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A Summary of DEQ's Underground Storage Tank Rules

IDAPA 58.01.07, "Rules Regulating Underground Storage Tank Systems" took effect April 2, 2008. The rules contain the following sections:

- Incorporation of the federal Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks, 40 CFR Part 280
- Additional Measures to Protect Ground Water from Contamination
- Release Reporting Requirements
- Training Requirements
- Inspections
- Delivery Prohibition
- Maintenance of the Petroleum Underground Storage Tank Database

Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks, 40 CFR Part 280 (Section 004)

This section incorporates the federal underground storage tank (UST) laws—in effect since December 22, 1988—into DEQ's rules.

Additional Measures to Protect Ground Water from Contamination (Section 100)

This section explains new notification requirements for all tank systems and requirements for UST systems installed or replaced after February 23, 2007.

Requirements include but are not limited to:

- DEQ must be notified 30 days prior to installing a new piping system or a new or replacement tank.
- DEQ must be notified 24 hours prior to replacing a piping system.
- Each new tank and/or piping system installed or replaced after February 23, 2007, that is within 1000 feet of a potable drinking water source must have secondary containment (an inner and outer barrier) installed and the space between the inner and outer barrier must be monitored.
- Each new motor fuel dispenser system that is within 1000 feet of a potable drinking water source and is installed after February 23, 2007, must have under-dispenser containment.

Release Reporting Requirements (Section 200)

When a release occurs, the owner or operator must report the source and cause of the release. Sources may include but are not limited to:

- An underground storage tank
- Piping
- Dispensers
- Submersible turbine pump area
- Delivery problem

Causes may include but are not limited to:

- Spills
- Overfills
- Physical or mechanical damage
- Corrosion
- Installation problem

Training Requirements (Section 300)

This section describes both DEQ's and owners and operators' obligations to training. Some of those requirements are:

- DEQ will adopt an owner and operator training program.
- The training will be provided at no-cost.
- The training will be conducted at the owner or operator's UST site.
- The owner or operator must designate a Class A, Class B, and Class C Operator. Class A and B Operators must be reported to DEQ within 30 days of the designation and then be trained according to class.
 - Class A Operator - has primary responsibility for the UST system (i.e. the owner)
 - Class B Operator - has daily on-site responsibility for the UST system (i.e. the manager)
 - Class C Operator - has daily on-site responsibility for addressing UST emergencies (i.e. the clerk)
- The Class A or B Operator may train the Class C Operator.
- Trained operators must repeat the training within 30 days if the UST system they have responsibility for is out of compliance.
- Unattended or unmanned sites simply need a sign in a visible location indicating emergency shut-off procedures and contact information.

Inspections (Section 400)

This section describes what UST equipment and paperwork a DEQ inspector will use to assess compliance. Those are:

- Notification
- Corrosion protection
- Overfill prevention in place and operational
- Spill prevention in place and operational
- Tank and piping release detection
- Reporting suspected releases
- Records of tank and piping repairs
- Secondary containment where required
- Financial responsibility
- Temporary closure

An inspection will be conducted at least once every three years and all inspections will be conducted on-site.

Delivery Prohibition (Section 500)

This section says that it is unlawful to deliver to, deposit into, or accept a regulated substance into an ineligible UST. A tank is considered ineligible under the following conditions:

- Required spill equipment is not installed.
- Required overfill protection equipment is not installed.
- Required leak detection equipment is not installed.
- Required corrosion protection equipment is not installed.

A tank may be ineligible under the following conditions:

- Failure to properly operate or maintain leak detection equipment
- Failure to properly operate or maintain spill, overfill, or corrosion protection equipment
- Failure to maintain financial responsibility

The owner will be notified prior to prohibiting deliveries and will have the opportunity to appeal. A tamper-proof red tag will be attached to each ineligible fuel tank's fill pipe.

A current list of all ineligible fuel tanks will be posted on DEQ's Web site.

UST Database Maintenance (Section 600)

This section says that DEQ will maintain a quarterly-updated database of information on the status of all UST systems. The database is available on DEQ's Web site at www.deq.idaho.gov/Applications/WDI.