WASHINGTON STATE DEPARTMENT OF ECOLOGY

Focus

UNDERGROUND STORAGE TANK RULES

Proposed State Underground Storage Tank Rules Filed

New proposed rules for underground storage tanks were published in the state register on August 1 by the Washington Department of Ecology. The new rules are intended to implement a new state law regulating the tanks used to store petroleum products and other hazardous substances. Congress had previously adopted a federal underground storage tank law.

These new state rules contain all of the requirements of the federal regulations presently in effect, including new tank standards, upgrading, operating, leak detection, reporting, closure, and financial responsibility requirements. In addition, the proposed rules include regulations for local delegation and licensing of firms and individuals performing tank-related activities, such as installation, testing and closure. (Emergency rules establishing the licensing program were adopted on June 29, 1990.)

The State Rules Are Very Similar to the Federal Rules

The proposed state rules are consistent with and no less stringent than EPA's rules. All the major requirements and schedules in the federal regulations are the same in the state rules. The state rules include the same:

- New tank standards and upgrading options;
- Release detection options;
- Release detection compliance schedule;
- Upgrading compliance schedule; and
- Financial responsibility requirements, options and compliance schedule.

There are Various Differences from the Federal Rules

Although the state rules are generally very consistent with the federal rules, there are some differences. These differences were created either for greater clarity or greater environmental protection. The most significant differences are:

- Farm and residential tanks of 1100 gallons or less installed after August 1, 1990 to store motor fuel are exempt. But the exemption only applies if the resulting aggregate volume at the site is less than 1100 gallons or if the tank is used to store a different type of motor fuel than is stored in any other tank at the same site;
- Tanks which are deferred from federal and state regulations still are subject to administrative, notification, release reporting, and permanent closure requirements;
- Notification is required 60 days prior to installation of a tank, except in emergencies, and changes to notification data must be reported;
- No fully regulated or deferred tank systems can be installed without corrosion protection;
- Tanks repaired to correct structural defects must be fully upgraded;

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- All spills and overfills above a very small amount must be reported;
- Tanks which have been temporarily closed for a year must be permanently closed or upgraded within 30 days after the one year period is up;
- There is no exception from the site assessment requirement at closure for tanks using external release detection methods; and
- Permanent closure must be completed within 30 days of expiration of the 30-day notice period.

Licensing Program

All firms performing tank installation and retrofitting, testing, decommissioning, and installation or testing of cathodic protection equipment must register with Ecology as of August 1, 1990. Individuals supervising these activities must obtain a license from Ecology by January 1, 1991. Examinations for these licenses will be given this fall. Persons performing site assessments must have certain qualifications, beginning October 1, 1990.

Hearing Schedule

Public workshops regarding the proposed rules were held in Yakima, Spokane, Seattle and Olympia the week of July 9, 1990. Public hearings will be held from 7 p.m. to 9 p.m. at the following locations:

Spokane	Wednesday, August 22, Spokane County Health Department Auditorium, West 1101 College
Moses Lake	Thursday, August 23, Big Bend Community College, 28th and Chanute St., Student Center Building 1400
Seattle	Wednesday, September 5, Sea-Tac Airport, Large Auditorium, behind Hawaiian Airlines
Vancouver	Thursday, September 6, Ferryman's Inn, 7901 N.E. 6th Avenue, Conference Rooms 1 and 2
Wenatchee	Tuesday, September 11, Wenatchee City Council Chambers, 129 S. Chelan Street

In addition, written comment may be submitted until September 18, 1990, to Thom Lufkin, Solid and Hazardous Waste Program, Mail Stop PV-11, Olympia, WA 98504.

For More Information

To obtain a copy of the proposed rules or the economic analyses of the impact of the proposed rules, contact Susan Nelson at (206) 438-7164.

Regarding the licensing program, contact Guy Barrett at (206) 438-7881; concerning the technical rules, call Bruce Smith at (206) 438-7479; regarding the requirements for delegation to local governments, contact Wendy Bolender at (206) 459-6352.

For other information regarding the underground tank program call 1-800-826-7716.