



State of Oregon  
Department of  
Environmental  
Quality

# UST Service Provider

*E-Mail  
Bulletin*

UST Compliance  
Seminar Follow-up

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[www.deq.state.or.us/lq/tanks/ust/index.htm](http://www.deq.state.or.us/lq/tanks/ust/index.htm)

A BULLETIN OF THE OREGON UNDERGROUND STORAGE TANK PROGRAM

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## Service Provider UST Compliance Seminar Follow-up

In early February 2007, training consultants Ben Thomas and Marcel Moreau presented 8-hour UST compliance seminars in Eugene and Portland. Some 75 service providers, supervisors and equipment supplier service technicians attended the DEQ-sponsored seminars. In addition to the training, each participant received an UST compliance resource manual that includes easy-to-use look-up tables on the administrative requirements associated with the UST rules and current copies of all the UST compliance forms and checklists. DEQ UST inspectors attended all three seminars and answered many questions regarding interpreting the UST compliance and service providers rules.

For the benefit of those service providers, supervisors and service technicians who were unable to attend one of the seminars, this bulletin reviews the most commonly asked UST compliance questions and DEQ's interpretation of the rules. DEQ has another 50 of the resource manuals available and will mail them out on a first come—first serve basis. Contact Steve Paiko at 503-229-6652, call toll-free in Oregon at 800-742-7878 or send an e-mail to [tanks.info@deq.state.or.us](mailto:tanks.info@deq.state.or.us) and request a copy of *Oregon UST Service Provider Compliance Binder*.

As the Environmental Protection Agency issues rules and guidance to implement the Subtitle B—Underground Storage Tank Compliance Act (USTCA) provisions in the Energy Policy Act of 2005, DEQ may sponsor several additional UST compliance seminars that will focus on provisions of the Act. New requirements include double-walled tanks for new installations and replacements, operator training and fuel delivery prohibitions for non-complying tanks.

## UST Inspectors Interpret the UST Compliance Rules

### **Will Secondary Containment be Required for New UST Installations and Replacements?**

USTCA required by February 8, 2007, secondary containment at all new UST installations located within 1,000 feet of an existing community water system or an existing potable drinking water well. States also may elect an alternative option of requiring financial responsibility for manufacturers and installers. In discussions with Oregon's petroleum and insurance industry representatives, it is unlikely that manufacturer and installer insurance policies will be available any time soon, if ever. Further, DEQ and other Oregon agencies do not have the resources to map the location of all existing potable drinking water wells. DEQ and industry representatives believe the only practical approach to complying with this federal provision is to require secondary containment of all new UST installations and UST replacements, not just those within 1,000 feet of a drinking water well. DEQ is currently working on a rule revision package which includes this item that will go out for public review and comment in December, 2007. The effective date of this new rule is expected around February 2008. In the meantime, DEQ reports that all recent installations have opted to install secondary containment tanks and piping.

### **Who is Allowed to Work on Spill Buckets?**



The initial installation of a spill bucket or adding a spill bucket to an existing UST system (i.e. modification) must be done by a company licensed as an UST service provider. Although a company licensed as a service provider must perform this work, a licensed supervisor does not need to be on-site during the installation or modification of a spill bucket.

The replacement of a spill bucket may be done by any company or person. By definition, replacement is not considered installation or modification of an UST system.

For more information, see rule OAR 340-150-0010, the definitions for installation (#38), modification (#44), and replacement (#67). See also the definition for UST Services (#84) in OAR 340-160-0010.

### **DEQ Expectations When Inspecting Overfill Devices Installed After March 1, 2003**

Administrative rule OAR 340-150-0310 (3) requires that it be possible to visually verify that the overfill equipment functions. UST inspectors will require that shutoff drop tubes or ball float valves be verified as visually present. In the case of overfill prevention alarm systems,

UST inspectors will require that a simulated overflow event be triggered to verify that the alarm signal can alert the product delivery driver or will expect to review a written record of the alarm system being recently tested by a licensed service provider.

For older UST overflow systems installed before March 1, 2003, where visual verification of function may be difficult, UST inspectors would expect to review written records that clearly show the equipment was installed. In many cases, as in newer systems, verification of function will require that both shutoff drop tubes and ball float valves be verified as visually present. If problems with the overflow prevention equipment are suspected, UST inspectors may also require that the functionality of the overflow prevention equipment be further demonstrated according to manufacturer's recommended practices or other appropriate means.

*NOTE: The newest recommended practice for UST installations by the Petroleum Equipment Institute (PEI RP-100, 2005 Edition) no longer allows ball float valves as an overflow device. DEQ will propose adopting this revised recommended practice early next year as part of a rulemaking proposal to meet new federal requirements in the 2005 UST Compliance Act.*

### **Will Adding Cathodic Protection (CP) to an Existing, Internally Lined Tank Preclude the Need for a 10-Year Internal Lining Inspection?**

The simple answer is no. More specifically, administrative rule OAR 340-150-0352 (3) ( a ) requires that the integrity of the UST be assessed to ensure the tank is structurally sound and free of corrosion and that the lining is still performing according to the manufacturer's requirements. This rule specifically requires that the integrity assessment of the UST be conducted pursuant to American Petroleum Institute Publication 1631 (2001), *Recommended Practice for The Interior Lining of Existing Steel Underground Storage Tanks*.

Similarly, administrative rule OAR 360-150-0360 (2) also requires an integrity assessment of the UST and liner before the addition of CP. This rule requires that documentation be maintained to show that the integrity assessment was conducted in accordance with a code of practice developed by a nationally recognized association, an independent testing laboratory or by a method that has been third party evaluated and approved. If such an assessment was not conducted, or such documentation cannot be produced, then an integrity assessment of the UST and liner must be conducted pursuant to American Petroleum Institute Publication 1631 (2001), *Recommended Practice for The Interior Lining of Existing Steel Underground Storage Tanks*.

Once an existing UST and internal liner have been inspected and assessed, and CP has been added, additional internal integrity assessments are not required.

### **Use of Interstitial Monitoring in Lieu of Annual Line Tightness Test for Pressurized Pipe?**

The question raised for facilities proposing to use interstitial monitoring sensors in lieu of annual line tightness testing of pressurized piping, was the need for integrity testing of the secondary pipe. Before accepting interstitial monitoring results in lieu of annual line tightness tests for pressurized pipe, UST inspectors will ask to see documentation that the secondary pipe was tightness tested at the time of installation or they will ask that such a test be scheduled immedi-

ately. This type of facility will not be in compliance until the tightness test of the secondary pipe is completed and the pipe is shown to be tight according to the manufacturer's recommended testing procedures or use of a nationally recognized testing protocol. This test must be performed by a licensed service provider and a licensed supervisor must be present on-site during the testing of the secondary pipe.



UST inspectors may also ask to see a Underwriter's Laboratory (UL) listing for product compatibility for the secondary pipe. To serve as a suitable secondary containment pipe, this pipe must be compatible with the products it is expected to contain in the case of a spill or release.

### **Integrity Testing and Underwriter's Laboratory (UL) Compatibility Listing of Sumps**

UST inspectors will not routinely be asking for integrity testing of sumps or UL listing of compatibility for the sump's material of construction. However, UST inspectors will visually inspect sumps and if there is any indication of deterioration, UST inspectors will ask for a demonstration that the sumps are preventing releases.

*NOTE: The UST seminar instructors noted that the American Petroleum Institute and Petroleum Equipment Institute will propose new standards for sumps since they are an integral part of UST systems using interstitial monitoring of double-walled systems and therefore are an integral part of preventing petroleum releases.*

### **Monitoring and Observing UST Equipment, Recording Results and Maintaining Records**

In the administrative rules for release detection, each of the release detection methods lays out a daily or every-30-day schedule of observing, monitoring or testing the UST tank and piping equipment. The rules further require that the results of the daily or every-30-day observations, monitoring or testing be recorded and maintained in a monthly record. UST inspectors want to emphasize it is not enough to just observe or monitor UST tank and piping equipment daily or monthly, but the results of those observations and monitoring must be recorded and retained for possible future review and analysis. In some cases where the monitoring is done by automated equipment equipped with printers, the monthly record may be a compilation of daily printouts from the automated equipment. Finally, the rules require that the most current 12 consecutive months of record keeping be available for inspection upon request by the UST inspectors. The rules notwithstanding, UST inspectors would recommend that tank owners and/or permittees maintain these records for the life of the UST tank and piping equipment. These records can be invaluable when UST system repairs or modifications are undertaken or when suspected releases are being investigated.

### **Can Electronic Line Leak Detectors be Used for Annual Line Tightness Testing?**

The question raised was if an electronic line leak detector capable of detecting a leak rate of 0.1 gallon per hour can be used to perform an annual line tightness test. According to UST inspectors, if the equipment is capable of detecting a leak rate of 0.1 gallon per hour and has been cer-

tified by a recognized third party or listed by a national workgroup (i.e. the National Work Group on Leak Detection) for use as a line tightness testing device, DEQ will accept the results as a valid annual line tightness test. Both EPA Region X and DEQ UST inspectors require that the test be performed consistent with third party or national work group testing protocols in the approval listings. The functionality of electronic line leak detector must be tested annually according to manufacturer's protocols.



[www.nwglde.org](http://www.nwglde.org)

### **Importance of Third Party Approval and Equipment Documentation**

Although not discussed at the seminars, UST inspectors want to remind service providers and supervisors that they need to make sure that the release detection equipment they install at a specific location is:

- An approved method by a recognized third party or listed by a national organization (i.e. the National Work Group on Leak Detection).
- Approved for use with the specific tanks and piping being installed.

In addition, service providers and supervisors need to make sure that:

- Documentation on third-party approval is provided to the tank owner or permittee.
- All manufacturer's claims, guarantees and recommended installation, testing, operation and maintenance documentation is provided to the tank owner or permittee.
- Tank owners and permittees understand that these records may need to be made available to service providers or service technicians doing future maintenance, repair, replacement or modification work or to UST inspectors doing compliance inspections.

### **Contacting DEQ Regional Tank Staff**

Tank Staff are available at the following offices:

**In Northwest Oregon** (Clatsop, Clackamas, Columbia, Multnomah, Tillamook and Washington counties):

- Portland, 2020 SW Fourth Ave., Suite 400, 503-229-5263

**In Western Oregon** (Benton, Coos, Curry, Douglas, Jackson, Josephine, Lane, Lincoln, Linn, Marion, Polk and Yamhill counties):

- Salem office: 750 Front St. NE, Suite 120, 503-378-8240.
- Eugene office: 165 East 7th Avenue, Suite 100, 541-686-7838.
- Coos Bay office: 381 N. Second Street.,

**In Eastern Oregon** (Baker, Crook, Deschutes, Gilliam, Grant, Harney, Hood River, Jefferson, Klamath, Lake, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco and Wheeler counties):

- The Dalles office: Columbia Gorge Community College, 400 E. Scenic Drive, Building 2. 541-298-7255 ext. 21

#### **Alternative formats**

*Alternative formats (Braille, large type) of this document can be made available. Contact DEQ's Office of Communications & Outreach, Portland, at (503) 229-5696, or toll-free in Oregon at 1-800-452-4011, ext. 5696.*