site characterization report), the responsible party shall prepare and submit to the Department **two copies of the remedial action plan, unless directed otherwise. The remedial action plan shall be submitted** within 45 days of submission of a site characterization report required by § 245.310(a) selecting the background or Statewide health standard, within 45 days of deemed approval or receipt of a written approval of a site characterization report selecting the site-specific standard, or within an alternative time frame as determined by the Department **[two copies of a remedial action plan prior to implementation of the remedial action plan]**. The remedial action plan must **be submitted prior to its implementation,** be complete and concisely organized and contain the following elements, as necessary, based on the nature, extent, type, volume or complexity of the release:

(1) A brief summary of the site characterization report conclusions.

(2) A copy of the plans relating to [worker health and safety,] management of wastes generated and quality assurance/quality control procedures, as they relate to the remedial action, if different from the plans submitted in accordance with § 245.310(a)(25).

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(12) A description of proposed postremediation care requirements, **including proposed activity and use limitations to be implemented under an environmental covenant.**

(13) A description of additional items necessary to develop the remedial action plan.

**(14) A description of any water supply that remains affected or diminished, the replacement system that was provided, the analytical results of samples taken, and any maintenance or monitoring required to ensure its functionality until the supply is no longer affected or diminished.**

(b) Following submission of a complete remedial action plan selecting the background or Statewide health standard, the Department will **publish an acknowledgment of receipt of the remedial action plan in the *Pennsylvania Bulletin* and** do one or more of the following:

(1) Review and approve the site characterization report and remedial action plan as submitted.

(2) Review and approve the site characterization report and remedial action plan with modifications made by the Department.

(3) Review and disapprove the site characterization report and remedial action plan, citing deficiencies.

(4) Review and disapprove the site characterization report and remedial action plan and direct, require or order the responsible party to perform other tasks or make modifications as prescribed by the Department.

(5) Review and disapprove the site characterization report and remedial action plan, prepare a remedial action plan or perform the remedial action in whole or in part, and recover, in accordance with § 245.303(b) (relating to general requirements), the Department's costs and expenses involved in preparing the remedial action plan or performing the remedial action.

**(6) [Review the site characterization report and remedial action plan without further action.] Publish a notice of its final action in the *Pennsylvania Bulletin*.**

(c) Following submission of a complete remedial action plan selecting the site-specific standard, the Department will **publish an acknowledgment of receipt of the remedial action plan in the *Pennsylvania Bulletin* and** do one or more of the following:

(1) Review and approve the remedial action plan as submitted.

(2) Review and approve the remedial action plan with modifications made by the Department.

- (3) Review and disapprove the remedial action plan, citing deficiencies.
- (4) Review and disapprove the remedial action plan and direct, require or order the responsible party to perform other tasks or make modifications as prescribed by the Department.
- (5) Review and disapprove the remedial action plan, prepare a remedial action plan or perform the remedial action in whole or in part, and recover, in accordance with § 245.303(b), the Department's costs and expenses involved in preparing or performing the remedial action plan.
- (6) **[Review the remedial action plan without further action.] Publish a notice of its final action in the *Pennsylvania Bulletin*.**

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**§ 245.312. Remedial action.**

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(c) Each remedial action progress report shall provide the data generated during the reporting period and shall show the progress to date toward attainment of the selected remediation standard. Each report shall be complete and concisely organized and shall contain the following elements, as necessary, based on the nature, extent, type, volume or complexity of the release:

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(4) Quantitative analytical results from **replacement water supply system**, groundwater, surface water, soil and sediment sampling.

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**(10) A summary of data collected from any water supply that remains affected or diminished, and any maintenance performed.**

[(10)] (11) A report of additional items necessary to describe the progress of the remedial action.

(d) The first remedial action progress report shall be received by the Department 3 months following the date of remedial action plan implementation **or at an alternative interval as determined by the Department**. The final remedial action progress report shall be submitted to the Department as part of the remedial action completion report.

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**(g) If during implementation of the remedial action plan the Department determines that the remedial action plan will not attain the selected remediation standard or will cause additional environmental harm, the Department may require the responsible party to suspend remedial action and notify the Department, by telephone or e-mail, within 24 hours of suspension. The Department may require the responsible party to prepare and**

**submit a new or modified remedial action plan, to include selection of the new remediation standard, if applicable, to the Department in accordance with § 245.311.**

**§ 245.313. Remedial action completion report.**

(a) When the selected remediation standard has been attained, the responsible party shall submit a remedial action completion report to the Department.

(b) The remedial action completion report shall be complete and concisely organized and shall contain the following elements, as necessary, based on the remediation standard attained:

**(1) Data demonstrating that the remedial actions have attained the selected standard(s) for the site in accordance with Chapter 250, Subchapter G (relating to demonstration of attainment).**

[(1)] **(2)** When the background standard has been attained, the remedial action completion report shall include the requirements of § 250.204(f) and (g) (relating to final report).

[(2)] **(3)** When the Statewide health standard has been attained, the remedial action completion report shall include the requirements of § [250.312(b)] **250.312(a)**—(h) (relating to final report).

[(3)] **(4)** When the site-specific standard is attained, the remedial action completion report shall include the requirements of § 250.411(c)[-], **(d), and** (f) (relating to final report).

[(4)] **(5)** For fate and transport analyses, the following information, in addition to that required by § 250.204(f)(5):

(i) An isoconcentration map showing the configuration and concentrations of contaminants within the plume being analyzed.

(ii) Sufficient information from monitoring data to establish whether the plume is stable, shrinking or expanding.

(iii) Input parameters for the analysis and the rationale for their selection.

(iv) Figures showing the orientation of the model or analysis to the field data.

(v) Comparison and analysis of the model or mathematical output to the actual field data.

(c) Following submission of the remedial action completion report, the Department will **publish an acknowledgment of receipt of the remedial action completion report in the *Pennsylvania Bulletin* and** do one or more of the following:

(1) Review and approve the remedial action completion report as submitted.

(2) Review and approve the remedial action completion report with modifications made by the Department.

(3) Review and disapprove the remedial action completion report, citing deficiencies.

(4) Review and disapprove the remedial action completion report and direct, require or order the responsible party to perform other tasks or make modifications as prescribed by the Department.

(5) Review and disapprove the remedial action completion report, perform the site characterization or remedial action and recover, in accordance with § 245.303(b) (relating to general requirements), the Department's costs and expenses involved in preparing the remedial action completion report.

(6) **[Review the remedial action completion report without further action.] Publish a notice of its final action in the *Pennsylvania Bulletin*.**

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## Subchapter E. TECHNICAL STANDARDS FOR UNDERGROUND STORAGE TANKS

### GENERAL

#### § 245.402. Scope.

This subchapter applies to underground storage ~~[tanks]~~tank systems regulated under the act and this chapter.

#### § 245.403. Applicability.

(a) *General.* The requirements of this subchapter apply to owners and operators, as well as installers and inspectors of underground storage tank systems as defined in § 245.1 (relating to definitions), except as otherwise provided in subsections ~~[(b)](c) and (d)~~.

**(b) *Emergency power generator fuel tanks.* Underground storage tank systems that store fuel solely for use by emergency power generators must meet the requirements of §§ 245.441 – 245.446 (relating to release detection) as follows:**

**(1) Underground storage tank systems installed on or before November 10, 2007, must meet the requirements in §§ 245.441 – 245.446 on or before \_\_\_\_\_ (Editor's Note: The blank refers to two years after the effective date of the final-form regulations.).**

**(2) Underground storage tank systems installed after November 10, 2007, must meet the requirements in §§ 245.441 – 245.446 on or before \_\_\_\_\_ (Editor's Note: The blank refers to one year after the effective date of the final-form regulations.).**

**(3) Underground storage tank systems installed after \_\_\_\_\_ (Editor's Note: The blank refers to the effective date of the final-form regulations.) must meet the requirements in §§ 245.441 – 245.446 at installation.**

**[(b) *Deferrals.* Sections 245.441—245.446 (relating to release detection) do not apply to an underground storage tank system that stores fuel solely for use by emergency power generators.]**

**(c) Partial exclusions. The following underground storage tanks systems are not required to comply with §§ 245.411, 245.421(b)(3), 245.421(b)(4)(ii)-(iii), 245.422(d), 245.432(g), and 245.436 – 245.446:**

**(1) A wastewater treatment tank system that is not part of a wastewater treatment facility regulated under Section 307(b) or 402 of the Clean Water Act, as amended (33 U.S.C. §§ 1317(b) or 1342).**

**(2) An underground storage tank system containing radioactive material that is regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. § 2011—2297h-13).**

**(3) An underground storage tank system that is part of an emergency generator system at a nuclear power generation facility licensed by the Nuclear Regulatory Commission and subject to Nuclear Regulatory Commission requirements regarding design and quality criteria, including but not limited to 10 CFR Part 50.**

**[(c)](d) [Temporary exclusions]Previously excluded underground storage tanks. Underground storage tank systems that were not required to be registered with the Department prior to \_\_\_\_\_ (Editor's Note: The blank refers to the effective date of the final-form regulations.) shall be registered with the Department by \_\_\_\_\_ (Editor's Note: The blank refers to 30 days after the effective date of the final-form regulations.). Such underground storage tanks include:**

**(1) Field-constructed underground storage installed on or before October 11, 1997 that the Department previously did not require to be registered as a matter of policy. [Existing tanks that become regulated due to the addition of new regulated substances in § 245.1 ((relating to definitions) (See the definition of “regulated substance” (i)(C)(I) and (II))) are subject to this chapter and shall be registered with the Department by January 9, 2008]. [In addition, these] These tanks are temporarily excluded from the requirements of § § 245.421, 245.422, 245.431, 245.432, 245.437, and 245.441—245.446, until [November 10, 2010.] \_\_\_\_\_ (Editor's Note: The blank refers to one year after the effective date of the final-form regulations.).**

**(2) Underground storage tank systems referenced in subsection (c)(1)-(3) installed on or before \_\_\_\_\_ (Editor's Note: The blank refers to the effective date of the final-form regulations.).**

#### **§ 245.404. Variances.**

When unique or peculiar circumstances make compliance with this subchapter technically impractical, infeasible or unsafe, the Department may, upon written application from the owner[/operator] of a storage tank system subject to this subchapter, grant a variance from one or more specific provisions of this subchapter:

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## [FACILITY]INSPECTIONS

### § 245.411. Inspection frequency.

(a) *Inspection of [tanks]underground storage tank systems.* Underground storage tank owners or operators shall have their underground storage tank [facility] systems inspected by a certified inspector at the frequency established in subsections (b)[—] **and** [(d)] (c). The inspection must include, but not be limited to, release detection, assessment of the underground storage tank system and ancillary equipment, operation of overfill and spill prevention equipment where practicable, corrosion protection testing, or verification that corrosion protection is functional, and release prevention measures.

(b) *Initial inspections.*

**[(1) Storage tank facilities with tank systems installed prior to December 1989, shall be inspected prior to October 11, 1999.**

**(2) ]Newly installed underground storage tank systems shall be inspected between 6 to 12 months after installation. If the [facility]tank ownership changes, an inspection of the [facility]underground storage tank system shall be completed between the first 6 to 12 months of operation unless another time frame is agreed to by the Department.**

**[(3) Storage tank facilities not inspected in accordance with paragraph (1) or (2) shall have an initial inspection by October 11, 2002.]**

(c) *Subsequent [routine facility] inspections.*

(1) The interval between subsequent [routine facility] inspections may not exceed 3 years (36 months) commencing after the last inspection, except as provided in [the phase-in periods in] paragraph (2).

**[(2) On November 10, 2007, existing facilities with routine inspections scheduled more than 3 years from this date shall be inspected by the following dates, unless notified otherwise by the Department:**

**(i) Before August 8, 2008, if currently scheduled for inspection between November 10, 2010, and August 7, 2011, inclusive.**

**(ii) Before August 8, 2009, if currently scheduled for inspection between August 8, 2011, and August 7, 2013, inclusive.**

**(iii) Before August 8, 2010, if currently scheduled for inspection after August 7, 2013.]**

**(2) An inspection in addition to those required in subsections (b) and (c)(1) may be required by the Department when the prior inspection determined release detection, corrosion protection or operational violations occurred, or when the Department determines the inspection is necessary to verify compliance with this subchapter.**

(d) *[Additional inspections and mandatory training] Training.* [Inspections in addition to those in subsections (b) and (c) may be required by the Department when the prior inspection determined release detection, corrosion protection or operational violations occurred, or when the Department determines the inspections are necessary to verify compliance with this subchapter.] The Department may require facility owners and operators to successfully complete a release detection, release prevention, or operator training course, such as those offered by [PEI] Nationally recognized associations or professional industry trainers approved under § 245.141 (relating to training approval), when related violations are documented through an inspection. Owners and operators of underground storage tanks that the Department determines through inspection are failing to meet United States Environmental Protection Agency guidelines for significant operational compliance shall be retrained in a manner consistent with the training recommended in Department guidance entitled “Underground Storage Tank Class A and Class B Operator Training Courses.” The owner or operator shall incur the costs of the training.

## UNDERGROUND STORAGE TANK SYSTEMS: DESIGN, CONSTRUCTION, INSTALLATION AND NOTIFICATION

### § 245.421. Performance standards for underground storage tank systems.

(a) *New underground storage tank systems.*

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(2) At least 30 days prior to the installation of a(n) [new or replacement] tank, piping system, replacement or additional dispenser, or underground storage tank system [installed after January 9, 2008,] or within another reasonable time agreed upon by the Department, owners and operators shall notify the Department of the proposed installation on a form provided by the Department.

(3) An owner or operator of [a] an underground storage tank [system] changing from unregulated to regulated service shall provide certification by a Department-certified installer [or inspector] that the underground storage tank system meets new underground storage tank system requirements, on a form provided by the Department [using the registration form (See § 245.41 (relating to tank registration requirements))] prior to placing product into the tank and operating the storage tank system.

(b) To prevent releases due to structural failure, corrosion or spills and overfills for as long as the underground storage tank system is used to store regulated substances, owners and operators of new and existing underground storage tank systems shall ensure that the system meets the following requirements:

(1) *Tanks.* A tank must be properly designed and constructed. A tank or portion of a tank including the outer metallic wall of a double-walled tank that is underground and routinely contains product shall be protected from corrosion in accordance with a code of practice developed by a [Nationally-recognized] Nationally recognized association or independent testing laboratory, using one of the following methods:

- (i) The tank is constructed of fiberglass-reinforced plastic.
- (ii) The tank is constructed of steel and cathodically protected in the following manner:
  - (A) The tank is coated with a suitable dielectric material.
  - (B) Field-installed cathodic protection systems are designed by a corrosion expert.
  - (C) Impressed current systems are designed by a corrosion expert and allow determination of current operating status as required in § 245.432(a)(3) (relating to operation and maintenance including corrosion protection).
  - (D) Cathodic protection systems are operated and maintained in accordance with § 245.432.
- (iii) The tank is constructed of [a] steel[-~~fiberglass-reinforced-plastic composite~~] **and clad or jacketed with a non-corrodible material.**
- (iv) The tank is constructed of metal without additional corrosion protection measures if:
  - (A) The tank is installed at a site that is determined by a corrosion expert not to be corrosive enough to cause it to have a release due to corrosion during its operating life.
  - (B) Owners and operators maintain records that demonstrate compliance with clause (A) for the remaining life of the tank.

(2) *Piping.* The piping and ancillary equipment that routinely contain regulated substances shall be protected from corrosion and deterioration. New piping systems that routinely contain and convey regulated substances from the tank must be double-walled with liquid-tight containment sumps [**and dispenser pan sumps**] installed in accordance with paragraph (4)(ii). Whenever **50% or more [than 50%]** of the existing piping that routinely contains and conveys product from the tank is replaced, the entire piping system that routinely contains and conveys product from the tank shall be replaced meeting the requirements for new piping systems in this [sub]section. The portions of the product piping system, including joints, flexible connectors and ancillary equipment that are in contact with the ground must be properly designed, constructed and protected from corrosion in accordance with a code of practice developed by a [**Nationally-recognized**] **Nationally recognized** association or independent testing laboratory using one of the following methods:

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(3) *Spill and overflow prevention equipment.*

- (i) Except as provided in subparagraph [(iv)] **(vi)**, to prevent spilling and overflowing associated with product transfer to the underground storage tank system, owners and operators shall ensure that their systems have the following spill and overflow prevention equipment **permanently installed:**

(A) Spill prevention equipment that will prevent release of product to the environment when the transfer hose is detached from the fill pipe—for example, a spill catchment basin or spill containment bucket.

(B) Overfill prevention equipment that will do one or more of the following:

(I) Automatically shut off flow into the tank when the tank is no more than 95% full.

(II) Alert the transfer operator when the tank is no more than 90% full by restricting the flow into the tank or triggering a high-level alarm.

**[(III) Restrict flow 30 minutes prior to overfilling, alert the operator with a high level alarm 1 minute before overfilling, or automatically shut off flow into the tank so that none of the fittings located on top of the tank are exposed to product due to overfilling.]**

(ii) Bypassing overfill protection is prohibited. ~~[for]~~**For** example, bypassing the ~~[flow vent] ball float~~ valve with ~~[coax] coaxial stage-1~~ vapor recovery ~~systems~~ or a spill ~~containment~~ bucket drain valve is prohibited.

**[(iii) Ball float valves may not be used to comply with this subsection when overfill prevention is installed or replaced after \_\_\_\_\_ (Editor's Note: The blank refers to the effective date of the final-form regulation.).]**

~~[(iii)](iv) Existing [B] ball float valves may not be used on suction pump systems having an air eliminator, or on any system having coaxial stage-1 vapor recovery systems or receiving pressurized pump deliveries.~~

**[(v) Spill and overfill prevention equipment must be periodically tested or evaluated in accordance with § 245.437 (relating to periodic testing). Required tests shall be documented on a form provided by the Department and shall be maintained onsite at the storage tank facility or at a readily available alternative site.]**

~~[(iv)](vi) Owners and operators are not required to use the spill and overfill prevention equipment specified in subparagraph (i) if the underground storage tank system is filled by transfers of no more than 25 gallons at one time.~~

(4) *Installation.*

(i) [Tanks and piping] **Underground storage tank systems** shall be properly installed and system integrity tested in accordance with a code of practice developed by a Nationally recognized association or independent testing laboratory **[such as API 1615 and PEI RP100,]** and in accordance with the manufacturer's instructions.

(ii) [Newly installed spill containment buckets] **Spill prevention equipment**[, tank-top sumps, dispenser pans] and containment sumps must be constructed to be liquid-tight, and shall be tested prior to use of the system to confirm liquid-tight construction using a hydrostatic test, vacuum test or other **[Nationally-recognized] Nationally recognized** liquid-tight testing procedure or method recommended by the containment equipment manufacturer.

(iii) Overfill prevention equipment shall be properly installed and tested in accordance with a code of practice developed by a [Nationally-recognized] Nationally recognized association, and in accordance with manufacturer's instructions. [When ball float valves are used, the valve shall be installed with extractor fitting and ball floats must be readily accessible (not requiring excavation) for removal and operational verification.]

**[(c) Certification of installation. Owners and operators shall ensure that a certified installer has installed the tank system by providing a certification of compliance on an appropriate form provided by the Department.]**

**§ 245.422. Upgrading of existing underground storage tank systems.**

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(b) *Tank upgrading requirements.* Steel tanks shall be upgraded to meet one of the following requirements in accordance with a code of practice developed by a [Nationally-recognized] Nationally recognized association or independent testing laboratory:

(1) *Interior lining.* A tank may only be upgraded by internal lining for corrosion protection prior to November 10, 2007. [The following conditions of existing] Existing lined tanks shall [be met] meet the following conditions:

(i) The lining was installed in accordance with § 245.434 (relating to repairs allowed).

(ii) Within 10 years after lining, and every 5 years thereafter, the lined tank is internally evaluated by, or under the direct onsite supervision of a certified tank liner (TL) or by a professional engineer adhering to the evaluation process developed by a National association (See API 1631 and NLP A 631) and found to be structurally sound with the lining still performing in accordance with original design specifications. The evaluation findings shall be documented on a form approved by the Department and shall be maintained at the facility for the duration of the tank's operating life.

(iii) Lined tank systems that do not meet original design specifications or have not been evaluated as required in subparagraph (ii) shall be emptied, removed from service, and permanently closed in accordance with § § 245.451 and 245.452 (relating to temporary [closure] removal from service; and permanent closure and changes-in-service).

(2) *Cathodic protection.* A tank may be upgraded by cathodic protection if the cathodic protection system meets the requirements of § 245.421 (b)(1)(ii)(B)—(D) and the integrity of the tank is ensured using one or more of the following methods:

(i) The tank is internally inspected and assessed to ensure that the tank is structurally sound and free of corrosion holes prior to installing the cathodic protection system.

**[(ii) The tank has been installed for less than 10 years and is monitored monthly for releases in accordance with § 245.444(4)—(9) (relating to methods of release detection for tanks).**

**(iii) The tank has been installed for less than 10 years and is assessed for corrosion holes by conducting two tightness tests that meet the requirements of § 245.444(3). The first tightness test shall be conducted prior to installing the cathodic protection system. The second tightness test shall be conducted between 3 and 6 months following the first operation of the cathodic protection system.]**

**[(iv)] (ii) The tank is installed at a site that is determined by a corrosion expert not to be corrosive enough to cause it to have a release due to corrosion during its operating life. Owners and operators shall maintain records that demonstrate compliance with this requirement for the remaining life of the tank.**

**[(v)] (iii) The tank is assessed for corrosion holes by a method that is determined by the Department to prevent releases in a manner that is no less protective of human health and the environment than [subparagraphs]subparagraph (i)[—(iii)].**

**(3) *Internal lining combined with cathodic protection.* A tank upgraded prior to November 10, 2007, having both internal lining and cathodic protection must meet the following:**

**(i) The lining was installed in accordance with the requirements of § 245.434.**

**(ii) The cathodic protection system meets § 245.421(b)(1)(ii)(B)—(D).**

**(c) *Piping upgrading requirements.* Metal piping and fittings that routinely contain regulated substances and are in contact with the ground must be one or more of the following: [(1)]**

**(1) Replaced with piping meeting the requirements of new piping in § 245.421(b)(2)(i) and (ii).**

**(2) Cathodically protected in accordance with a code of practice developed by a [Nationally-recognized] Nationally recognized association or independent testing laboratory and meets the requirements of § 245.421(b)(2)(ii)(B)—(D).**

**(3) Installed at a site that is determined to not be corrosive enough to cause a release due to corrosion for the remaining operating life of the piping under § 245.421(b)(2)(iii).**

**(d) *Spill and overflow prevention equipment.* To prevent spilling and overflowing associated with product transfer to the underground storage tank system, [existing] underground storage tank systems must comply with [new] underground storage tank system spill and overflow prevention equipment requirements in § 245.421(b)(3) and (4).**

**(e) *Under-dispenser containment.* When an existing dispenser is replaced with another dispenser and equipment at or below the shear valve needed to connect the dispenser to the underground storage tank system is replaced, under-dispenser containment [a vertical riser, dispenser and interconnected piping and fittings are added to a storage tank system or a dispenser is replaced, involving major modification, the dispenser must have containment (liquid-tight dispenser pan)] meeting [requirements in]the provisions of § 245.421(b)(4)(ii) is required. [When an existing dispenser is removed and replaced with another dispenser and equipment at or below the shear valve used to connect the dispenser to the UST is replaced, under-dispenser containment is required.] This equipment may**

include check valves, shear valves, vertical risers, flexible connectors, or other transitional components. [flex connectors or risers or other transitional components that are beneath the dispenser and connect the dispenser to the piping.] Under-dispenser containment shall be installed when a major modification as defined in § 245.1 (relating to definitions) is performed at the dispenser area involving excavation beneath the dispenser.

§ 245.423. [Registration requirements.] Reserved.

**[(a) An underground storage tank shall be registered with the Department prior to adding a regulated substance. The owner of a tank that was in use after May 8, 1986, shall have notified the Department of the system's existence.**

**(b) Owners required to submit notices under subsection (a) shall provide notices to the Department for each tank they own. Owners may provide notice for several tanks using one registration form, but owners who own tanks located at more than one facility shall file a separate registration form for each separate facility.**

**(c) Notices required to be submitted under subsection (a) shall provide all of the requested information on the registration form for each tank for which notice is required to be given.**

**(d) Owners and operators of new underground storage tank systems shall certify compliance with the following requirements in the registration form provided by the Department:**

**(1) Installation of tanks and piping under § 245.421(c) (relating to performance standards for new underground storage tank systems).**

**(2) Cathodic protection of steel tanks and piping under § 245.421(b)(1) and (2).**

**(3) Financial responsibility under Subchapter H (relating to financial responsibility requirements for owners and operators of underground storage tanks and storage tank facilities).**

**(4) Release detection under §§ 245.442 and 245.443 (relating to requirements for petroleum underground storage tank systems; and requirements for hazardous substance underground storage tank systems).**

**(5) Use of a Department-certified installer under § 245.21 (relating to tank handling and inspection requirements).**

**(e) Beginning October 24, 1988, a person who sells a tank intended to be used as an underground storage tank or a property containing an existing tank system shall notify the purchaser, in writing, of an owner's obligations under subsection (a). The following form may be used to comply with this requirement:**

**Federal law (the Resource Conservation and Recovery Act) and Commonwealth law (the Storage Tank and Spill Prevention Act) require that the owner of a regulated underground**

storage tank notify the Pennsylvania Department of Environmental Protection of the existence of its tank.

Notification for tanks brought into service after August 5, 1989, must be made prior to placing the tank system into service. Consult EPA 40 CFR Part 280 and PA Code Title 25 Chapter 245 to determine if you are affected by these laws.

(f) Every owner, including a new owner of an existing tank system, shall comply with tank registration requirements in Subchapter A (relating to general provisions).]

## GENERAL OPERATING REQUIREMENTS

### § 245.432. Operation and maintenance including corrosion protection.

(a) Owners and operators of [steel] metal underground storage tank systems with corrosion protection shall comply with the following requirements to ensure that releases due to corrosion are prevented [for as long as] until the underground storage tank system is [used] permanently closed or undergoes a change-in-service in accordance with § 245.452 (relating to permanent closure and changes-in-service). [to store regulated substances:]

(1) Corrosion protection systems shall be operated and maintained to continuously provide corrosion protection to the metal components of that portion of the tank and piping that routinely contain regulated substances.

(2) Underground storage tank systems equipped with cathodic protection systems shall be inspected for proper operation by a qualified cathodic protection tester in accordance with the following requirements:

(i) *Frequency.* Cathodic protection systems shall be tested within 6 months of installation and at least every 3 years thereafter.

(ii) *Inspection criteria.* The criteria that are used to determine that cathodic protection is adequate as required by this section shall be in accordance with a code of practice developed by a [Nationally-recognized] Nationally recognized association.

(iii) Documentation. Surveys of cathodic protection systems required under this Chapter shall be documented on a form provided by the Department and shall be provided to the Department upon request.

(3) Underground storage tank systems with impressed current cathodic protection systems shall be inspected or checked every 60 days to ensure the equipment is [running properly] functioning as designed. At a minimum, the operator or person conducting the 60-day check shall document the date checked, annotate the system's functioning status, and for systems equipped with a direct current readout meter, record the amount of current indicated on the meter.

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**(c) Underground storage tank systems and [Required equipment] storage tank system components, including but not limited to tanks, piping, line leak detectors, product sensors and probes, [dispenser pans], containment sumps, measuring devices (including gauge sticks), gauges, corrosion protection, spill prevention, overfill prevention and other appurtenances whose failure could contribute to a release of product, shall be maintained in a good state of repair to ensure they function as designed.**

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**(e) Lined tank systems that do not meet original design specifications or have not been evaluated as required in subsection (d)(1) and (2) shall be emptied, removed from service and permanently closed in accordance with § § 245.451 and 245.452 (relating to temporary [closure] removal from service; and permanent closure and changes-in-service).**

**(f) Primary and secondary containment structures, containment sumps, and spill prevention equipment must be maintained in a leak-free condition. If [infiltration] any liquid or [a release] regulated substance is detected [within the secondary containment], the liquid or regulated substance shall be immediately removed and the defective component, if applicable, shall be repaired in accordance with § 245.434 (relating to repairs allowed). Repairs, including those performed to stop infiltration, shall be tested in accordance with § 245.434(5)4).**

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#### **§ 245.433. Compatibility.**

**(a) Owners and operators shall use an underground storage tank system[, ] made of or lined with materials[, ] that [is] are compatible with the substance stored in the underground storage tank system. [Owners and operators storing alcohol blends may use the following codes to comply with the requirements of this section:**

**(1) American Petroleum Institute Publication 1626, “Storing and Handling Ethanol and Gasoline-Ethanol Blends at Distribution Terminals and Service Stations.”**

**(2) American Petroleum Institute Publication 1627, “Storage and Handling of Gasoline-Methanol/Cosolvent Blends at Distribution Terminals and Service Stations.”]**

**(b) An owner and operator of an underground storage tank storing alternative fuel blends or biodiesel or biodiesel blended fuel shall submit on a form provided by the Department information verifying compatibility of the underground storage tank system with the substance stored prior to storing the substance in the underground storage tank.**

**(c) Upon Department request, an owner and operator of an underground storage tank system shall demonstrate compatibility of the underground storage tank system with the substance stored by using one or more of the following:**

**(1) Certification or listing of the underground storage tank system equipment or component by a Nationally recognized, independent testing laboratory for use with the substance stored.**

**(2) Equipment or component manufacturer approval. The manufacturer's approval must be in writing, indicate an affirmative statement of compatibility, specify the range of alternative fuel blend or biodiesel blend with which the equipment or component is compatible, and be from the equipment or component manufacturer.**

**(3) Verification by a Pennsylvania-licensed professional engineer who has knowledge, experience, and training in materials science that the equipment or component is compatible with the substance stored. The Department may request documentation supporting the professional engineer's verification.**

**(4) Another option that is determined by the Department to be at least as protective of human health and the environment as those listed in paragraphs (1)—(3).**

#### **§ 245.434. Repairs allowed.**

Owners and operators of underground storage tank systems shall ensure that repairs will prevent releases due to structural failure or corrosion as long as the underground storage tank system is used to store regulated substances. The repairs must meet the following requirements:

(1) Repairs involving a tank handling activity shall be performed by or under the direct, onsite supervision and control of a certified installer.

(2) Repairs to underground storage tank systems shall be properly conducted in accordance with a code of practice developed by a [Nationally-recognized] Nationally recognized association or an independent testing laboratory.

**[(3) Repairs to fiberglass reinforced plastic tanks may be made by the manufacturer's authorized representatives, and shall be made in accordance with a code of practice developed by a Nationally-recognized association or an independent testing laboratory.]**

**[(4)3] Metal pipe sections and fittings that have released product as a result of corrosion or other damage shall be replaced. [Fiberglass] Non-corrodible pipes and fittings may be repaired; repairs shall be made in accordance with the manufacturer's specifications.**

**[(5)4] Repairs to secondary containment areas of tanks and piping, containment sumps, and spill prevention equipment must be tested for tightness according to the manufacturer's instructions, a code of practice developed by a Nationally recognized association, or independent testing laboratory prior to returning the underground storage tank system to operating status. All other repairs to [T]tanks, containment sumps, and piping [repaired in response to a release] shall be tightness tested in accordance with §§ 245.421(b)(4)(ii), 245.444([3]2) and 245.445(2) (relating to performance standards for underground storage tank systems; methods of release detection for tanks; and methods of release detection for piping), respectively, prior to placing the underground storage tank system back into service except as provided as follows:**

(i) The repaired tank is internally inspected in accordance with a code of practice developed by a [Nationally-recognized] Nationally recognized association or an independent testing laboratory.

**[(ii)]** The repaired portion of the underground storage tank system is monitored monthly for releases in accordance with a method specified in § 245.444(4)—(9).]

**[(iii)]** Another test method is used that is determined by the Department to be at least as protective of human health and the environment as **[those]** listed in subparagraph[s] (i)[ and (ii)].

**[(6)]** Within 6 months following the repair of a cathodically protected underground storage tank system, the cathodic protection system shall be tested in accordance with § 245.432(a)(2) and (3) (relating to operation and maintenance including corrosion protection) to ensure that it is operating properly.

**[(7)]** Underground storage tank system owners and operators shall maintain records of each repair, including those in response to a release, for the remaining operating life of the underground storage tank system.

#### **§ 245.435. Reporting and recordkeeping.**

(a) Owners and operators of underground storage tank systems shall maintain records as required by this chapter and provide such records, as requested, and cooperate fully with inspections, monitoring and testing conducted by the Department, certified installers or certified inspectors. [, as well as] Owners and operators shall provide records and cooperate fully in response to requests for document submission, testing and monitoring by the owner or operator under section 107(c) of the act (35 P. S. § 6021.107(c)]6201.107(c)).

(b) Owners and operators shall maintain required records either onsite at the **[underground]** storage tank facility or at a readily available alternative site. Records maintained at the **[underground]** storage tank facility shall be immediately available for inspection by the Department and certified inspectors. If records are maintained offsite, the records shall be easily obtained and provided for inspection or for review by the Department upon request.

**[(1)]**(c) *Reporting.* Owners and operators shall submit the following applicable information to the Department:

**[(i)]**(1) Notification in accordance with § 245.41 (relating to tank registration requirements) for underground storage tank systems, including change of ownership, closure of **[a] an underground storage** tank system, change of substance stored and change of tank status, and certification of installation for new underground storage tank systems (§ 245.421(c) (relating to performance standards for underground storage tank systems)).

**[(ii)]**(2) Reports of confirmed, **[reportable]** releases (§**[245.305(d)]** 245.305(c) (relating to reporting releases)).

**[(iii)]**(3) A site characterization report (§ 245.310 (relating to site characterization report)).

**[(iv)]**(4) Remedial action plans (§ 245.311 (relating to remedial action plan)), remedial action progress reports (§ 245.312 (relating to remedial action)) and remedial action completion reports § 245.313 (relating to remedial action completion report)).

[(v)](5) A notification before installation, permanent closure or change-in-service of a storage tank or storage tank system (§ 245.421(a)(2) and § 245.452(a) (relating to permanent closure and changes-in-service)).

[(vi)](6) In the case of permanent closure, closure records to the Department when requested.

[(2)](d) **Recordkeeping**[*Permanent recordkeeping*]. Owners and operators shall maintain **the following records** for [new] **underground storage tank** systems [and available records for existing systems] for the operational life of the [tank] system and retain the records for a minimum of 1 year after the **underground storage** tank system has been [removed] **permanently closed**[. **Permanent records include the following**]:

[(i)](1) A corrosion expert's analysis of site corrosion potential if corrosion protection equipment is not used (§ 245.421(b)(1)(iv) and (2)(iii) and § 245.422(b)(2)(iv) and (c)(3) (relating to upgrading of existing underground storage tank systems)).

[(ii)](2) The corrosion expert's design of an impressed current system or field-installed cathodic protection system or similar information that demonstrates compliance with § § 245.421(b)(2)(ii)(B) and 245.422(b)(2) and (c)(2).

[(iii)](3) Documentation of **underground storage** tank system installation, [system] modification and [tank] upgrade activities.

[(iv)](4) **Underground storage** [T]tank system assessment records prior to upgrading in accordance with § 245.422(b).

[(v)](5) Documentation of the installation testing and commissioning reports required for corrosion protection systems by manufacturers and National standards in accordance with § 245.432 (relating to operation and maintenance including corrosion protection).

[(vi)](6) Documentation of underground storage tank system repairs[, including those in response to a release (§ 245.434(6) (relating to repairs allowed))].

[(vii)](7) Tank lining evaluation reports (§ 245.432(d)).

[(viii)](8) Documentation showing Department approval for a variance or alternate leak detection method (§ § 245.404 and 245.443 (relating to variances; and requirements for hazardous substance underground storage tank systems)).

**(9) Documentation showing the owner or operator of an underground storage tank system is continuously participating in the USTIF.**

[(3) *Temporary recordkeeping.* Owners and operators shall retain current temporary records for a minimum of 1 year after the tank system has been removed. Temporary records shall be maintained as follows:

(i)](10) The current Storage Tank Registration/Permit Certificate.

**[(ii)](11)** Tank and **[pipe] piping** release detection records for the past 12 months, including written certifications or performance claims for the release detection[s] methods in use **[and documentation of investigations of suspected releases]** (§ [§ 245.304 and] 245.446 (relating to **[investigation of suspected releases; and]** release detection recordkeeping)).

**[(iii)](12)** The last annual check/testing, and maintenance records of leak detection equipment including probes, monitors, line leak detectors and automatic tank gauges that verify they are working properly and tested as required by the equipment manufacturers **and this Chapter**.

**[(iv)](13)** Documentation of the last three impressed current cathodic protection system inspection checks for each 60- day test period in accordance with § 245.432.

**[(v)](14)** The last two cathodic protection surveys, done at 3-year intervals, on impressed current and galvanic cathodic protection systems in accordance with § 245.432.

**[(vi)](15)** Results of the site investigation conducted at permanent closure or change-in-service (§ 245.455 (relating to closure records)).

**[(vii)](16)** A properly completed closure report required under § 245.452(f).

**[(viii)](17)** Documentation of the last test that demonstrates each containment sump, **[dispenser pan]** and spill **[containment bucket] prevention equipment** installed or repaired after November 10, 2007, were tested and verified to be liquid-tight in accordance with § § 245.421(b)(4) and 245.434(5).

**[(ix)](18)** Documentation of operator training, including verification of training for current Class A, Class B and Class C operators, current list of operators and written instructions or procedures for Class C operators in accordance with § 245.436 (relating to operator training).

**(19) For owners and operators conducting periodic testing of containment sumps and spill prevention equipment and evaluations of overfill prevention under § 245.437 (relating to periodic testing), documentation of the last test for the containment sump and spill prevention equipment and evaluation of the overfill prevention equipment.**

**(20) For owners and operators conducting periodic testing of containment sumps and spill prevention equipment under § 245.437(a)(1)(i), documentation showing that the equipment is double-walled and the integrity of both walls is periodically monitored in accordance with § 245.438(a)(1)(i) (relating to periodic operation and maintenance walkthrough inspections) for as long as the equipment is monitored by walkthrough inspection.**

**(21) Records of walkthrough inspections as required in § 245.438 for the past 12 months. Records must include a list of each area checked, whether each area checked was acceptable or needed action taken, a description of actions taken to correct an issue, and delivery records if spill prevention equipment is checked less frequently than every 30 days due to infrequent deliveries.**

**(22) Documentation of investigations of suspected releases in accordance with § 245.304 (relating to investigation of suspected releases).**

**§ 245.436. Operator training.**

*(a) Requirement for trained operators.*

(1) An owner shall designate Class A, Class B and Class C operators for each underground storage tank system or storage tank facility that has underground storage tanks permitted to operate by the Department.

(2) A storage tank facility may not operate [after August 8, 2012,] unless operators have been designated and trained as required in this section, unless otherwise agreed upon by the Department.

(3) Trained operators shall be readily available to respond to suspected/confirmed releases, other unusual operating conditions and equipment shut-offs or failures.

(i) The Class A or Class B operator shall be available for immediate telephone consultation when a storage tank facility is in operation. A Class A or Class B operator must be able to be onsite at the storage tank facility within 24 hours.

(ii) Storage tank facilities [Facilities] that dispense motor fuel for retail sales to the general public shall be manned by an onsite Class C operator when open for business with the public in accordance with 3[7]4 Pa. Code §§ 1[3]4a.115 and 1[3]4a.117 (relating to attended self-service stations; and supervision of dispensing). During an unexpected absence of a Class C operator, such as employee no-shows or call-offs, an onsite Class A or Class B operator may fill-in or temporarily substitute for the Class C operator. Storage tank facilities [Facilities] that do not dispense motor fuel to the general public may be manned based on the facility owner's requirements and routine operational needs. Emergency contact information and written instructions and procedures in the event of an emergency must be immediately available upon request.

(iii) For [unmanned] storage tank facilities that do not dispense motor fuel for retail sales to the general public, a Class C operator shall be available for immediate telephone consultation and shall be able to be onsite within 2 hours of being contacted. Emergency contact information and written instructions and procedures in the event of an emergency shall be prominently displayed at the site and visible to the storage tank user. [Emergency procedures for users of unmanned facilities shall also be prominently posted at the site.]

**[(4) Designated operators shall successfully complete required training under subsection (c) by August 8, 2012.]**

**[(5)4] A person may be designated for more than one class of operator.**

*(b) Operator classes.*

(1) *Class A operator.* A Class A operator has primary responsibility to operate and maintain the underground storage tank system and facility. The Class A operator's responsibilities typically include managing resources and personnel, such as establishing work assignments, to achieve and maintain compliance with regulatory requirements. In general, this person focuses on the

broader aspects of the statutory and regulatory requirements and standards necessary to properly operate and maintain the underground storage tank system and facility.

(i) A Class A operator assists the owner by ensuring that underground **storage** tank systems are properly installed and expeditiously repaired, and records of system installation, modification and repair are retained and made available to the Department and certified IUM inspectors.

(ii) A Class A operator shall be familiar with training requirements for each class of operator and may provide required training for Class C operators.

(iii) A Class A operator may prepare site drawings that indicate equipment locations for Class C operators and routine maintenance checklists for Class B operators. [(See PEI RP 900—**“Recommended Practices for the Inspection and Maintenance of UST Systems.”**)]

(iv) Department-certified [**companies,**] installers and inspectors with current underground storage tank UMX, **UML**, or IUM certification categories may perform Class A operator duties when employed or contracted by the tank owner to perform these functions.

(A) Department-certified installers[,] **and** inspectors [**and companies**] identified in this subparagraph are excluded from required training under subsection (c), unless required by the Department to successfully complete mandatory operator training under § 245.411(d) (relating to inspection frequency).

(B) A certified IUM inspector may not perform [**a**]an [**facility operation**] inspection **as required in § 245.411** for a facility where the inspector is also the designated Class A operator. (See § 245.106 (relating to conflict of interest).)

(2) *Class B operator.* A Class B operator implements applicable underground storage tank regulatory requirements and standards in the field or at the storage tank facility. This person oversees and implements the day-to-day aspects of operations, maintenance and recordkeeping for the underground storage tank[s] **systems** at one or more facilities. For example, the **Class B** operator ensures that release detection methods, release prevention equipment and related recordkeeping and reporting requirements are met, relevant equipment manufacturer’s or third-party performance standards are available and followed, and appropriate persons are trained to properly respond to potential emergencies caused by releases or spills from underground storage tank systems at the facility.

(i) A Class B operator checks spill **and overfill** prevention [**and overfill control**] equipment and corrosion protection equipment to ensure that they are functioning properly and that any required system tests are performed at required intervals.

(ii) A Class B operator assists the owner by ensuring that release detection equipment is operational, release detection is performed at the proper intervals and release detection records are retained and made available to the Department and certified IUM inspectors.

(iii) A Class B operator shall be totally familiar with Class B and Class C operator responsibilities, and may provide required training for Class C operators.

(iv) Department-certified **[companies,]** installers and inspectors with current underground storage tank **UMX, UMI,** or IUM certification categories may perform Class B operator duties when employed or contracted by the tank owner to perform these functions.

(A) Department-certified installers~~[,]~~ **and** inspectors **[and companies]** identified in this subparagraph are excluded from required training under subsection (c), unless required by the Department to successfully complete mandatory operator training under § 245.411(d).

(B) A certified IUM inspector may not perform **[a]an [facility operation]** inspection **as required in § 245.411** for a facility where the inspector is also the designated Class B operator. (See § 245.106.)

(3) *Class C operator.* A Class C operator is the first line of response to events indicating emergency conditions~~.]~~ **and may control or monitor the dispensing or sale of regulated substances.** This person is responsible for responding to alarms or other indications of emergencies caused by spills or releases from underground storage tank systems and **associated** equipment failures. The Class C operator shall notify the Class A or Class B operator and appropriate emergency responders when necessary, based on the nature or type of emergency.

**[(i) A Class C operator may control or monitor the dispensing or sale of regulated substances.**

**(ii) After June 28, 2010, written instructions or procedures shall be provided and visible at manned storage tank facilities, and be readily available for unmanned facilities for persons performing duties of the Class C operator to follow and to provide notification necessary in the event of emergency conditions.**

**(iii) There may be more than one Class C operator at a storage tank facility, but not all employees of a facility are necessarily Class C operators.]**

*(c) Required training.*

(1) *Class A operators.* A Class A operator shall successfully complete a training course approved under § 245.141 (relating to training approval) **[or recognized by the Department under paragraph (5)]** that includes a general knowledge of underground storage tank system requirements. Training must provide information that should enable the operator to make informed decisions regarding compliance and to ensure that appropriate persons are fulfilling operation, maintenance and recordkeeping requirements and standards of this chapter or Federal underground storage tank requirements in 40 CFR Part 280 (relating to technical standards and corrective action requirements for owners and operators of underground storage tanks (UST)), or both, including the following:

(i) Spill and overfill prevention.

(ii) Release detection and related reporting requirements.

(iii) Corrosion protection.

- (iv) Emergency response.
- (v) Product and equipment compatibility.
- (vi) Financial responsibility.
- (vii) Notification and storage tank registration requirements.
- (viii) Temporary and permanent closure requirements.
- (ix) Operator training requirements.

(2) *Class B operators.* A Class B operator shall successfully complete a training course approved under § 245.141 [or recognized by the Department under paragraph (5)] that includes an in-depth understanding of operation and maintenance aspects of underground storage tank systems and related regulatory requirements. Training must provide specific information on the components of underground storage tank systems, materials of construction, methods of release detection and release prevention applied to underground storage tank systems and components. Training must address operation and maintenance requirements of this chapter or Federal underground storage tank requirements in 40 CFR Part 280, or both, including the following:

- (i) Spill and overfill prevention.
- (ii) Release detection and related reporting requirements.
- (iii) Corrosion protection and related testing.
- (iv) Emergency response.
- (v) Product and equipment compatibility.
- (vi) Reporting and recordkeeping requirements.
- (vii) Class C operator training requirements.

(3) *Class C operators.* At a minimum, training provided by the tank owner or Class A or Class B operator must **be site-specific and** enable the Class C operator to take action in response to emergencies, such as situations posing an immediate danger or threat to the public or to the environment and that require immediate action, caused by spills or releases and alarms from an underground storage tank system. Training must include written instructions or procedures for the Class C operator to follow and to provide notification necessary in the event of emergency conditions.

(4) *Class A and Class B operators.* Successful completion for Class A and Class B operators means attendance for the entire training course and demonstration of knowledge of the course material as follows:

- (i) Receipt of a passing grade under § 245.141(b)(4), on an examination of material presented in the training course, or demonstration through practical (hands-on) application to the trainer,

operation and maintenance checks of underground storage tank equipment, including performance of release detection at the **[underground]** storage tank facility, at the conclusion of onsite training.

(ii) Receipt of a training certificate by an approved trainer upon verification of successful completion of training under this paragraph.

**[(5) *Reciprocity.* The Department may also recognize successful completion of Class A and Class B operator training on regulatory standards consistent with 40 CFR Part 280, which is recognized by other states or implementing agencies and which is approved by the EPA as meeting operator training grant guidelines published by the EPA.]**

**[(6)] (5) *Costs of training.* The tank owner or operator shall incur the costs of the training.**

**(d) *Timing of training.***

**(1) An owner shall ensure that Class A, Class B and Class C operators are trained [as soon as practicable after December 26, 2009, contingent upon availability of approved training providers, but by August 8, 2012.]and identified on a form provided by the Department prior to placing the underground storage tank system into use.**

**(2) When a Class A or Class B operator is replaced[, after August 8, 2012], a new operator shall be trained within 30 days of assuming duties for that class of operator.**

**(3) Class C operators shall be trained before assuming duties of a Class C operator. [After June 28, 2010,] [w]Written instructions or procedures shall be provided to Class C operators to follow and to provide notification necessary in the event of emergency conditions. Class C operators shall be briefed on these instructions or procedures at least annually (every 12 months), which may be concurrent with annual safety training required by the Occupational Safety and Health Administration, under 29 CFR Part 1910 (relating to Occupational Safety and Health Standards).**

**(e) *Documentation.***

**(1) The owner of [an **underground**] a storage tank facility shall prepare a list of designated operators. The list must represent the current Class A, Class B and Class C operators for the **[underground]** storage tank facility and include:**

**(i) The name of each operator, class of operation trained for and the date each operator successfully completed initial training and refresher training, if any.**

**(ii) For Class A and Class B operators that are not permanently onsite or assigned to more than one facility, telephone numbers to contact the operators.**

**(2) A copy of the certificates of training for Class A and Class B operators shall be on file and readily available and a copy of the facility list of Class A, Class B and Class C operators and Class C operator instructions or procedures shall be kept onsite and immediately available for **[manned] storage tank facilities that dispense motor fuel for retail sales to the general public. Storage tank facilities that do not dispense motor fuel for retail sales to the general****

**public shall have this information [and] readily available [for unmanned facilities]. (See § 245.435(b)(3)(ix) (relating to reporting and recordkeeping).)**

**(3) Class C operator or owner contact information, including names and telephone numbers, and emergency procedures, shall be conspicuously posted at storage tank facilities that do not dispense motor fuel for retail sales to the general public [unmanned facilities].**

**§ 245.437 Periodic testing.**

**(a) Owners and operators of underground storage tank systems shall ensure installed equipment for release detection and prevention is operating properly by meeting the following requirements:**

**(1) Containment sumps used for interstitial monitoring of piping in accordance with § 245.444(6) (relating to interstitial monitoring) and spill prevention equipment shall meet one of the following:**

**(i) When the containment sump or spill prevention equipment is double-walled, the integrity of both walls must be periodically monitored by maintenance walkthrough inspections as required by § 245.438 (relating to periodic operation and maintenance walkthrough inspections). If walkthrough inspections are discontinued, the owner and operator shall comply with subparagraph (ii) and conduct a test within 30 days of the last inspection.**

**(ii) Containment sumps and spill prevention equipment must be tested at least once every three years to ensure the equipment is liquid-tight by using vacuum, pressure, or liquid.**

**(2) Overfill prevention equipment must be evaluated at least once every three years. At a minimum, the evaluation must ensure that overfill prevention equipment is set to activate at the correct level specified in § 245.421(b)(3) (relating to performance standards for underground storage tank systems) and will activate when the regulated substance stored reaches that level.**

**(3) Electronic and mechanical components of release detection equipment must be tested for proper operation at least annually. At a minimum, required tests, as applicable to the facility, must cover the following components and criteria:**

**(i) Automatic tank gauges and other controllers must be tested by:**

**(A) Testing alarm.**

**(B) Verifying system configuration.**

**(C) Testing battery backup.**

**(ii) Probes and sensors must be tested:**

**(A) Inspecting for residual buildup.**

**(B) Ensuring that floats move freely.**

**(C) Ensuring the shaft is not damaged.**

**(D) Ensuring cables are free of kinks and breaks.**

**(E) Testing alarm operability or running condition and communication with controller.**

**(iii) Automatic line leak detectors must be tested to meet criteria in § 245.445 (relating to methods of leak detection for piping) by simulating a leak.**

**(iv) Vacuum pumps and pressure gauges must be tested to ensure proper communication with sensors and controller.**

**(v) Handheld electronic sampling equipment associated with groundwater and vapor monitoring must be tested to ensure proper operation.**

**(b) Owners and operators of underground storage tank systems shall ensure tests and evaluations required by this section are performed in accordance with one of the following criteria:**

**(1) Requirements developed by the manufacturer.**

**(2) Code of practice developed by a Nationally recognized association or independent testing laboratory.**

**(3) Requirements determined by the Department to be no less protective of human health and the environment than the requirements listed in paragraphs (1) and (2) of this subsection.**

**(c) Owners and operators shall comply with the periodic testing requirements of this section as follows:**

**(1) For underground storage tank systems installed on or before \_\_\_\_\_ (Editor's Note: The blank refers to the effective date of the final-form regulations.), owners and operators shall ensure tests and inspections as required by this section are performed prior to the next required underground storage tank inspection occurring after \_\_\_\_\_ (Editor's Note: The blank refers to one year after the effective date the final-form regulations.), or not later than \_\_\_\_\_ (Editor's Note: The blank refers to three years after the effective date of the final-form regulations.), whichever occurs first.**

**(2) For underground storage tank systems installed after \_\_\_\_\_ (Editor's Note: The blank refers to the effective date of the final-form regulations.), these requirements apply at installation.**

**(d) Test liquids used to perform tests as required in this chapter shall be reused, treated or disposed in accordance with applicable requirements in Chapter 91 (relating to water resources general provisions), Chapter 92a (relating to national pollutant discharge**

elimination system permitting, monitoring and compliance), Chapters 260—270a (relating to hazardous waste management), and Chapters 287—299 (relating to residual waste management).

**§ 245.438 Periodic operation and maintenance walkthrough inspections.**

**(a) To properly operate and maintain spill prevention and release detection equipment part of underground storage tank systems, not later than \_\_\_\_\_ (Editor's Note: The blank refers to one year after the effective date of the final-form regulation.), owners and operators shall conduct walkthrough inspections at a minimum of every 30 days, with the exception of spill prevention equipment at underground storage tank systems receiving deliveries at intervals greater than every 30 days, which may be checked prior to each delivery. The walkthrough inspection must include, at a minimum, the following:**

**(1) For spill prevention equipment:**

**(i) Visually check for damage.**

**(ii) Remove liquid or debris.**

**(iii) Check for and remove obstructions in the fill pipe.**

**(iv) Check the fill cap to make sure it is securely on the fill pipe.**

**(v) For double-walled spill prevention equipment with interstitial monitoring, check for a leak in the interstitial area.**

**(2) For release detection equipment:**

**(i) Check to make sure the release detection equipment is operating with no alarms or other unusual operating conditions present.**

**(ii) Ensure records of release detection testing are reviewed and current.**

**(b) To properly operate and maintain containment sumps and handheld release detection equipment part of underground storage tank systems, not later than \_\_\_\_\_ (Editor's Note: The blank refers to one year after the effective date of the final-form regulation.), owners and operators shall conduct walkthrough inspections at a minimum of every 12 months that include, at a minimum, the following:**

**(1) For containment sumps:**

**(i) Visually check for damage and the presence of liquid or debris.**

**(ii) Remove liquid or debris.**

**(iii) For double-walled sumps with interstitial monitoring, check for a leak in the interstitial area.**

**(2) For handheld release detection equipment:**

**(i) Check devices such as tank gauge sticks or groundwater bailers for operability and serviceability.**

**(c) Owners and operators of underground storage tank systems shall ensure operation and maintenance walkthrough inspections required by this section are performed in accordance with one of the following criteria, unless the Department determines that a more stringent requirement is necessary to avoid releases of regulated substances from underground storage tank systems:**

**(1) Requirements developed by the manufacturer.**

**(2) Code of practice developed by a Nationally recognized association or independent testing laboratory.**

**(3) Requirements determined by the Department to be no less protective of human health and the environment than the requirements listed in paragraphs (1) and (2) of this subsection.**

## RELEASE DETECTION

### § 245.441. General requirements for underground storage tank systems.

(a) Owners and operators of new and existing underground storage tank systems shall provide a method, or combination of methods, of release detection that:

(1) Can detect a release from any portion of the tank and the connected underground piping that routinely contains product.

(2) Is installed, calibrated, operated and maintained in accordance with the manufacturer's instructions, including routine maintenance and service checks for operability or running condition.

(3) Meets the performance requirements in § 245.444 or § 245.445 (relating to methods of release detection for tanks; and methods of release detection for piping), with any performance claims and their manner of determination described in writing by the equipment manufacturer or installer. In addition, methods [used after the date shown] listed in [the following table corresponding with the specified method except for methods permanently installed prior to that date,] §§ 245.444 and 245.445 shall be capable of detecting the leak rate or quantity specified for that method in the corresponding section of this subchapter[, also shown in the table,] with a probability of detection (Pd) of 0.95 and a probability of false alarm (Pfa) of 0.05.

		<i>[Date After Which Pd/Pfa</i>
<i>Method</i>	<i>Section</i>	<i>Must be Characterized</i>
<b>Manual Tank Gauging</b>	<b>245.444(2)</b>	<b>December 22, 1990</b>
<b>Tank Tightness Testing</b>	<b>245.444(3)</b>	<b>December 22, 1990</b>
<b>Automatic Tank Gauging</b>	<b>245.444(4)</b>	<b>December 22, 1990</b>
<b>Statistical Inventory Reconciliation</b>	<b>245.444(8)</b>	<b>December 22, 1990</b>
<b>Automatic Line Leak Detectors</b>	<b>245.445(1)</b>	<b>September 22, 1991</b>
<b>Line Tightness Testing</b>	<b>245.445(2)</b>	<b>December 22, 1990]</b>

(i) Test method performance claims shall be verified by an independent third party using leak rates that are unknown to the tester.

(ii) When the EPA evaluation protocol for a method changes, the manufacturer shall reevaluate the method within 24 months of the new protocol's effective date for its continued use in this Commonwealth.

(b) When a release detection method operated in accordance with the performance standards in § 245.444 and § 245.445 indicates a release may have occurred, owners and operators shall investigate the suspected release in accordance with Subchapter D (relating to corrective action process for owners and operators of storage tanks and storage tank facilities and other responsible parties).

(c) Owners and operators of underground storage tank systems shall comply with the release detection requirements of this subchapter.

(d) An existing tank system that cannot apply a method of release detection that complies with this subchapter must immediately empty the tank and complete the closure procedures in § 245.451—245.455 (relating to out-of-service underground storage tank systems and closure).

**[(e) For existing tank systems equipped with double-walled pressurized piping that routinely contains regulated substance, and containment sumps at the piping junctures and dispensers, the containment sumps and dispenser pan sumps of these systems shall be monitored monthly beginning November 10, 2009, and monthly monitoring records maintained for the last 12 months of monitoring. Monitoring shall be accomplished by one of the following methods:**

**(1) Monthly visual check of the sumps.**

**(2) Interstitial monitoring under § 245.444(7) (relating to methods of release detection for tanks) (also see secondary containment—liquid sump sensors in PEI RP 100).]**

**§ 245.442. Periodic monitoring requirements [Requirements] for petroleum underground storage tank systems.**

**(a) Owners and operators of underground storage tank systems that store petroleum installed after November 10, 2007, and underground piping installed after November 10, 2007 that routinely contains regulated substances shall perform interstitial monitoring in accordance with § 245.444(6)[,] at least once every 30 days[, in accordance with § 245.444(7) (relating to methods of release detection for tanks) of both the tank and underground piping that routinely contains a product (regulated substance).] Underground piping installed after November 10, 2007, that conveys regulated substances under pressure [In addition, pressurized piping for these systems] must be equipped and operated with an automatic line leak detector with an automatic pump shut off device in accordance with § 245.445(1) (relating to methods of release detection for piping). Release detection is not required for suction piping that meets the requirements of subsection (b)(2)(ii)(A-E).**

**(b) Owners and operators of petroleum underground storage tank systems installed on or before November 10, 2007, shall provide release detection for tanks and piping as follows:**

**(1) Tanks.** Tanks shall be monitored at least every 30 days for releases using one of the methods listed in § 245.444([4]1)—([9]8); [except that:

**(i) Underground storage tank systems that meet the performance standards in § 245.421 (relating to performance standards for underground storage tank systems), may use monthly inventory control requirements in § 245.444(1) or (2), and tank tightness testing (conducted in accordance with § 245.444(3)) until 10 years after the tank was first installed or upgraded under § 245.422(b), but not later than December 22, 2008.**

**(ii) Underground storage tank systems with a capacity of 1,001 to 2,000 gallons may use manual tank gauging, conducted in accordance with § 245.444(2) and a tank tightness test at least every 5 years until November 10, 2017.**

**(iii) Tanks with a capacity of 550 gallons or less may use manual tank gauging, conducted in accordance with § 245.444(2) as long as they continue to meet requirements of this subchapter.**

**(iv) Tanks with a capacity of 551 to 1,000 gallons using the longer test times specified may use manual tank gauging, conducted in accordance with § 245.444(2) as long as they continue to meet requirements of this subchapter.]**

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**§ 245.443. Requirements for hazardous substance underground storage tank systems.**

Owners and operators of hazardous substance underground storage tank systems shall provide release detection that meets the following requirements:

(1) [Release detection at existing underground storage tank systems shall meet the requirements for petroleum underground storage tank systems in § 245.442 (relating to requirements for petroleum underground storage tank systems). By December 22, 1998, all existing hazardous substance underground storage tank systems shall meet the release detection requirements for new systems in paragraph (2).] Hazardous substance underground storage tank systems installed after November 10, 2007, shall perform interstitial monitoring in accordance with § 245.444(6) (relating to methods of release detection for tanks).

(2) Release detection at [new] hazardous substance underground storage tank systems installed on or before November 10, 2007, shall meet the following requirements:

[(i)](a) Secondary containment systems.

[(A)](1) Secondary containment systems shall be designed, constructed and installed to:

[(I)](i) Contain regulated substances released from the tank system until they are detected and removed.

[(II)](ii) Prevent the release of regulated substances to the environment at any time during the operational life of the underground storage tank system.

[(III)](iii) Be checked for evidence of a release at least every 30 days.

[(B)](2) The provisions of 40 CFR § 264.193 (relating to containment and detection of releases [secondary containment]) may be used to comply with the requirements of this paragraph.

[(ii)](b) Double walled tanks shall be designed, constructed and installed to:

[(A)](1) Contain a release from any portion of the inner tank within the outer wall.

[(B)](2) Detect the failure of the inner wall.

[(iii)](c) External liners, including vaults, shall be designed, constructed and installed to:

[(A)](1) Contain 100% of the capacity of the largest tank within its boundary.

[(B)](2) Prevent the interference of precipitation or ground- water intrusion with the ability to contain or detect a release of regulated substances.

**[(C)](3)** Surround the tank completely making it capable of preventing lateral as well as vertical migration of regulated substances.

**[(iv)](d)** Underground piping shall be equipped with secondary containment that satisfies the requirements of subparagraph (i) for example, trench liners, jacketing or double-walled pipe. In addition, underground piping that conveys regulated substances under pressure shall be equipped with an automatic line leak detector in accordance with § 245.445(1) (relating to methods of release detection for piping).

**[(v)](e)** Other methods of release detection may be used if owners and operators:

**[(A)](1)** Demonstrate to the Department that an alternate method can detect a release of the stored substance as effectively as any of the methods allowed in § 245.444(2)—(9) (relating to methods of release detection for tanks) can detect a release of petroleum.

**[(B)](2)** Provide information to the Department on effective corrective action technologies, health risks and chemical and physical properties of the stored substance, and the characteristics of the underground storage tank site.

**[(C)](3)** Obtain approval from the Department to use the alternate release detection method before the installation and operation of the new underground storage tank system.

#### **§ 245.444. Methods of release detection for tanks.**

Each method of release detection for tanks used to meet the requirements of §§ 245.441 and 245.442 (relating to general requirements for underground storage tank systems and periodic monitoring requirements for petroleum underground storage tank systems) shall be conducted in accordance with the following:

**[(1) *Inventory control.* Product inventory control, or another test of equivalent performance, shall be conducted monthly to detect a release of at least 1.0% of flow-through plus 130 gallons on a monthly basis in the following manner:**

**(i) Inventory volume measurements for regulated substance inputs, withdrawals and the amount still remaining in the tank are recorded each operating day.**

**(ii) The equipment used is capable of measuring the level of product over the full range of the tank's height to the nearest 1/8 of an inch.**

**(iii) The regulated substance inputs are reconciled with delivery receipts by measurement of the tank inventory volume before and after delivery.**

**(iv) Deliveries are made through a drop tube that extends to within 1 foot of the tank bottom.**

(v) Product dispensing is metered and recorded within an accuracy of at least 6 cubic inches for every 5 gallons of product withdrawn.

(vi) Dispenser meters shall be calibrated.

(vii) The measurement of any water level in the bottom of the tank is made to the nearest 1/8 of an inch at least once a month.]

[(2)] (1) *Manual tank gauging.* Manual tank gauging shall meet the following requirements:

(i) Tank liquid level measurements are taken at the beginning and ending of a period of at least 36 hours during which no liquid is added to or removed from the tank.

(ii) Level measurements are based on an average of two consecutive stick readings at both the beginning and ending of the period.

(iii) The equipment used is capable of measuring the level of product over the full range of the tank's height to the nearest 1/8 of an inch.

(iv) A leak is suspected and subject to Subchapter D (relating to corrective action process for owners and operators of storage tanks and storage tank facilities and other responsible parties) if the variation between beginning and ending measurements exceeds the weekly or monthly standards in the following table:

			<i>Monthly</i>	
	<i>Minimum</i>	<i>Weekly</i>	<i>Standard</i>	<i>Periodic</i>
<i>Nominal Tank</i>	<i>Duration</i>	<i>Standard</i>	<i>(average of)</i>	<i>Tightness</i>
<i>Capacity</i>	<i>of Test</i>	<i>(one test)</i>	<i>four tests</i>	<i>Test Required</i>
550 gallons or less	36 hours	10 gallons	5 gallons	No
551—1,000 gallons: 64" diameter tank	44 hours	9 gallons	4 gallons	No
551—1,000 gallons: 48" diameter tank	58 hours	12 gallons	6 gallons	No
551—1,000 gallons	36 hours	13 gallons	7 gallons	Yes
[1,001—2,000 gallons	36 hours	26 gallons	13 gallons	Yes]

(v) [Only tanks of 550 gallons or less nominal capacity may use this as the sole method of release detection. Tanks of 551 to 2,000 gallons may use the method in place of manual inventory control in paragraph (1). Tanks of greater than 2,000 gallons nominal capacity may not use this method to meet the requirements of this section.] Owners and operators of underground storage tanks of greater than 1,000 gallons nominal capacity may not use this method to meet the requirements of this section.

[(3)] (2) *Tank tightness testing.* Tank tightness testing, or another test of equivalent performance, must be capable of detecting a 0.1 gallon per hour leak rate from any portion of the tank that routinely contains product while accounting for the effects of thermal expansion or contraction of the product, vapor pockets, tank deformation, evaporation or condensation, and the location of the water table.

[(4)] (3) *Automatic tank gauging.* Equipment for automatic tank gauging that tests for the loss of product and conducts inventory control must meet one of the following requirements:

(i) The automatic product level monitor test can detect a 0.2 gallon per hour leak rate from any portion of the tank that routinely contains product.

(ii) [For tank gauges installed prior to December 22, 1990, that do not meet the requirements of subparagraph (i), inventory control, or another test of equivalent performance, shall also be conducted in accordance with paragraph (1).] Tank gauges shall [be replaced or] be certified by an independent third party verifying the gauge's ability to detect the leak rate in subparagraph (i) following EPA evaluation protocol [by November 10, 2008].

[(5)] (4) *Vapor monitoring.* Testing or monitoring for vapors within the soil gas of the excavation zone must meet the following requirements:

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[(6)] (5) *Groundwater monitoring.* Testing or monitoring for liquids on the groundwater must meet the following requirements:

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[(7)] (6) *Interstitial monitoring.* Interstitial monitoring between the underground storage tank system and a secondary barrier immediately around or beneath it may be used, but only if the system is designed, constructed and installed to detect a leak from any portion of the tank that routinely contains product and also meets one of the following requirements:

(i) For double-walled underground storage tank systems, the sampling or testing method can detect a release through the inner wall in any portion of the tank that routinely contains product.

(ii) For underground storage tank systems with a secondary barrier within the excavation zone, the sampling or testing method used can detect a release between the underground storage tank system and the secondary barrier.

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(F) Monitoring wells are clearly marked and secured to avoid unauthorized access and tampering in accordance with § 245.432[(5)](b).

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[(8)] (7) *Statistical Inventory Reconciliation (SIR)*. SIR shall meet the performance standards of paragraph [(9)(i)](8)(i) for monthly monitoring.

(i) The owner or operator shall follow the instructions of the SIR manufacturer's protocol.

(ii) A separate report for each tank monitored shall be maintained by the owner[/] or operator in accordance with § 245.446(2) (relating to release detection recordkeeping). Each report shall meet the following requirements:

**[(A) Owners and operators shall have reports available within 20 days of the end of the monitored period.]**

[(B)](A) A valid report shall include the calculated leak rate, positive for out of tank and negative for into tank, minimum detectable leak rate (MDL), leak detection threshold, probability of detection (Pd) and probability of false alarm (Pfa) which the supplied data supports.

[(C)](B) A valid report shall also include one of the following test results:

(I) If the calculated leak rate, absolute value, is less than the leak threshold and the MDL is less than or equal to the certified performance standard [(paragraph (3), paragraph (9)(i) or § 245.445(2) (relating to methods of release detection for piping))], the test result is "pass."

(II) If the calculated leak rate, absolute value, is greater than the leak threshold, the test result is "fail."

(III) If the MDL exceeds the certified performance standard and the calculated leak rate is less than the leak threshold, the test result is "inconclusive." An inconclusive result is considered a suspected leak and shall be investigated in accordance with § 245.304 (relating to investigation of suspected releases).

[(9)](8) *Other methods*. Other types of release detection methods, or a combination of methods, may be used if the owner or operator can demonstrate to the Department that one of the following exists:

(i) It can detect a 0.2 gallon per hour leak rate or a release of 150 gallons within a month with a probability of detection of 0.95 and a probability of false alarm of 0.05.

(ii) It can detect a release as effectively as any of the methods allowed in paragraphs [(3)](2) — [(8)](7). In comparing methods, the Department will consider the size of release that the method can detect and the frequency and reliability with which it can be detected. If the method is

approved, the owner and operator shall comply with conditions imposed by the Department on its use to ensure the protection of human health and the environment.

**§ 245.445. Methods of release detection for piping.**

Each method of release detection for piping used to meet the requirements of § 245.442 (relating to requirements for petroleum underground storage tank systems) shall be conducted in accordance with the following:

(1) *Automatic line leak detectors.* Methods which alert the operator to the presence of a leak by restricting or automatically shutting off the flow of regulated substances through piping or triggering an audible or visual alarm may be used only if they detect leaks of 3 gallons\_per\_hour at 10 pounds per square inch line pressure within 1 hour. An annual test of the operation of the **automatic line** leak detector shall be conducted in accordance with the manufacturer's requirements.

**(i) Except as provided in subparagraph (ii), [U]underground storage tank systems installed or replaced after November 10, 2007, must have automatic line leak detectors with an automatic pump shut-off device that shuts off the flow of regulated substances through pressurized piping that routinely contains and conveys product from the tank (See § 245.421(a)(1) (relating to performance standards for underground storage tank systems)).**

**(ii) Owners and operators of underground storage tank systems that store fuel solely for use by emergency power generators shall install methods that trigger an audible or visual alarm to meet the requirements of this subsection.**

**(iii) Except as provided in subparagraph (ii), pressurized piping installed on or before November 10, 2007 that conveys regulated substances must be equipped with a method that restricts or automatically shuts off the flow of regulated substances and meets the requirements of this section if the storage tank facility is unattended while open for business.**

(2) *Line tightness testing.* A periodic test of piping may be conducted only if it can detect a 0.1 gallon per hour leak rate at 1 1/2 times the operating pressure.

(3) *Applicable tank methods.* The methods in § 245.444~~[(5)](4)~~ —~~[(9)](8)~~ (relating to methods of release detection for tanks) may be used if they are designed to detect a release from any portion of the underground piping that routinely contains regulated substances.

**OUT-OF-SERVICE UNDERGROUND STORAGE TANK SYSTEMS AND CLOSURE**

**§ 245.451. Temporary [closure] removal from service (out-of-service).**

(a) When an underground storage tank system is temporarily **[closed] removed from service** (out-of-service), the owner shall complete and submit an amended registration form to the Department within 30 days in accordance with § 245.41 (tank registration requirements).

(b) Owners and operators shall continue operation and maintenance of corrosion protection in accordance with § 245.432 (relating to operation and maintenance including corrosion protection), while the tank is temporarily out-of-service[, **and release detection in accordance with § § 245.441—245.446 (relating to release detection) until the tank is empty**]. Records shall continue to be kept in accordance with § 245.435 (relating to reporting and recordkeeping).

(c) Owners and operators shall empty a tank being placed temporarily out-of-service **[within 30 days or]** prior to submission of the registration form to the Department[, **whichever occurs first,**] unless directed otherwise by the Department. Removed contents shall be reused, treated or disposed of in accordance with State and Federal requirements, such as Chapter 299 (relating to storage and transportation of residual waste) and 29 CFR 1910 (relating to occupational safety and health standards). Release detection is not required as long as the underground storage tank system is empty. The underground storage tank system is empty when all materials have been removed using commonly employed practices so that no more than 2.5 centimeters (1 inch) of residue, or 0.3% by weight of the total capacity of the underground storage tank system, remain in the system. Owners and operators shall maintain release detection records required under § 245.446(2) (relating to release detection recordkeeping) for the most recent 12-month period of active operation.

(d) Subchapter D (relating to corrective action process for owners and operators of storage tanks and storage tank facilities and other responsible parties) shall be complied with if a release is suspected or confirmed.

(e) **[Routine facility inspection] Inspection** requirements at 3-year intervals in § 245.411(c) (relating to inspection frequency) **[may be delayed for a storage tank facility with all tank systems temporarily closed, unless notified otherwise by the Department under § 245.21(c) and (d) (relating to tank handling and inspection requirements). A delayed inspection]** shall be performed on **[a] an underground** storage tank system **[or facility]** in temporary **out-of-service status**. **[closure when returning the tank system to operating status.]**

(f) When an underground storage tank system is temporarily **[closed] removed from service** for 3 months or more, owners and operators shall also comply with the following requirements:

(1) Vent lines shall be open and functioning.

(2) All other lines, pumps, manways and ancillary equipment shall be capped and secure.

(g) When an underground storage tank system is temporarily **[closed] removed from service** for more than 12 months, owners and operators shall:

(1) Permanently close the underground storage tank system if it does not meet either performance standards in § 245.421 (relating to performance standards for underground storage tank systems) for new underground storage tank systems or the upgrading requirements in §

245.422 (relating to upgrading of existing underground storage tank systems), except that the spill and overfill equipment requirements do not have to be met.

(2) Permanently close the substandard underground storage tank systems at the end of this 12-month period in accordance with § § 245.452—245.455, unless the Department provides an extension of the 12-month temporary [closure] out-of-service period.

(3) Complete a site assessment in accordance with § 245.453 (relating to assessing the site at closure or change-in-service) before an extension may be applied for.

(h) Underground storage tank systems that meet performance standards in § 245.421 or the upgrading requirements in § 245.422 shall be permanently closed within 3 years of being placed temporarily out-of-service or by November 10, 2010, whichever is later, unless the Department grants an extension to this temporary [closure] out-of-service period. The Department may establish conditions and require submission of documentation associated with extension of the temporary [closure] out-of-service period, such as the following:

(1) Requirements for inspection under § § 245.21 and 245.411.

(2) Verification and testing of cathodic protection systems under § 245.432.

(3) Site assessment under § 245.453.

(4) Other considerations determined by the Department.

**(i) The Department may require tests to be performed of the underground storage tank system in temporary out-of-service status when returning the storage tank system to currently-in-use status. These tests may include tank and line tightness testing, verification of compatibility, operability testing as required in § 245.437 (relating to periodic testing), internal inspection of the tank, or other tests to ensure proper operation.**

#### **§ 245.452. Permanent closure and changes-in-service.**

(a) At least 30 days before beginning either permanent closure or a change-in-service under subsections (b) (d), or within another reasonable time determined by the Department, owners and operators shall notify the Department on a form provided by the Department of their intent to permanently close or make the change-in-service, unless the action is in response to corrective action. The required assessment of the excavation zone under § 245.453 (relating to assessing the site at closure or change-in-service) shall be performed after notifying the Department but before completion of the permanent closure or a change-in-service.

(b) To permanently close a tank, owners and operators shall ensure that the tank is empty and clean in accordance with a Nationally recognized code of practice [such as API 2015] by removing the liquids and accumulated sludges. Tanks being [taken out of service] permanently closed shall also be either removed from the ground or filled with a nonshrinking, inert solid material.

(c) Replacement, removal or closure-in-place of [the] underground product piping[,] or remote fill lines connected to a storage tank shall be considered a permanent closure of that part of the underground storage tank system. A major modification to the dispenser involving excavation beneath the dispenser and removal of the dispenser shall also be considered permanent closure of that part of the tank system. The requirements applicable to permanent closure of an underground storage tank system also apply to the permanent closure of system piping, remote fill lines, and dispensers.

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(e) [An amended registration shall be submitted by the owner to the Department.] The owner shall complete and submit an amended tank registration form, signed by the owner and the certified installer that provided direct onsite supervision of the tank handling activity, to the Department within 30 days of:

(1) The completion of permanent closure.

(2) Change-in-service of the tank.

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## Subchapter F. TECHNICAL STANDARDS FOR ABOVEGROUND STORAGE TANKS AND FACILITIES

### GENERAL

#### § 245.501. Purpose.

This subchapter establishes technical standards and requirements for operations and maintenance, design, construction and installation, corrosion and deterioration prevention, release prevention and leak detection, inspection, and closure and removal from service requirements for large aboveground storage tanks and facilities and aboveground storage tanks in underground vaults regulated under the act. Regulated aboveground storage tanks are defined in § 245.1 (relating to definitions).

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#### § 245.503. Variances.

When unique or peculiar circumstances make compliance with this subchapter technically impractical, infeasible or unsafe, the Department may, upon written application from the owner[/operator] of a storage tank system subject to this subchapter, grant a variance from one or more specific provisions of this subchapter.

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(4) The Department will not grant a variance which would result in regulatory controls less stringent than other applicable Federal or State regulations, such as 3[7]4 Pa. Code Chapter 1[1]4 (relating to flammable and combustible liquids; preliminary provisions) and 40 CFR Part 112 (relating to oil pollution prevention).

(5) When granting the variance, the Department may impose specific conditions necessary to assure that the variance will adequately protect the public health, safety or welfare and the environment.

(6) The Department will provide to the applicant a written notice of approval, approval with conditions or denial. **The Department will publish notice of approved variances in the Pennsylvania Bulletin.**

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#### **§ 245.505. Applicability.**

Existing tanks that become regulated due to the addition of new regulated substances as defined in § 245.1 ((relating to definitions) (See definition of “regulated substance” [(i)(C)(I) and (II)](iii)(A-B))), and the regulation of aboveground storage tanks greater than 30,000 gallons capacity, storing heating oil that is consumed on the premises (See definition of “consumptive use” in § 245.1) are subject to the requirements of this chapter and shall be registered with the Department [by January 9, 2008].

[In addition, these tanks are temporarily excluded from the following requirements:

(1) **Monitoring requirements in § 245.541(c) (relating to overfill prevention requirements) until November 10, 2010.**

(2) **In-service inspection requirements in § 245.552 (relating to in-service inspections) until within 5 years of the date of construction or the date of the last inspection or by November 10, 2010, whichever is greater.**

(3) **Out-of-service inspection requirements in § 245.553 (relating to out-of-service inspections) until November 10, 2010 for tanks not previously inspected or 10 years after construction for tanks without known corrosion rates, whichever is greater, or within projected inspection intervals based on corrosion rates determined at the last out-of-service inspection, but not to exceed 20 years from the date of the last inspection.]**

### **OPERATIONS AND MAINTENANCE**

#### **§ 245.511. General operations and maintenance.**

[An aboveground] A storage tank facility owner[/] and operator shall implement and have onsite a written operations and maintenance plan which assures conformance with applicable

safety and operational standards, compliance with applicable Federal and State regulations, and shall use appropriate work practices and procedures.

**§ 245.512. Facility operations and spill response plan.**

An initial Spill Prevention Response Plan (Plan)[ **and any future updates**], which addresses the requirements described in Chapter 9 of the act (35 P. S. § § 6021.901— 6021.904) and this chapter, shall be submitted to the Department for **[aboveground] a storage tank [facilities] facility** with an aggregate aboveground storage capacity greater than 21,000 gallons. **Plan revisions shall be submitted to the Department within 120 days of any occurrences as described in 35 P. S. § § 6021.901(b).** A current copy of the Plan shall be readily available at the facility at all times.

**§ 245.513. Preventive maintenance and housekeeping requirements.**

(a) **[An aboveground] A storage tank facility owner[/] and operator** shall establish and implement a preventive maintenance and housekeeping program which protects the integrity of the system from degradation and protects the public health and the environment.

(b) **The storage tank facility owner and operator shall establish and implement routine [Routine] maintenance inspection procedures [shall be established and implemented]** at each storage tank facility.

(1) **[An] The facility owner[/] and operator [is] are** responsible to assure that a visual inspection is performed once every 72 hours. The visual inspection may be accomplished by or supplemented with electronic surveillance and shall include:

(i) A check of the facility to ensure that no potential hazardous environmental conditions exist. This includes a check for evidence of a release for example, spill, overflow or leakage.

(ii) A check of the containment areas for accumulation of water and a confirmation that containment drain valves are secured in a closed position when not in use. If excessive water has accumulated, it shall be drained off and disposed of in accordance with applicable State and Federal requirements.

**(iii) In the case of aboveground storage tanks in underground vaults, a check of the continuous leak detection system, as required under §245.523(7) (relating to aboveground storage tanks in underground vaults), to ensure the equipment is functioning as designed.**

(2) **[An]The facility owner[/] and operator [is] are** responsible to assure that a maintenance inspection of **[the facility]each aboveground storage tank system [and equipment]** is performed each month. The maintenance inspection shall include:

(i) An inspection of the tank system exterior surfaces for deterioration and maintenance deficiencies including a visual check for cracks, areas of wear, excessive settlement and deterioration of the foundation and supports.

(ii) Ancillary equipment and appurtenances shall be visually checked for operational malfunctions.

(iii) An inspection of containment and transfer areas for cracks, defects and fire hazards.

(iv) A check of overfill prevention equipment and monitoring of the leak detection system.

**(v) A check of the cathodic protection system, if installed, to ensure the equipment is functioning as designed.**

[(v)] **(vi)** The monthly maintenance inspection report shall be completed and signed by the individual who conducted the inspections and maintained for 1 year.

(3) [An]The facility owner[/] **and** operator [is] are responsible to establish a process to assure that storage tank vents are operational and free of restrictions.

(c) [Housekeeping practices shall be established and implemented in a manner that reduces the possibility of accidental spills and safety hazards to plant or facility personnel.] **The storage tank facility owner and operator shall immediately initiate the actions necessary to correct deficiencies noted during the 72-hour visual and monthly maintenance inspections.**

**(d) Repairs to aboveground storage tank systems shall be properly conducted in accordance with the manufacturer's instructions, a code of practice developed by a Nationally recognized association, or an independent testing laboratory.**

#### § 245.514. Security.

(a) [An]**The storage tank facility** owner[/] **and** operator [is]**are** responsible to assure that appropriate security measures and procedures based on the facility location are established and implemented to protect the environment and the public. These security measures and procedures may include, but are not limited to monitoring, fencing, lighting, access control, locked entrances and securing of valves and dispensers.

**(b) The owner and operator of an aboveground storage tank facility with an aggregate aboveground storage capacity greater than 21,000 gallons are responsible for maintaining a written log book. At a minimum, each log book entry shall identify the name of the individual performing tank handling and inspection activities, the individual's signature, the company name, the date of work, start and end times, and a brief description of work performed, including tank identification.**

#### § 245.515. Labeling/marketing of aboveground storage tank systems.

(a) [An]**The storage tank facility** owner[/] **and** operator [is]**are** responsible to assure aboveground **storage** tank systems are labeled/marked in accordance with industry standards and in compliance with Federal and State requirements. Tank labels/marks shall be easily legible from outside the containment area and shall be capable of readily identifying the regulated substance stored.

(b) The storage tank facility owner[/] and operator shall be capable of readily identifying the substances transferred in the regulated piping system and be able to determine flow control points, including pumps, valves and dispensers through labeling or other suitable means.

**§ 245.516. Recordkeeping requirements.**

(a) Owners and operators of aboveground tank facilities shall maintain [required] records as required by this chapter. [If records are maintained offsite, the records shall be easily obtained and provided to the Department upon request.] Owners and operators of an aboveground storage tank system shall provide these records and cooperate fully with the Department, certified installers or certified inspectors when conducting inspections, monitoring and testing. Owner and operators shall provide records and cooperate fully in response to requests for document submission, testing and monitoring by the owner or operator under section 107(c) of the act (35 P. S. § 6021.107(c)).

(b) Owners and operators shall maintain required records either onsite at the storage tank facility or at a readily available alternative site. Records maintained at the storage tank facility shall be immediately available for inspection by the Department and certified inspectors. If records are maintained offsite, the records shall be easily obtained and provided for inspection or for review by the Department upon request.

[(b)](c) Recordkeeping. Owners and operators shall maintain the following records for aboveground storage tank systems [Permanent records for new systems and available records for existing systems shall be maintained] for the operational life of the tank system and retain the records [retained] for a minimum of 1 year after the tank system has been permanently closed[removed. Permanent records include the following]:

- (1) Original installation and modification of aboveground storage tank system design specifications.
- (2) Any variance issued for the aboveground storage tank system under § 245.503 (relating to variances).
- (3) The permits issued under Subchapter C (relating to permitting of underground and aboveground storage tank systems and facilities).
- (4) Tank handling activity installation, relocation, reconstruction and major modification inspection results.
- (5) The notices of [reportable] releases submitted under § 245.305 (relating to reporting releases).
- (6) Applicable manufacturer's documentation for the aboveground storage tank system and any ancillary equipment.
- (7) Third party out-of-service inspection reports.
- (8) Written log books required under § 245.514(b) (relating to security).

**[(c) Temporary records shall be maintained as follows:]**

**[(1)](9)** The current registration certificate.

**[(2)](10)** The leak detection records for the past 12 months.

**[(3)](11)** The last two results of cathodic protection monitoring, when a cathodic protection system is in use.

**[(4)](12)** The routine 72-hour visual and monthly maintenance inspections for the past 12 months.

**[(5)](13)** The last third party in-service inspection report.

**[(6)](14)** A properly completed closure report and results of the site assessment conducted at permanent closure or change-in-service under § 245.561 (relating to permanent closure or change-in-service).

**[(15) Documentation of investigations of suspected releases in accordance with § 245.304 (relating to investigation of suspected releases).**

**DESIGN, CONSTRUCTION AND INSTALLATION**

**§ 245.521. Performance standards for aboveground storage tanks.**

(a) Aboveground storage [Tank] tank construction shall meet or exceed Nationally recognized industry association codes of practice. New aboveground storage [tanks] tank systems shall be installed in accordance with applicable codes of practice and consistent with manufacturer's or fabricator's specifications as specified in § 245.522 (relating to new aboveground storage tank installations and reconstructions).

(b) Aboveground storage [Tank] tank modifications shall be in accordance with industry codes of practice as specified in § 245.524 (relating to aboveground storage tank modifications).

(c) Aboveground storage [Tanks] tanks shall be protected from corrosion and deterioration as specified in §§ 245.531—245.534 (relating to corrosion and deterioration prevention).

(d) A leak monitoring system shall be installed as specified in § 245.543 (relating to leak detection requirements).

(e) A release prevention system shall be installed as specified in § § 245.541 and 245.542 (relating to overflow prevention requirements; and containment requirements for aboveground storage tank systems).

(f) Aboveground storage [Tanks] tanks shall be tested according to industry standards before being placed in service as specified in §§ 245.522 and 245.524 (relating to new aboveground storage tank installations and reconstructions; and aboveground storage tank modifications).

(g) **Aboveground storage [Tanks] tanks** shall be inspected at installation, reconstruction or relocation and when a major modification is performed on a tank as specified in § 245.554 (relating to installation and modification inspections).

**§ 245.522. New aboveground storage tank installations and reconstructions.**

(a) **Aboveground storage [Tanks] tanks** must be designed and constructed in accordance with an appropriate current code of practice developed by [**Nationally-recognized**] **Nationally recognized** associations such as UL, ACI, API, ASME, ASTM, STI or NACE and will follow applicable engineering specifications.

(b) **Aboveground storage [Tanks] tanks** must have a stable foundation, capable of supporting the total weight of the tank when full of product without movement, rolling or unacceptable settling. The foundation must minimize corrosion of the tank bottom and meet or exceed the specifications of the tank manufacturer. The foundation design and construction must be based on sound engineering practices.

(c) **Aboveground storage [Tanks] tanks** shall be tested for tightness in accordance with current codes of practice developed by [**Nationally-recognized**] **Nationally recognized** associations and manufacturer's specifications. If a pneumatic test is used for manufactured (shop built) tanks, the fittings, welds, joints and connections shall be coated with a soap solution and checked for leaks. Aboveground field constructed storage tanks shall be hydrostatically tested. Deficiencies shall be remedied prior to tanks being placed into service. Hydrostatic test fluids shall be discharged or disposed of in accordance with State and Federal requirements.

(d) Reconstruction of **aboveground storage** tanks must follow the current codes of practice developed by Nationally recognized associations and be accomplished in accordance with sound engineering practices. Reconstructed **aboveground storage** tanks must be inspected and hydrostatically tested before being placed into service. Reconstructed **aboveground storage** tanks must meet or exceed requirements specified in § 245.521 (relating to performance standards for aboveground storage tanks). Hydrostatic test fluids shall be discharged or disposed of in accordance with State and Federal requirements.

(e) Aboveground manufactured storage tanks that are relocated to another service site must meet the performance requirements for aboveground storage tanks and shall be tested according to industry standards and inspected before being put back in service.

(f) The Department may require the tank owner to submit documentation of construction design criteria and engineering specifications for review.

**(g) Aboveground storage tanks previously regulated by the Department shall meet performance requirements for new aboveground storage tank systems prior to returning to regulated tank status.**

**§ 245.523. Aboveground storage tanks in underground vaults.**

The following requirements shall be met when an owner or operator chooses to install an aboveground storage tank in an underground vault:

(1) The vault shall completely enclose the **aboveground storage** tank. There may be no openings in the vault enclosure except those necessary for access to, inspection of, and filling, emptying and venting of the tank. The walls and floor of the vault must be constructed of reinforced concrete at least 6 inches thick. The top, walls and floor shall be designed to withstand the anticipated loading, including loading from traffic, soil and groundwater.

(2) The vault must be compatible with the stored substance and have a permeability of less than  $1 \times 10^{-7}$  cm/sec for substance stored and be water tight.

(3) **[A] An aboveground storage** tank must be in its own vault. Adjacent vaults may share a common wall.

(4) There may be no backfill around the **aboveground storage** tank and there shall be sufficient space between the tank and the vault to allow inspection of the tank and ancillary equipment.

(5) **[A vault] Vaults and [its] aboveground storage [Tank] tanks** must be suitably anchored to withstand uplifting by either water or released substance, including when the tank is empty.

(6) Connections shall be provided to permit venting of each vault to dilute, disperse and remove vapors prior to personnel entering the vault.

(7) A vault must be equipped with a continuous leak detection system capable of detecting vapors and liquids including water. The detection system must activate an alarm that automatically shuts down the dispensing system if **[a release occurs] vapors or liquids are detected**.

(8) A vault must have a means for personnel entry. The entry point must have a warning sign indicating the need for procedures for safe entry into a confined space. An entry point must be secured against unauthorized entry and vandalism.

(9) A suitable means to admit a fire suppression agent shall be provided for each vault.

(10) **Aboveground storage [Tanks] tanks** and ancillary equipment shall be installed, maintained and inspected in accordance with the requirements for aboveground storage tanks in this subchapter.

(11) Underground piping distribution systems for each **aboveground storage** tank system used to dispense class I or class II motor fuels for resale must be provided with release detection equivalent to underground piping release detection addressed in § 245.445 (relating to methods of release detection for piping) and monitored as required in paragraph (7) with monitoring records retained for 12 months as required under § 245.516 **[or § 245.615 (relating to recordkeeping requirements)]**.

#### **§ 245.524. Aboveground tank modifications.**

(a) Modifications **performed on aboveground storage tank systems** shall be designed and implemented in accordance with current codes of practice developed by **[Nationally-**

**recognized] Nationally recognized** associations such as API, ACI, ASME, ASTM, NACE, STI or UL.

(b) Modifications shall be performed in accordance with [**Nationally-recognized] Nationally recognized** codes and manufacturer's specifications or a professional engineer's design requirements.

(c) Aboveground **storage [tanks] tank systems** which are modified shall be inspected and tested according to industry standards before being put in service when a major modification has been performed on the [**tank shell, tank roof or tank bottom] storage tank system**. Deficiencies shall be remedied before being returned to service.

(d) The Department may require the tank owner to submit documentation of construction modification design criteria and engineering specifications for review.

**§ 245.525. Ancillary equipment for aboveground storage tanks.**

(a) Ancillary equipment shall be designed and installed in accordance with Nationally recognized codes of practice and manufacturer's specifications such as API, ASME, ASTM, UL, PEI or ANSI. Ancillary equipment shall be in good working order and maintained according to manufacturer's specifications and accepted industry practices. Ancillary equipment shall be compatible with the stored substance.

(b) **Aboveground storage [Tanks] tanks** shall be appropriately vented to protect the tank from over pressurization and excessive vacuums. Vents shall meet or exceed the appropriate codes of practice developed by Nationally recognized associations such as API and NFPA. Normal venting shall allow the tank to breath when transferring the stored product. Emergency venting shall ensure that the safe pressure for the tank is not exceeded.

(c) **Aboveground storage [Tank] tank** connections through which regulated substance can flow shall be equipped with an operating valve adjacent to the tank to control flow of substance. Appropriate valves shall be installed to meet or exceed current codes of practice and jurisdictional requirements. Valves shall be designed, installed and maintained according to current codes of practice.

**§ 245.526. Piping for aboveground storage tanks.**

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(c) Piping [**installed after October 11, 1997, and**] in contact with the soil or an electrolyte shall be adequately protected from corrosion in accordance with current codes of practice developed by Nationally recognized associations such as NACE or API.

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## CORROSION AND DETERIORATION PREVENTION

### § 245.531. General corrosion and deterioration requirements.

(a) [The] Aboveground storage tank systems [system] shall be continuously protected from [maintained with] corrosion and deterioration [prevention measures].

(b) Metallic tank bottoms [systems] in direct contact with the soil or other electrolyte shall be evaluated by a corrosion expert to determine if cathodic protection is necessary or appropriate.

(c) [Existing tank bottoms that do not meet the standards in subsection (b) shall be upgraded when the tank bottom is replaced.] Tank bottoms that are not adequately protected from corrosion and deterioration shall be upgraded to meet the requirements under §§ 245.532 and 245.534 (relating to cathodic protection systems; and interior linings and coatings).

### § 245.532. Cathodic protection systems.

(a) When required for corrosion prevention, [on new, reconstructed or relocated tanks or the replacement of the tank bottom the] cathodic protection [system] systems shall consist of one or more of the following:

(1) Sacrificial anodes and dielectrical coating.

(2) Impressed current.

(3) Another method specified in an appropriate Nationally recognized association code of practice [such as API 651 or associations such as NACE].

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### § 245.533. Coating exterior tank and piping surfaces.

The exterior surfaces of aboveground storage tanks and piping shall be protected by a suitable coating which prevents corrosion and deterioration. The coating system shall be maintained throughout the entire operational life of the tank.

### § 245.534. Interior linings and coatings.

(a) Coating or lining systems may be used to protect aboveground storage tank interiors from corrosion and deterioration. The coating or lining system shall be designed in accordance with current codes of [practices such as API 652 or associations such as NACE] practice. [Any appropriate coating] Coating or lining systems [which is] shall be bonded firmly to the interior surfaces [may be used to protect a tank from corrosion] of the tank.

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(c) Interior linings or coatings shall be inspected by a third-party, Department-certified, aboveground storage tank inspector at installation, when undergoing a major modification, and at

least every 10 years or as warranted or recommended by the manufacturer or design engineer **and agreed upon by the Department.**

## RELEASE PREVENTION AND LEAK DETECTION

### § 245.541. Overfill prevention requirements.

(a) [An owner/operator shall ensure that releases from overfills do not occur. Transfer of stored substance may not exceed the volume available in the receiving tank and the transfer shall be adequately monitored.] **Owners and operators shall ensure that releases due to spilling or overfilling do not occur. The owner and operator shall ensure that the volume available in the aboveground storage tank is greater than the volume of product to be transferred to the tank before the transfer is made and that the transfer operation is monitored constantly to prevent overfilling and spilling.** Immediate action shall be taken to stop the flow of regulated substance prior to exceeding tank capacity or in the event that an equipment failure occurs.

(b) **Aboveground storage [Tanks] tanks [must] shall** be installed with the following:

(1) A gauge or monitoring device which accurately indicates the level or volume in the tank and is visible to the individual responsible for the transfer of product. The monitoring device shall be installed, calibrated and maintained in accordance with manufacturer's specifications.

(2) A high-level alarm with an automatic high-level cut-off device or a high-level alarm with a manned operator shutdown procedure in operation. **The shutdown procedure shall be in writing and provided to the Department upon request.**

(c) Existing **aboveground storage** tanks must have a gauge or monitoring device installed by October 11, 2000.

(d) An existing **aboveground storage** tank [system] which is taken out of service to perform a scheduled out-of-service inspection or a major modification to the tank shall be upgraded with a high-level alarm with a cut-off device or a high-level alarm with a manned operator shutdown procedure prior to being put back in service.

(e) An existing **aboveground storage** tank system which has not been required to be taken out of service to perform a scheduled inspection or modification must have overfill protection consistent with National industry standards[, such as API 2350, NFPA 30 or PEI RP 200 by November 10, 2010].

### § 245.542. Containment requirements for above[- ]ground storage tank systems.

(a) Containment structures must be compatible with the substance stored and minimize deterioration to the **aboveground** storage tank system.

(b) Containment areas shall be designed, maintained and constructed in accordance with sound engineering practices adhering to [Nationally-recognized] **Nationally recognized** codes of

practice [such as NFPA, NACE, ACI or API] and in compliance with State and Federal requirements.

(c) Secondary containment under the **aboveground storage** tank bottom and around underground piping must be designed to direct any release to a monitoring point to meet leak detection requirements. Secondary containment shall be provided on a new tank at installation, and shall be provided on an existing tank at reconstruction or relocation of the tank or when the tank floor is replaced (See API 650 Appendix I). Permeability of the secondary containment must be less than  $1 \times 10^{-7}$  cm/sec at anticipated hydrostatic head and shall be verified at the time of installation.

(d) Aboveground **storage** tanks must have emergency containment structures, such as dike fields, curbing and containment collection systems, which contain releases from overfills, leaks and spills[, when a new tank system is installed or at the next out-of-service inspection for existing tank systems as established in § 245.553(d) (relating to out-of-service inspections) or by November 10, 2010, whichever occurs first].

(1) Permeability of newly installed or replacement emergency containment structures must be less than  $1 \times 10^{-6}$  cm/sec at anticipated hydrostatic head and be of sufficient thickness to prevent the released substance from penetrating the containment structure for a minimum of 72 hours, and until the release can be detected and recovered.

(2) Emergency containment structures for existing aboveground storage tanks must meet one of the following standards [by November 10, 2010, or at the next out-of-service inspection, prior to the tank being placed back into service, whichever occurs first]:

(i) The standards for new emergency containment structures for aboveground storage tanks in paragraph (1).

(ii) Verification by a professional engineer that the emergency containment structure, coupled with the tank monitoring program and response plan, is capable of detecting and recovering a release and is designed to prevent contamination of the waters of this Commonwealth. Verification may be conducted in a manner consistent with the Department's technical document entitled "Verification of Emergency Containment Structures for Aboveground Storage Tanks" or in a manner at least as protective of public health and safety and the environment and which meets all statutory and regulatory requirements. Verification of earthen structures should include determination of the containment structure permeability following [Nationally-recognized] **Nationally recognized** testing methods [such as ASTM Methods and Engineering Standards Listed in API Publication 351].

(3) Verification of the containment structure is valid until conditions at the site, monitoring program, response plan or procedures change.

(4) Transfers of regulated substances to [a] **an aboveground storage** tank within the emergency containment shall be monitored by designated personnel for the duration of the transfer.

(e) Emergency containment areas, such as dike fields, must be able to contain 110% of the capacity of the largest **aboveground storage** tank in the containment area.

(f) [Stormwater] Water shall be removed from the emergency containment area as soon as possible, [or when the water is] Water shall be removed from the containment before it comes in contact with the aboveground storage tank or piping and before it reduces [and prior to] the capacity of containment [being reduced] by 10% or more. Manually operated pumps or siphons and manually operated gravity drains may be used to empty the containment. If drain valves are used they shall be secured in the closed position when not in use. Discharge or disposal of substances from the containment structure must comply with applicable State and Federal requirements.

**§ 245.543. Leak detection requirements.**

(a) Aboveground storage tank systems shall be provided with a method of leak detection at installation that is capable of detecting a release. The leak detection method shall be monitored at least monthly and shall be installed, calibrated, operated and maintained in accordance with industry practices and manufacturer's specifications.

(1) The area beneath the aboveground storage tank bottom shall be monitored for leakage by visual, mechanical or electronic leak detection methods.

(2) Observation wells outside of the secondary containment structure do not satisfy the leak detection requirements.

(b) Existing aboveground storage tank systems with secondary containment shall implement a monthly leak detection method as required by subsection (a). Monthly visual inspections shall be an acceptable method of leak detection.

(c) Existing aboveground storage tanks without secondary containment under the bottom of the tank that are in contact with the soil, such as vertical flat bottom tanks, [**and**] that do not have cathodic protection or an internal lining shall be leak tested at the next scheduled in-service inspection consistent with subsection (d) and continue to be leak tested at each in-service inspection thereafter, until the tank is upgraded.

(d) Tank leak test must follow a [**Nationally-recognized**] Nationally recognized procedure that is based on a volumetric/mass measurement, an acoustic measurement, or a soil-vapor monitoring method[, **such as those addressed in API Publication 334 "Guide to Leak Detection in Aboveground Storage Tanks."**] The test shall be performed by a third-party inspector or a technician who has experience with the selected method and is qualified by the test equipment manufacturer or certified by the relevant industry association [**such as ASNT (See Recommended Practice No. SNT-TC-1A)**] and is not an employee of the tank owner.

(e) Aboveground piping shall be visually checked for leaks in accordance with the facility operations and maintenance plan.

## ABOVEGROUND STORAGE TANK INSPECTIONS

### § 245.551. General requirements for third-party inspections.

(a) Aboveground storage tank owners and operators shall have their **aboveground** storage tank systems inspected by a Department certified aboveground storage tank inspector at frequencies established in this subchapter. Inspections will check for compliance with State and Federal requirements and adherence to current codes of practice developed by Nationally recognized associations, tank manufacturer's instructions and design engineer's specifications.

(b) Only Department certified inspectors, **certified for the applicable inspector certification category**, shall be used to satisfy requirements for:

- (1) In-service inspections.
- (2) Out-of-service inspections.
- (3) Installation and modification inspections.

### § 245.552. In-service inspections.

(a) The in-service inspection must follow the guidelines of a [**Nationally-recognized**] **Nationally recognized** association such as API 653, API 570 and applicable engineering criteria (See § 245.524(b), 245.542(d)(2) and 245.543(d) (relating to aboveground **storage** tank modifications; containment requirements for aboveground storage tank systems; and leak detection requirements)).

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(d) **Except as provided in subsection (5) and (6)**, [(I)]inspection intervals for in-service inspections are as follows:

(1) Aboveground **storage** tanks [**installed after October 11, 1997,**] shall be initially inspected within 5 years of installation.

[(2) Existing tanks shall be initially inspected as follows:

(i) Tanks over 5 years old without a previous inspection shall be inspected by October 11, 1999.

(ii) Tanks with an inspection more than 3 years prior to October 11, 1997, shall be inspected by October 11, 2000.

(iii) Tanks with an inspection within 3 years prior to October 11, 1997, shall be inspected within 6 years of the previous inspection.]

[(3)] (2) **Aboveground storage** [Tanks] **tanks** shall have an in-service inspection within 1/4 of the corrosion rate life with a maximum of 5 years from the previous inspection or installation.

[(4)] **(3)** An out-of-service inspection may replace an in-service inspection.

[(5)] **(4)** An in-service inspection interval, **if agreed upon by the Department**, may be delayed under § 245.562 (relating to temporary removal[-]from[-]service) for an **aboveground storage tank** that is temporarily removed from service [The delayed inspection shall be conducted prior to placing regulated substance in a tank and returning the tank to operating status. Deficiencies noted during inspection shall be addressed and remedied and an amended registration form submitted to the Department prior to returning the tank to operating status.] **Prior to placing product in the aboveground storage tank, the delayed inspection shall be conducted, deficiencies noted during inspection shall be addressed and remedied, and an amended registration form shall be completed and submitted to the Department.**

**(5) Aboveground storage tanks in underground vaults shall have in-service inspections conducted as follows:**

**(i) Aboveground storage tanks with a capacity greater than 5,000 gallons shall have in-service inspections conducted within 6 and 12 months of installation and at least every 3 years thereafter.**

**(ii) Aboveground storage tanks storing highly hazardous substances with a capacity greater than 1,100 gallons shall have in-service inspections conducted within 6 and 12 months of installation and at least every 3 years thereafter.**

**(iii) More frequent in-service inspections may be required by the Department when a prior inspection identifies corrosion, deterioration or other violations of this subchapter.**

**(6) Existing aboveground storage tanks in underground vaults with scheduled in-service inspections after \_\_\_\_\_ (Editor's Note: The blank refers to 3 years after the effective date of the final-form regulation.) shall be inspected by the next currently scheduled in-service inspection date, unless notified otherwise by the Department. Subsequent in-service inspections shall be conducted in accordance with this section.**

(e) Inspection recommendations shall be addressed and deficiencies remedied. When [substantial] modifications **or repairs** are necessary to correct deficiencies, they shall be made in accordance with manufacturer's specifications and engineering design criteria (See § § 245.522(a) and (b), 245.524(b)(2), 245.532(b) and (c) and 245.534(c)). The Department may require submission and review of all documentation relating to these remedies. Required tank handling activities are reported to the Department by the certified installer. Tank handling activities involving major modifications shall also be inspected by a certified aboveground storage tank inspector and reported to the Department.

(f) The complete inspection report shall be kept at the facility until the next out-of-service inspection is completed.

**§ 245.553. Out-of-service inspections.**

(a) Inspections must follow the guidelines of a [**Nationally-recognized**] Nationally recognized association such as API 653, API 570 or ASME and applicable engineering criteria (See § § 245.524(b), 245.534(c), 245.542(d)(2) and 245.543(d)).

(b) The out-of-service inspection must evaluate the following:

- (1) Containment areas.
- (2) Foundation and supports.
- (3) Tank shell.
- (4) Tank roof.
- (5) Tank bottom.
- (6) Appurtenances.
- (7) Ancillary equipment including piping.
- (8) Leak detection method.
- (9) Cathodic protection system, if installed.
- (10) Internal linings and coatings, if installed.
- (11) Aboveground storage [Tank] tank system integrity and suitability for service.

(c) The aboveground storage tank bottom evaluation of metallic floors must be based on ultrasonic testing and visual examination and include at least one other method of nondestructive examination such as magnetic flux tests or vacuum tests of bottom lap welds (See API 653 and ASTM metallography—nondestructive testing Vol. 03.03). The ultrasonic evaluation must be statistically representative of the whole floor, excluding the release prevention barrier or secondary containment on double bottom tanks.

(d) Inspection information shall be submitted to the Department on a form provided by the Department and include the results of subsection (b) and the following:

- (1) A determination of the corrosion rate for tank shell, bottom plates and piping.
- (2) A calculation of the tank life and piping life based on the corrosion rate.
- (3) The schedule for next out-of-service inspection, based on the API 653 calculated service life method or 1/2 of the corrosion rate life, with a maximum of 20 years between inspections. Other site-specific conditions, for example, maintenance practices, previous repairs, internal linings, the nature of the substance stored or soil conditions that may affect corrosion rate life and should be considered when projecting tank service life and the next inspection interval.

(4) The recommendations for maintaining aboveground storage tank system integrity and meeting performance standards.

(e) Inspection intervals for out-of-service inspections are as follows:

(1) Aboveground storage [Tanks] tanks [installed after October 11, 1997,] shall be initially inspected based on measured [or similar service] corrosion rates. When the corrosion rate is unknown, such as with new tank bottoms, the tank's actual bottom thickness shall be determined by inspection within 10 years of installation to determine the corrosion rate.

**[(2) Existing tanks shall be initially inspected as follows:**

**(i) If corrosion rates are not known, tanks shall be inspected within 10 years of installation or by October 11, 2000, whichever is later.**

**(ii) If corrosion rates can be determined or are known, tanks shall be inspected at their API 653 calculated service life method or 1/2 the corrosion rate life, from installation or previous out-of-service inspection or by October 11, 2000, whichever is later.]**

**[(3)2] Aboveground storage [Tanks] tanks shall have an out-of-service inspection at their API 653 calculated service life [method] or 1/2 of the corrosion rate life, with a maximum of 20 years from the last out-of-service inspection.**

**[(4)3] If agreed upon by the Department, [An]an out-of-service inspection interval may be delayed under § 245.562 (relating to temporary removal[-]from[-]service) for a tank that is temporarily removed from service. [The delayed inspection shall be conducted prior to placing regulated substance in a tank and returning the tank to operating status. Deficiencies noted during inspection shall be addressed and remedied and an amended registration form submitted to the Department prior to returning the tank to operating status.] Prior to placing product in the tank, the delayed inspection shall be conducted, deficiencies noted during inspection shall be addressed and remedied, and an amended registration form shall be completed and submitted to the Department.**

(f) Deficiencies noted during the inspection shall be remedied before the aboveground storage tank system is returned to service. [When substantial] [modifications] Modifications or repairs performed on the aboveground storage tank system [are necessary to correct deficiencies, they] shall be made in accordance with manufacturer's specifications or an engineer's design criteria (See § § 245.522(a) and (b), 245.524(b)(2) and 245.532(b) and (c) (relating to new aboveground storage tank installations and reconstructions; aboveground storage tank modifications; and cathodic protection system)). The Department may require submission of and review documentation relating to these remedies. Required tank handling activities [are] shall be reported to the Department by the certified installer. Tank handling activities involving major modifications shall also be inspected by a certified aboveground storage tank inspector and reported to the Department.

(g) Aboveground storage tanks which can be completely [examined] inspected from the exterior are [exempt]excluded from out-of-service inspections, except for tanks that are internally lined.

(h) The completed inspection report for out-of-service inspections shall be kept with the facility records under § 245.516 (relating to recordkeeping requirements).

**§ 245.554. Installation and modification inspections.**

(a) Aboveground storage tank systems shall be inspected by a Department-certified inspector at the time of installation in accordance with § 245.522 (relating to new aboveground storage tank installations and reconstructions), and current [Nationally-recognized] Nationally recognized association's code of practice and manufacturer's specifications. **[The inspection report shall be kept for the operational life of the tank.]**

(b) Major modifications shall be inspected by a Department-certified inspector at the time of modification under § 245.524 (relating to aboveground storage tank modifications) and current codes of practice developed by [Nationally-recognized] Nationally recognized associations prior to being put back in service. **[The inspection report shall be kept for the operational life of the tank.]** When [substantial] modifications are made to the tank floor, the next inspection date projections shall be determined based on the condition of the tank subsequent to those modifications and reported to the Department by the certified inspector on the appropriate inspection form provided by the Department. Other site-specific conditions, for example, maintenance practices, previous repairs, the nature of the substance stored or soil conditions that may affect corrosion rate life or aboveground storage tank system integrity should be considered when projecting tank service life and the next inspection interval.

(c) Aboveground storage [Tanks] tanks which are relocated or reconstructed shall be inspected by a Department-certified inspector and tested for tightness in accordance with § 245.522 and current codes of practice developed by [Nationally-recognized] Nationally recognized associations prior to being put in service. **[The inspection report shall be kept for the operational life of the tank.]**

**(d) The completed inspection report for installation and modification inspections shall be retained with the facility records under § 245.516 (relating to recordkeeping requirements).**

**CLOSURE AND REMOVAL FROM SERVICE REQUIREMENTS**

**§ 245.561. Permanent closure or change-in-service.**

Before permanent closure or change-in-service is completed, the owner[/] and operator shall comply with the following:

(1) At least 30 days before beginning either a permanent closure or change-in-service [to an unregulated tank], or within a lesser time as determined by the Department, the owner[/] and operator shall notify the Department of [its] their intent to permanently close or perform a change-in-service [from a regulated tank to an unregulated tank], unless the action is in response to a corrective action or waived by the Department.

(2) **[The owner/operator shall submit an amended registration form to the Department indicating the change in tank status within 30 days after the change in tank status.] The**

**owner shall complete and submit an amended tank registration form, signed by the owner and the certified installer that provided direct onsite supervision of the tank handling activity, to the Department within 30 days of:**

**(i) The completion of permanent closure.**

**(ii) Change-in-service of the tank.**

(3) The owner[/] **and** operator shall complete a site assessment to measure for the presence of any release from the **aboveground** storage tank system and a closure report. The assessment of the site shall be made after the notification to the Department and may be conducted in a manner consistent with the Department's technical document entitled "Closure Requirements for Aboveground Storage Tank Systems" or in a manner at least as protective of public health and safety and the environment and which meets all statutory and regulatory requirements. The results of the site assessment and the closure report shall be retained for 3 years.

(4) If contaminated soil, sediment, surface water or groundwater, or free product is discovered or confirmed by either direct observation or indicated by the analytical results of sampling, the owner[/] **and** operator shall proceed with the corrective action as required in Subchapter D (relating to corrective action process for owners and operators of storage tanks and storage tank facilities and other responsible parties) or, if applicable, in accordance with remedial action agreements.

(5) Regulated substance and contents removed from the **aboveground storage** tank system **[including piping]** shall be reused, treated or disposed of in a manner consistent with applicable State and Federal waste management requirements.

(6) **Aboveground storage [Tank] tank** systems shall be cleaned, rendered free of hazardous vapors and ventilated if left onsite or **[tank systems]** shall be emptied and removed from the site in a manner consistent with current industry practices and Bureau of Waste Management requirements such as Chapters 263a and 299 (relating to transporters of hazardous waste; and storage and transportation of residual waste).

(7) **Aboveground storage [Tanks] tanks [to be]** permanently closed and left onsite shall be legibly marked with the date of permanent closure.

(8) The appropriate State agency, county and local jurisdiction shall be notified if the tank is under a fire marshal, flammable and combustible liquids or other State agency, county or local jurisdiction permit.

(9) **Aboveground storage [Tanks] tanks** that are **[to be]** closed in place shall:

(i) Be rendered inoperable and incapable of storing liquid substance.

(ii) Be secured against unauthorized entry.

(iii) Meet the requirements specified in paragraphs (1)—(8).

**§ 245.562. Temporary removal from service (out-of-service).**

(a) The owner[/and operator shall complete and submit an amended registration form to the Department within 30 days after the change in tank status.

(b) An aboveground storage tank system shall be emptied and regulated substances and contents shall be reused, treated or disposed of in accordance with State and Federal requirements.

(c) An aboveground storage tank shall be secured against unauthorized entry and all piping entering or exiting the tank, excluding vents, shall be capped or blinded.

(d) Aboveground storage [Tank] tank system integrity shall be maintained throughout the temporary removal[-]from[-]service time and the tank shall be protected against flotation.

(e) Inspection requirements shall be maintained as specified in § § 245.551—245.554 (relating to aboveground storage tank inspections). In-service and out-of-service inspection intervals may be delayed for a tank that is temporarily removed from service. The delayed inspections shall be conducted prior to placing regulated substance in a tank and returning the tank to operating status. Deficiencies noted during inspection shall be addressed and remedied and an amended registration form submitted to the Department prior to returning the tank to operating status.

**(f) Aboveground storage tanks shall be permanently closed within 5 years of being placed temporarily out-of-service unless the owner requests in writing an extension to the temporary out-of-service period and the Department approves the request. [Tanks which are temporarily removed-from-service for 5 years or longer must meet the requirements for permanent closure, unless the time frame for retaining the tank or tanks in temporary removal-from-service status is extended under § 245.503 (relating to variances)].**

**(g) The Department may impose conditions and require submission of documentation when reviewing and approving a request for an extension of the temporary out-of-service period, including:**

**(1) Requirements for inspection under §§ 245.552 and 245.553 (relating to in-service inspections; and out-of-service inspections).**

**(2) Site assessment under § 245.561 (relating to permanent closure or change-in-service).**

**(3) Other considerations determined by the Department to be necessary to ensure the integrity of the aboveground storage tank.**

**Subchapter G. SIMPLIFIED PROGRAM FOR SMALL  
ABOVEGROUND STORAGE TANKS**

**GENERAL**

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**§ 245.603. General storage tank facility requirements.**

(a) The owner[/] **and** operator of **[aboveground] a storage tank [facilities] facility** with an aggregate aboveground storage capacity greater than 21,000 gallons shall develop and adhere to a Spill Prevention Response Plan (Plan) which addresses the requirements described in Chapter 9 of the act (35 P. S. § § 6021.901—6021.904). **Plan revisions shall be submitted to the Department within 120 days of any occurrences as described in 35 P. S. § § 6021.901(b).** [The Plan shall be provided to the Department and updated as necessary.] A current copy of the Plan shall be readily available at the storage tank facility at all times.

(b) The owner[/] **and** operator of **a [aboveground] storage tank [facilities] facility** is responsible to assure that appropriate security measures and procedures based on the facility location are established and implemented to protect the environment and the public. These security measures may include, but are not limited to, fencing, lighting, access control, locked entrances and securing of valves, drains and dispensers.

**(c) An owner and operator of a storage tank facility with an aggregate aboveground storage capacity greater than 21,000 gallons shall maintain a written log book. At a minimum, each log book entry shall identify the name of the individual performing tank handling and inspection activities, the individual's signature, the company name, the date of work, start and end times, and a brief description of work performed, including tank identification.**

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**§ 245.605. Applicability.**

Existing **aboveground storage** tanks that become regulated due to the addition of new regulated substances as defined in § 245.1 ((relating to definitions) (See “regulated substance” (i)(C)(I) and (II)) are subject to the requirements of this chapter and shall be registered with the Department [by January 9, 2008]. [In addition, these tanks are temporarily excluded from the following technical requirements:

**(1) Emergency and secondary containment requirements in § 245.612(e) (relating to performance and design standards) until November 10, 2010.**

**(2) A method of leak detection as required in § 245.613(a) (relating to monitoring standards) until November 10, 2008.**

**(3) In-service inspections required in § 245.616(c)(3) (relating to inspection requirements) until November 10, 2010.]**

**§ 245.606. Variances.**

**When unique or peculiar circumstances make compliance with this subchapter technically impractical, infeasible or unsafe, the Department may, upon written application from the owner of a storage tank system subject to this subchapter, grant a variance from one or more specific provisions of this subchapter.**

**(1) A variance may only be granted if the storage tank system meets alternative technical standards that fully protect human health and the environment.**

**(2) A written application for a variance shall be submitted to the Department and provide the following information:**

**(i) The facility name and identification number for which the variance is sought.**

**(ii) Specific sections of this subchapter from which the variance is sought.**

**(iii) The unique or peculiar conditions which make compliance with the sections identified in subparagraph (ii) technically impractical, infeasible or unsafe.**

**(iv) Evidence, including data, plans, specifications and test results, which supports an alternative design, practice, schedule or method as being at least as protective of human health and the environment as the requirement of the sections identified in subparagraph (ii).**

**(3) New technologies may be granted a variance. New technologies shall be reviewed and documented by a professional engineer and documentation provided to the Department with the variance request.**

**(4) The Department will not grant a variance which would result in regulatory controls less stringent than other applicable Federal or State regulations, such as 34 Pa. Code Chapter 14 (relating to flammable and combustible liquids; preliminary provisions) and 40 CFR Part 112 (relating to oil pollution prevention).**

**(5) When granting the variance, the Department may impose specific conditions necessary to assure that the variance will adequately protect the public health, safety or welfare and the environment.**

**(6) The Department will provide to the applicant a written notice of approval, approval with conditions or denial. Variance approvals will be published in the *Pennsylvania Bulletin*.**

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## TECHNICAL REQUIREMENTS

### § 245.611. Testing requirements for new and substantially modified small aboveground storage tanks.

(a) Aboveground storage [Tanks] tanks shall be tested for tightness at installation in accordance with current codes of practice developed by [**Nationally-recognized**] **Nationally recognized** associations and manufacturer's specifications, except for manufactured, shop built tanks that meet the requirements of subsection (b). The testing shall be completed, as part of the installation process, prior to putting the tank in service.

(b) Manufactured, shop built tanks that are initially tested after full assembly at the plant do not require additional testing at installation if the manufacturer certifies that the tank was tested at the plant and the manufacturer's installation instructions do not specify additional testing.

(c) Aboveground storage [Tanks] tanks that receive major modifications to the tank shell or the tank bottom shall be tested for tightness, in accordance with current codes of practice developed by [**Nationally-recognized**] **Nationally recognized** associations or manufacturer's specifications, prior to being returned to service.

### § 245.612. Performance and design standards.

(a) Aboveground storage [Tanks] tanks shall be designed, constructed and installed or modified in accordance with current codes of practice developed by [**Nationally-recognized**] **Nationally recognized** associations [such as API, ASME, ASTM, ANSI, STI and UL] and the manufacturer's specifications. Tank handling activities shall be accomplished by a Department-certified aboveground storage tank installer or under the installer's direct, onsite supervision and control.

(b) Aboveground storage [Tanks] tanks must have a stable support or foundation capable of adequately supporting the total weight of the tank and its contents when in use. The support or foundation must meet or exceed the specifications of the tank manufacturer and be designed and constructed in accordance with sound engineering practices.

(c) Ancillary equipment, including piping, shall be designed, installed and modified in accordance with current codes of practice developed by [**Nationally-recognized**] **Nationally recognized** associations [such as API, SSPC, NACE, ASME, PEI and UL] and the manufacturer's specifications. Ancillary equipment must be compatible with the substance stored and must be adequately protected from corrosion, excessive wear and deterioration. Protective coatings shall be maintained throughout the entire operational life of the aboveground storage tank system.

(d) Aboveground storage [Tanks] tanks shall be installed with secondary containment in or under the tank bottom to provide monitoring capability to satisfy leak detection requirements in § 245.613 (relating to monitoring standards) and emergency containment to contain possible releases, such as overfills, leaks and spills. Emergency containment must be sufficiently impermeable to contain any potential release for a minimum of 72 hours and until the release can be detected and fully recovered in an expeditious manner. Double walled tanks may meet both

emergency and secondary containment requirements when the tank system is operated with spill and overfill protection controls including the following:

(1) [A] **Permanently installed** spill [containment bucket] **prevention equipment** at the tank fill point or containment at the remote fill point.

(2) An overfill alarm or prevention device or monitoring gauge and **written [shut down] shutdown** procedure.

(3) Block valves on product lines.

(4) Solenoid valve or antisiphon device, if [appropriate (See PEI RP 200)] **applicable**.

**[(e) Existing tanks which do not meet the requirements specified in subsection (d) shall be upgraded with secondary containment by October 11, 2007, and emergency containment by October 11, 2000.**

**[(f) Tanks installed in underground vaults after October 11, 1997, and used for dispensing Class I and Class II motor fuels must comply with § 245.523 (relating to aboveground storage tanks in underground vaults).]**

**[(g)e) The exterior of the aboveground storage tank system shall be protected by an appropriate coating or paint which shall be maintained throughout the entire operational life of the aboveground storage tank system.**

**[(h)f) Aboveground storage [Tanks] tanks which are internally lined must comply with § 245.534(a)—(b) (relating to interior linings and coatings).**

**[(i)g) Aboveground storage [Tanks] tanks shall be labeled or marked in a manner consistent with industry standards and which provides for identifying the regulated substance stored from outside the containment area.**

**[(h) Aboveground storage tank systems and storage tank system components whose failure could contribute to a release of product shall be maintained in a good state of repair to ensure they function as designed.**

#### **§ 245.613. Monitoring standards.**

(a) By October 12, 1998, a method of leak detection shall be in use and monitored at least monthly. An automatic sensing device, mechanical device or other appropriate method may be used. This method, at a minimum, shall provide a visual examination of the storage tank system by the owner[/] **and** operator or designated representative. If releases are detected, they shall be corrected and the provisions of Subchapter D (relating to corrective action process for owners and operators of storage tanks and storage tank facilities and other responsible parties) shall be complied with.

(b) The owner[/] **and** operator shall assure that a maintenance and general operations check of the **aboveground** storage tank system is performed at least monthly. Deficiencies noted during

the check shall be corrected. The small aboveground storage tank general operations and maintenance checklist provided by the owner[/and operator shall be used to document the monthly operations and maintenance check. The operations and maintenance check shall include:

(1) A visual examination of the aboveground storage tank system for deterioration, including, but not limited to, the tank, piping, ancillary equipment, foundation, containment structure or facility, and safety equipment.

(2) A check of the containment areas for accumulation of water and removal of water as necessary.

(3) Confirmation that containment drain valves are secured in the closed position when not in use.

(4) [Monitoring] Functionality of the leak detection system.

(5) A check of the cathodic protection system, if installed, to ensure the equipment is functioning as designed.

[(5)] (6) A check of vents for restrictions.

[(6)] (7) A check of ancillary equipment for operational malfunctions.

[(7)] (8) An investigation of conditions that may be a fire or safety hazard, or pose an environmental hazard.

[(8)] (9) Observation for evidence of a release of regulated substance from the aboveground storage tank system.

§ 245.614. [Requirements for closure.] Reserved.

**[(a) Tank systems shall be cleaned, rendered free from hazardous vapors and ventilated if left onsite or shall be emptied and removed from the site in a manner consistent with current industry practices and Bureau of Waste Management requirements such as Chapters 263a and 299 (relating to transporters of hazardous waste; and storage and transportation of residual waste). Piping shall be removed or capped and fill ports shall be secured, capped or dismantled.**

**[(b) The owner shall conduct a visual examination of the surface, soil and area surrounding and underlying the storage tank system for obvious indications or evidence of a release of regulated substance.**

**(1) If a release is suspected, it shall be investigated in accordance with § 245.304 (relating to investigation of suspected releases).**

**(2) If a release is confirmed, it shall be reported to the appropriate Department regional office responsible for the county in which the tank is located in accordance with § 245.305 (relating to reporting releases).**

**(c) The owner shall complete and submit an amended tank registration form to the Department within 30 days of:**

**(1) The completion of permanent closure.**

**(2) Change-in-service status of the tank.**

**(3) Temporary removal from service.**

**(d) Temporary removal from service requires that the owner/operator empty the tank system of regulated substances and conduct a visual examination of the area surrounding the tank as required in subsection (b), excluding the surface and soil underlying any tank bottom in contact with the ground. A tank may be considered to be in a temporary removal from service status when the tank is emptied and intended to remain out of use for 1 year or more.**

**(1) Temporary removal from service may not exceed 5 years, unless the owner can demonstrate an operational need to retain the tank in temporary removal-from-service beyond 5 years and the Department agrees to extend this time frame.**

**(2) Monitoring standards in § 245.613 (relating to monitoring standards) are not required when a tank is reported to the Department as temporarily removed from service.**

**(3) Inspection of tanks temporarily removed from service shall be performed in accordance with § 245.616 (relating to inspection requirements). In-service inspection interval may be delayed for a tank that is temporarily removed-from-service. The delayed inspection shall be conducted prior to placing regulated substance in a tank and returning the tank to operating status. Deficiencies noted during inspection shall be addressed and remedied and an amended registration form submitted to the Department prior to returning a tank to operating status.]**

#### **§ 245.615. Recordkeeping requirements.**

**(a) The owner[/] and operator shall maintain required aboveground storage tank system records. If records are maintained offsite, the records shall be easily obtained and provided to the Department upon request.**

**(b) The following records shall be maintained for the operational life of the aboveground storage tank system unless otherwise stated:**

**(1) Original aboveground storage tank [and] system installation records and design specifications. This requirement is limited to records currently available for aboveground storage tank systems [existing prior to] installed on or before October 11, 1997.**

**(2) Records of modification to the aboveground [tank or] storage tank system.**

**(3) The permits issued under Subchapter C (relating to permitting of underground and aboveground storage tank systems and facilities).**

(4) Current registration certificates.

(5) [Monthly leak] Leak detection records and maintenance checklists for the past 12 months.

(6) Third-party inspection reports.

**(7) Documentation of investigations of suspected releases in accordance with § 245.304 (relating to investigation of suspected releases).**

**(8) Written log book information as required under § 245.603(c) (relating to general storage tank facility requirements).**

#### **§ 245.616. Inspection requirements.**

(a) Required inspections of small aboveground storage [tanks] tank systems shall be conducted by Department-certified aboveground storage tank inspectors according to a current Nationally recognized association's code of practice [such as API, STI or ASME] or according to manufacturer's specifications and applicable engineering criteria (See § 245.612 (relating to performance and design standards)). Deficiencies noted during the inspection shall be addressed and remedied. When [substantial] modifications or repairs are necessary to correct deficiencies, they shall be made in accordance with manufacturer's specifications and applicable engineering design criteria. The Department may require submission and review of documentation relating to these remedies. The associated tank handling activities are reported to the Department by a certified installer.

(b) Small aboveground field constructed storage tanks shall be inspected at installation, reconstruction or relocation and when a major modification activity is performed on the aboveground storage tank shell or the tank bottom plates.

(c) **Except as provided in paragraph (2), [The] the** owner[/] **and** operator of small aboveground storage tanks storing regulated substances with a capacity greater than 5,000 gallons and owner[/] **and** operator of small aboveground storage tanks storing highly hazardous substances with a capacity greater than 1,100 gallons shall have in-service inspections conducted every [10] 5 years or more often when corrosion, deterioration or other specific conditions necessitate. Other specific conditions may include maintenance practices, previous repairs, the nature of the substance stored and coatings or linings that should be considered when projecting tank service life and the next inspection interval. Internally lined tanks and flat bottom tanks without an interstice or external access to the tank bottom may require further evaluation or internal examination. **[Inspections shall be phased in for tanks without a previous inspection as follows:]**

(1) [New] Aboveground storage tanks installed after \_\_\_\_\_ **(Editor's Note: The blank refers to the effective date of the final-form regulations.)** shall be initially inspected within [10] 5 years of installation.

**(2) Existing aboveground storage tank systems with scheduled in-service inspections after** \_\_\_\_\_ **(Editor's Note: The blank refers to 5 years after the effective date of the final-form regulations.)** shall be inspected by the next currently scheduled in-service inspection date.

**unless notified otherwise by the Department. Subsequent in-service inspections shall be conducted in accordance with this section.**

**[(2) Existing tanks, less than 10 years old without a previous inspection, shall be inspected by October 13, 2003, or 10 years from the date of installation, whichever is later.**

**(3) Existing tanks over 10 years old, without a previous inspection, shall be inspected by October 11, 2002.**

**(4) When an inspection is delayed under § 245.614 (d)(3) (relating to requirements for closure) for a tank in temporary removal-from-service status, the inspection shall be completed and deficiencies remedied prior to returning the tank to operational service.]**

**(d) In-service inspections must evaluate the following:**

**(1) Containment areas.**

**(2) Foundation and tank supports.**

**(3) Tank shell and tank roof, where a roof exists.**

**(4) Appurtenances.**

**(5) Ancillary equipment including piping.**

**(6) Leak detection method, including [monthly] leak detection records and maintenance checklists.**

**(7) Cathodic protection system, if installed.**

**(8) Coatings and protections from deterioration.**

**(9) Tank system integrity and suitability for service.**

**(e) If agreed upon by the Department, an in-service inspection interval may be delayed under § 245.617 (relating to temporary removal from service (out-of-service)) for an aboveground storage tank that is temporarily removed from service. Prior to placing product in the aboveground storage tank, the delayed inspection shall be conducted, deficiencies noted during inspection shall be addressed and remedied, and an amended registration form shall be completed and submitted to the Department.**

**§ 245.617. Temporary removal from service (out-of-service).**

**(a) The owner and operator shall complete and submit an amended registration form to the Department within 30 days after the change in tank status.**

**(b) The owner and operator must empty the aboveground storage tank system of regulated substances and conduct a visual examination of the area surrounding the tank as required in § 245.618(b) (relating to permanent closure or change-in-service), excluding the surface**

**and soil underlying any tank bottom in contact with the ground before placing the tank in temporary removal from service status.**

**(c) Monitoring standards in § 245.613(a) (relating to monitoring standards) are not required when an aboveground storage tank is reported to the Department as temporarily removed from service.**

**(d) Inspection requirements shall be maintained as specified in § 245.616. (relating to inspection requirements). In-service inspection intervals may be delayed for a tank that is temporarily removed from service. The delayed inspections shall be conducted prior to placing regulated substance in a tank and returning the tank to operating status. Deficiencies noted during inspection shall be addressed and remedied and an amended registration form submitted to the Department prior to returning the tank to operating status.**

**(e) Aboveground storage tanks shall be permanently closed within 5 years of being placed temporarily out-of-service unless the owner requests in writing an extension to this temporary removal from service period and the Department approves the request.**

**(f) The Department may impose conditions and require submission of documentation when reviewing and approving a request for an extension of the temporary removal from service period, including:**

**(1) Requirements for inspection under §245.616.**

**(2) Site assessment under § 245.561 (relating to permanent closure or change-in-service) or §245.618(b).**

**(3) Other considerations determined by the Department to be necessary to ensure the integrity of the aboveground storage tank.**

**§ 245.618. Permanent closure or change-in-service.**

**(a) Aboveground storage tank systems shall be cleaned, rendered free from hazardous vapors and ventilated if left onsite or emptied and removed from the site in a manner consistent with current industry practices and Bureau of Waste Management requirements such as Chapters 263a and 299 (relating to transporters of hazardous waste; and storage and transportation of residual waste). Piping shall be removed or capped and fill ports shall be secured, capped or dismantled.**

**(b) The owner shall conduct a visual examination of the surface, soil and area surrounding and underlying the storage tank system for obvious indications or evidence of a release of regulated substance.**

**(1) If a release is suspected, it shall be investigated in accordance with § 245.304 (relating to investigation of suspected releases).**

**(2) If a release is confirmed, it shall be reported to the appropriate Department regional office responsible for the county in which the aboveground storage tank is located in accordance with § 245.305 (relating to reporting releases).**

**(c) The owner shall complete and submit an amended tank registration form, signed by the owner and the certified installer that provided direct onsite supervision of the tank handling activity, to the Department within 30 days of:**

**(1) The completion of permanent closure.**

**(2) Change-in-service of the tank.**

**Subchapter H. FINANCIAL RESPONSIBILITY  
REQUIREMENTS FOR OWNERS AND OPERATORS OF  
UNDERGROUND STORAGE TANKS AND STORAGE  
TANK FACILITIES**

\*\*\*\*\*

**§ 245.704. General requirements.**

(a) An owner or operator of an underground storage tank shall continuously participate in the USTIF **by timely paying all applicable fees and conforming with all other requirements for participation in the USTIF**, unless the EQB has determined that the underground storage tank is an exempt underground storage tank.

\*\*\*\*\*

**§ 245.708. Failure to maintain financial responsibility.**

The failure of an owner or operator of an underground storage tank to comply with this subchapter shall subject the owner or operator to the enforcement **[pro09visions] provisions** in Chapter 13 of the act (35 P. S. § § 6021.1301—6021.1315).

PPC LUBRICANTS INC.

*Office of the Chairman*

305 MICRO DRIVE  
JONESTOWN, PA 17038  
1-800-772-5823 X 1147

March 15, 2017

John M. Arnold  
PPC Lubricants, Inc.  
305 Micro Drive  
Jonestown, PA 17038

Environmental Quality Board  
PA Department of Environmental Protection  
P. O. Box 8477  
Harrisburg, PA 17105-8477

Dear Environmental Quality Board:

As Chairman of the PA Storage Tank Advisory Committee (STAC) at the last PA STAC meeting of March 7, 2017, I'm writing to inform you that the PA STAC voted to recommend to present chapter 245 to the Environmental Quality Board as Proposed Rulemaking, to vote on and approve as final. A quorum was present at the March 7<sup>th</sup> STAC meeting for the recommendation to present Chapter 245. The official STAC vote was unanimous.

If you have any questions, or need additional information, please let me know. I can be reached at 800-772-5823 extension 1147.

Sincerely,



John M. Arnold  
Chairman STAC





February 13, 2018

David Sumner  
Executive Director  
Independent Regulatory Review Commission  
333 Market Street, 14th Floor  
Harrisburg, PA 17120

Re: Proposed Rulemaking: Administration of the Storage Tank and Spill Prevention Program  
(#7-530)

Dear Mr. Sumner:

Pursuant to Section 5(a) of the Regulatory Review Act, please find enclosed a copy of a proposed regulation for review and comment by the Independent Regulatory Review Commission (Commission). This proposal is scheduled for publication in the *Pennsylvania Bulletin* on February 24, 2018, with a 30-day public comment period. The Environmental Quality Board (Board) adopted this proposal on October 17, 2017.

The enclosed rulemaking proposes to amend 25 Pa. Code Chapter 245 (relating to Administration of the Storage Tank and Spill Prevention Program). The amendments strengthen the underground storage tank (UST) requirements by increasing the emphasis on properly operating and maintaining equipment. Currently, UST owners and operators are required to have spill prevention, overfill prevention, and release detection equipment in place but are not required to periodically verify the functionality of some of that equipment. This proposal also adds a new certification category that is to be limited to the performance of minor modifications of UST systems. Due to a history of non-compliance, these amendments propose to shorten the in-service inspection cycle for aboveground storage tanks (ASTs) in underground vaults and small ASTs. Further, this rulemaking proposes to amend sections of Chapter 245 that the Department of Environmental Protection (Department) has determined lack clarity or need correction.

Comprehensive federal regulations for USTs (40 CFR Part 280) were initially promulgated in 1988. On July 15, 2015, the first revisions to 40 CFR Part 280 were finalized. The U. S. Environmental Protection Agency (EPA) updated the state program approval requirements on October 13, 2015, in 40 CFR Part 281. The amended rule requires that states revise their UST regulations and apply for initial or revised state program approval within three years of the effective date of the final EPA rule. Currently, Pennsylvania has state program approval. As such, the Department will need to revise Chapter 245 to be no less stringent than the federal requirements and will need to apply for revised state program approval by October 13, 2018.



Pennsylvania receives federal funding under Subtitle I of the Resource Conservation and Recovery Act in the form of a Leaking Underground Storage Tank Prevention and Leaking Underground Storage Tank Cleanup grant. Since Pennsylvania receives funding under Subtitle I, failure to revise Chapter 245 and apply for revised state program approval could jeopardize receipt of future federal funding and result in the rescission of state program approval. Under both grants, Pennsylvania currently receives approximately \$2.3 million annually from EPA.

As previously noted, the proposed amendments are intended to strengthen the UST regulations by increasing the emphasis on properly operating and maintaining equipment. While the current UST regulations require owners and operators to have spill, overfill, and release detection equipment in place for their UST systems, the regulations do not require proper operation and maintenance for some of that equipment. For example, spill prevention equipment to capture drips and spills when the delivery hose is disconnected from the fill pipe is required, but periodic testing of that equipment is not required. The proposed changes are expected to result in improvements in the routine operation, maintenance and monitoring of underground storage tanks. This will help to further reduce the number of releases from underground storage tanks and in turn protect public health and the environment.

The new operation and maintenance requirements will include: a visual inspection of spill prevention equipment and release detection every 30 days; a visual inspection of containment sumps and handheld release detection devices annually; testing of spill prevention equipment every three years; inspection of overfill prevention equipment every three years; testing of containment sumps used for interstitial monitoring every three years; and annual release detection equipment testing.

In addition to the new operation and maintenance requirements, two other important provisions are included in this proposed rulemaking: requirement for release detection for emergency generator USTs; and prohibit flow restrictors (ball float valves) as an option for overfill prevention in new UST systems and when these devices need to be replaced.

Existing definitions are proposed for revision to provide clarity, ensure consistent implementation, and correct errors. For example, the current definition of “Removal from service” implies that such activities only apply to UST systems. The proposed amendment clarifies that the term applies to aboveground storage tank (AST) systems as well.

The Department also proposes to include a new certification category called “Underground storage tank system minor modification (UMI).” This new UST certification category will allow individuals to perform tank handling activities, such as repairs that do not involve excavation, without having to obtain the (full) certification (Underground storage tank system installation and modification (UMX)) to install and modify storage tank systems and to perform tests of UST systems required by this proposed rulemaking. Creation of this new certification category will afford UST owners the opportunity to employ individuals who specialize in modifications only.

In revising the definition of “Underground storage tank,” the exclusion will be deleted for “Tanks containing radioactive materials or coolants that are regulated under The Atomic Energy Act of 1954 (42 U.S.C.A. §§ 2011—2297)” and for “An underground storage tank system that is



part of an emergency generator system at nuclear power generation facilities regulated by the Nuclear Regulatory Commission under 10 CFR Part 50, Appendix A (relating to general design criteria for nuclear power plants).” The exclusion for “A wastewater treatment tank system” is proposed to be revised to read “A wastewater treatment tank system that is part of a wastewater treatment facility regulated under Section 402 or 307(b) of the Clean Water Act.” This change is necessary to maintain Pennsylvania’s state program approval and to be consistent with Federal law.

The Department currently operates an extensive outreach program designed to assist owners and operators of storage tanks as well as individuals. This outreach program includes a series of fact sheets that focus on single issues in the storage tank program; periodic seminars and conferences focusing on storage tank technical and administrative issues; training sessions presented by regional and central office training teams on a variety of issues; guidance documents addressing technical and policy issues; and a host of information available on the Department’s web site. The Department will revise and update all corresponding documentation to reflect changes as necessary. The Department will also communicate directly with individuals, companies, associations, organizations and groups to assist in the understanding and implementation of the rulemaking.

The proposed rulemaking will affect approximately 7,100 storage tank owners at over 12,600 storage tank facilities. Industry sectors potentially affected by the proposed rulemaking include retail motor fuel sales, commercial, institutional, manufacturing, transportation, communications and utilities, and agriculture. Federal, state and local government operations will also be affected. Department-certified storage tank installers, inspectors and companies will also be required to comply with this proposed rulemaking. At the current time, there are nearly 900 certified individuals and approximately 350 certified companies.

Owners of existing storage tank systems will be provided with timeframes with which to comply for certain requirements. Owners of new storage tank systems must comply with the requirements upon the effective date of the final rulemaking.

The Department worked with the Storage Tank Advisory Committee (STAC) during development of this proposed rulemaking. Initially, STAC members were provided with the opportunity to review Department concepts and present concepts that they would like to see incorporated into Chapter 245. This occurred at the December 8, 2015, and June 7, 2016, meetings. STAC was also afforded the opportunity to review and discuss draft proposed regulatory language at the December 6, 2016, and March 7, 2017, meetings. On March 7, 2017, STAC voted to unanimously support the amendments and recommended that the Board consider the amendments for publication as proposed rulemaking. The Citizens Advisory Council was also kept apprised of developments in the regulatory process. In addition, final revisions to 40 CFR Part 280 and subsequent proposed changes to Chapter 245 were presented to Department-certified third-party installers and inspectors during annual technical training presented by the Department.

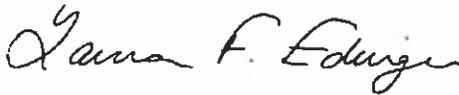


February 13, 2018

The Department will provide the Commission with the assistance required to facilitate a thorough review of this proposal. Section 5(g) of the Regulatory Review Act provides that the Commission may, within 30 days of the close of the comment period, convey to the agency its comments, recommendations and objections to the proposed regulation. The Department will consider any comments, recommendations or suggestions made by the Commission, as well as the Committees and public commentators, prior to final adoption of this rulemaking.

Please contact me by e-mail at [ledinger@pa.gov](mailto:ledinger@pa.gov) or by telephone at 717.783.8727 if you have any questions or need additional information.

Sincerely,

A handwritten signature in cursive script that reads "Laura F. Edinger".

Laura Edinger  
Regulatory Coordinator

Enclosures



**TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO  
 THE REGULATORY REVIEW ACT**

I.D. NUMBER: 7- **530**  
 SUBJECT: *Administration of the Storage Tank + Spill Prevention Program*  
 AGENCY: DEPARTMENT OF ENVIRONMENTAL PROTECTION

**TYPE OF REGULATION**

- Proposed Regulation
- Final Regulation
- Final Regulation with Notice of Proposed Rulemaking Omitted
- 120-day Emergency Certification of the Attorney General
- 120-day Emergency Certification of the Governor
- Delivery of Tolled Regulation
  - a.  With Revisions
  - b.  Without Revisions

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**FILING OF REGULATION**

DATE	SIGNATURE	DESIGNATION
<i>2/13/18</i>	<i>Shelly Weener</i>	Majority Chair, HOUSE COMMITTEE ON ENVIRONMENTAL RESOURCES & ENERGY <i>Representative John Maher</i>
<i>2/13/18</i>	<i>Richard ...</i>	Minority Chair, HOUSE COMMITTEE ON ENVIRONMENTAL RESOURCES & ENERGY <i>Representative Mike Carroll</i>
<i>2/13/18</i>	<i>Kenneth Watters</i>	Majority Chair, SENATE COMMITTEE ON ENVIRONMENTAL RESOURCES & ENERGY <i>Senator Gene Yaw</i>
<i>2/13</i>	<i>John Fiorillo</i>	Minority Chair, SENATE COMMITTEE ON ENVIRONMENTAL RESOURCES & ENERGY <i>Senator John Yudichak</i>
<i>2/13/18</i>	<i>K Cooper</i>	INDEPENDENT REGULATORY REVIEW COMMISSION <i>David Sumner</i>
		ATTORNEY GENERAL (for Final Omitted only)
<i>2.13</i>	<i>[Signature]</i>	LEGISLATIVE REFERENCE BUREAU (for Proposed only)

