UST Regulations

Maryland-District of Columbia Utilities Association 2019
Environmental Conference

October 9, 2019

Presented by Michael Jester
Registered USTs

7,406 – Federally Regulated USTs
2,206 – State Regulated USTs
9,612 Total

112 - USTs Temporary Out-of-Use
Why Do We Need Regulations?
Background

- EPA publishes new regulations in the 7/15/15 Federal register
- Non-SPA States—Regulations effective 10/13/15
- SPA States have until 10/13/18 to re-apply for SPA status
- MD & DC have SPA
Federally Regulated USTs

- Motor Fuel
- Emergency generators
- Used Oil
- Bulk storage tank – (Heating oil)
- Hazardous Substance
New Proposals for MD

• 30-Day Walk Through Inspection

• Spill Prevention
  – Visual check for damage
  – Remove liquid & Debris
  – Check for (and remove) obstructions in the fill pipe
  – Check fill cap
  – For DW buckets check interstice
New Proposals for MD

• 30-Day Walk Through Inspection

• Release Detection Equipment
  – Check for proper operation
  – Check for alarms
  – Check for current records
New Proposals for MD

• **Annual Inspection**
  – Containment sumps
    • Visual check for damage
    • Check for evidence of a release inside of sump
    • Remove liquid & debris
    • For DW sump check interstice

• Maintain record of monthly and annual inspections onsite!!
New Proposals for MD

- Containment Sump Testing
- Currently 5-year cycle
- Proposed 3-year cycle
New Proposals for MD

- **Release Detection for Emergency Generator USTs**
- **Currently** not required for USTs installed prior to 3/1/08
- **Proposed** all USTs used to supply EG’s will be required to maintain monthly release detection
- **Note:** USTs installed after 1/12/09 must have IM as primary or secondary RD method
New Proposals for MD

• **Overfill Protection**

• **Currently** - can install Ball Float Valves

• **Proposed** - BFV cannot be used on new installations or replaced after effective date of the regulations
New Proposals for MD

• Dispenser Containment Sumps

• Containment sump installation will be required for any new **dispenser system** installation
  – Dispenser & equipment needed to connect the dispenser to the UST system
    • Check valves
    • Shear valves
    • Unburied risers
    • Flex connect
    • Etc.
New Proposals for MD

• Compatibility

• Switching to > 10% Ethanol or >20% Biodiesel

• Demonstrate compatibility of the UST System
  – Tank
  – Piping
  – Containment Sumps
  – Pumping Equipment
  – RD Equipment
  – Spill Equipment
  – Overfill Equipment
  – Etc.
Regulation Game Plan

• A full repeal and replace of COMAR 26.10

• Major Components
  – UST regulations to meet federal updates
  – AST regulations for shop fabricated and field erected
  – AST registration
  – Residential HO reimbursement limits
Overview of Changes

- UST Regulations – Chpt. 2 through 12 & 16
  - Comply with federal UST regulations
  - Remove obsolete language and update current practices

- AST Regulations – Chpt. 17 & 18
  - AST requirements for construction, performance, inspections, and record keeping
  - Shop fabricated
  - Field erected
Overview of Changes, cont.

• Chapter 1 – Oil Pollution
  – Definitions for majority of COMAR 26.10
  – Oil Transfer License requirements
  – Oil Operation Permit requirements
    • Marinas
  – AST registration
Overview of Changes, cont.

• Chapter 14 – UST Site Cleanup Reimbursement
  – Remove obsolete language (commercial)
  – Place limits on residential reimbursements

• Chapter 15 – Management of Used Oil
  – Adopts federal regulations and adds requirements for spill reporting, permits, annual reports, closure and burning used oil
AST Regulation Status

• Comments from Ad Hoc work group in June and October 2018

• Largely in agreement

• Can do final check with work group prior to proposing
• Returned draft to EPA in August
  – Final comments received

• Provide to Ad Hoc Work Group next
  – We want stakeholder input prior to publishing draft regulations
  – We intend to give Work Group time it needs to provide meaningful comments
  – Meet to go over the draft with group (9/2019)
Regulation Proposal Process

• Annotated Code of Maryland, State Government Article
  – §§ 10-101 through 118

• Best Case Scenario
  – About a 4 month process
Regulation Timeframes

• HO Regulations are planned to go first
  – Hopefully in place for 1/1/20 effective date

• UST / AST Regulations
  – Possibly begin formal proposal process this fall
  – Likely not effective until spring

• Will have a lot of outreach once become effective
EPA Report Card

Maryland
EPA 2019 Mid of Year Performance Measure

91% - SOC for Release Detection (RD)
86% - SOC for Release Prevention (RP)
82% - SOC for combined RD and RP
MD SOC Compliance Rates - 2005 to Present
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<th>UST Removals</th>
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<td>444 = 7/1/18 to 6/30/19</td>
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Important MDE Contacts

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• Business hours spill line
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• After hours spill line
  – 1-866-633-4686