

UST News: May 2020



Installing an underground storage tank (UST). Photo credit Ecology

Contact information

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UST information

Underground Storage Tank (UST) Program webpage:
<https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Underground-storage-tanks>

UST regulations and statute:
<https://fortress.wa.gov/ecy/publications/SummaryPages/1209242.html>

Special accommodations

To request ADA accommodation including materials in a format for the visually impaired, call Ecology at 360-407-7170 or visit <https://ecology.wa.gov/accessibility>. People with impaired hearing may call Washington Relay Service at 711. People with speech disability may call TTY at 877-833-6341.

NEW! UST newsletter connects you with information

Tank owners and operators work hard to keep regulated petroleum products and substances stored safely underground. We'll produce this newsletter about twice a year to help you stay on top of information you need to know. For more updates, visit Ecology's UST Program webpage at left.

How is COVID-19 impacting UST regulatory expectations?

As the coronavirus outbreak continues, we know that some businesses with USTs may need to close or modify their operations. Read our March 27, 2020, letter that outlines Ecology's UST regulatory expectations during the COVID-19 restrictions: <https://ecology.wa.gov/DOE/files/62/6289a6ce-b84a-46bb-b7a7-94a8a2b02530.pdf>

Fuel dispenser updates

The chip-card reader deadline (formerly October 1, 2020) is now **April 17, 2021**. This requires tank owners and operators to install Europay, MasterCard, and Visa (EMV) chip-card readers at fuel dispensers. It also means that you may need to replace older fuel dispensers to install these chip-card readers.

If you need to replace old dispensers and install new ones at your tank site, be sure to follow the UST regulations (UST rule): <https://apps.leg.wa.gov/wac/default.aspx?dispo=true&cite=173-360A&full=true>. Here are two situations you might encounter and how you can stay in compliance:

1. Existing dispenser **over dirt**, being replaced with new dispenser: You must install a sump (Under Dispenser Containment) with the new dispenser. Sump tightness tested when the dispenser is installed.

2. Existing dispenser **over sump**, being replaced with new dispenser: Existing sump is tightness tested when the dispenser is installed.

Note: If new piping is installed or replaced after October 1, 2012, the piping must be double-walled and interstitially monitored. The sumps must pass a tightness test when the sump is installed. If the sumps are single-walled, they must pass a tightness test **every 3 years** thereafter.

UST insurance memo

The U.S. Environmental Protection Service (EPA) released a memo regarding UST insurance in 2018: <https://www.epa.gov/sites/production/files/2014-11/documents/compend-fr.pdf#page=20>.

The memo addresses instances where language in an UST insurance policy could allow the insurance agency to deny a claim. These exclusions may ruin the purpose of UST insurance, which is to ensure that UST owners have funds to pay for a cleanup if their UST leaks into the environment.

To date, Ecology is not aware of any of the exclusions outlined in the EPA memo existing in Washington.

Walkthrough Inspections

As of October 1, 2019, Walkthrough Inspections are required at all regulated underground storage tank facilities in Washington state.

Who should conduct them? Walkthrough Inspections can be completed by the owner, operator, Class A/B operator, or another designee of the owner. Safety should be the number one priority while performing these inspections.

When should they happen? This inspection is required monthly and annually, depending on what is being inspected.

Monthly: Check your spill prevention equipment and release detection equipment.

Annually: Check your containment sumps, and manhole areas above the tanks/under the dispensers. For safety, it is recommended that your service provider conduct the annual inspections while conducting other annual testing at the UST facility.

Download our checklist to track Walkthrough Inspections and keep documentation at the site or available upon request: <https://fortress.wa.gov/ecy/publications/SummaryPages/1809043.html>

Upcoming Operation and Maintenance testing requirements

Washington's updated UST rule has new testing requirements that must be conducted before October 2020 or 2021, depending whether your facility compliance tag number is even or odd. If your tag number ends in an even number, the compliance date is before October 2020. If your tag ends in an odd number, it is before October 2021.

This new testing includes:

- Annual release detection equipment tests
- 3-year spill bucket tests
- 3-year overfill prevention tests
- 3-year sump tests for piping using interstitial monitoring

All of these tests must be conducted by an ICC Certified UST Service Provider.

For the complete list of new requirements in the updated UST rule:

<https://fortress.wa.gov/ecy/publications/SummaryPages/1809207.html>

For a list of providers:

<https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Underground-Storage-Tank-service-providers>

UST tank fees increasing in July

On July 1, 2020, underground storage tank fees will increase from \$173.80 to \$181.83 per tank.

On July 1, 2021, fees will increase again from \$181.83 to \$193.58 per tank.

For more information, visit <https://fortress.wa.gov/ecy/publications/SummaryPages/1909050.html>