



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION



Bureau of Environmental Cleanup & Brownfields

Conceptual Revisions to Chapter 245

Storage Tank Advisory Committee
Harrisburg, PA
December 8, 2015

➤ Federal UST Regulation Revisions

What is DEP required to do?

- Since PA has State Program Approval (SPA), DEP has 3 years to adopt federal requirements within Chapter 245.
- Chapter 245 must be considered no less stringent than the federal requirements.
- Within 3 years, promulgate regulations and submit a revised SPA application to EPA for approval.

Federal UST Regulation Revisions

What changes must be adopted in Chapter 245:

New Operation and Maintenance Requirements

- **Periodic walkthrough inspections**
 - Visual inspection of spill buckets (clear of debris, etc.) and release detection every 30 days
 - If UST receives deliveries less frequently than every 30 days, then spill buckets may be inspected before each delivery
 - Visual inspection of sumps and hand held release detection devices annually
- **Three-year spill prevention equipment testing**
 - Double-walled spill buckets with periodic interstitial monitoring between the spill bucket walls are not required to meet the testing requirement

Federal UST Regulation Revisions

New Operation and Maintenance Requirements

- **Three-year overfill prevention equipment inspections**
 - Inspections to make sure overfill operates as intended
- **Three-year containment sump testing**
 - For sumps used for piping interstitial monitoring
 - Double-walled sumps with periodic interstitial monitoring between the containment sump walls are not required to meet the testing requirement
- **Annual release detection equipment testing**
- **Certifications**

Federal UST Regulation Revisions

Addressing Deferrals

- **Emergency Generator USTs**
 - Require release detection
- **Field-Constructed USTs (FCT)**
 - Rescind current guidance that excludes existing field-constructed hazardous substance tanks at facilities regulated under the Safe Drinking Water Act from the definition of underground storage tank. Under changes made in the federal regulations, these tank systems must now be fully regulated under Chapter 245.

Federal UST Regulation Revisions

Additional Requirements

- **Flow restrictors** - flow restrictors in vent lines (ball floats) are no longer an option for overfill protection in new UST systems and when these devices need to be replaced.
- **Repairs** – 1988 UST regulation linked a repair to a release to the environment.
 - 2015 UST regulation removes this link so that fixes not associated with releases are also repairs. Adding testing after repairs to spill, overfill and secondary containment equipment. Section 245.434(5) in current Chapter 245 regulations.
- **Interstitial monitoring results** – EPA added language about an interstitial alarm being an unusual operating condition and added interstitial integrity testing as part of release investigation and confirmation.

PA Chapter 245 Regulation Changes

245.1 Definitions

- In general, modify current definitions to clarify meaning and to ensure consistency.
- Some examples:
 - Modify term “Release Detection” to include product piping.
 - Modify term “Tank Handling Activities” to replace the word “remove” with “permanently close.”
 - Add reference to aboveground storage tanks to definition of “removal from service.”

▶ PA Chapter 245 Regulation Changes

245.1** Certification

- Add a new certification category for Minor Modifications.
- Require newly Certified AST Inspectors to complete Department-provided initial inspector training to be consistent with UST Inspector requirements.
- Add language stating that AST Modification Inspections shall be submitted within 30 days from completion.

▶ PA Chapter 245 Regulation Changes

245.2** Permitting

- Require Site-Specific Installation Permit (SSIP) for installation of aboveground storage tanks with an aggregate capacity in excess of 21,000 gallons that cause an existing small aboveground storage tank facility to become a large aboveground storage tank facility.
- Add expiration date to SSIP.

▶ PA Chapter 245 Regulation Changes

245.3** Corrective Action

- Add that DEP may suspend remedial action if it is determined that the remedy will not achieve the selected cleanup standard.

PA Chapter 245 Regulation Changes

245.4** Underground Storage Tanks

- Require overfill prevention to be “permanently installed.”
- Exclude USTs used solely for emergency generator purposes from the automatic pump shut-off requirement.
- Remove the following statement regarding overfill prevention requirements:
 - “Restrict flow 30 minutes prior to overfilling,... or automatically shut off flow into the tank so that none of the fittings located on top of the tank are exposed to product due to overfilling.”

▶ PA Chapter 245 Regulation Changes

245.4** Underground Storage Tanks

- Modify language regarding what triggers a dispenser pan upgrade for consistency with Fact Sheet.
- Add section requiring failed tests of overfill, spill containment devices, and cathodic protection to be submitted to Department.
- Clarify that UST systems shall be empty upon submission of amended registration form to place system in TOS status.
- Add language to clarify that removal of dispenser is also a partial system closure.

PA Chapter 245 Regulation Changes

245.5** Large Aboveground Storage Tanks

- Clarify that ASTs being returned to service must have all deficiencies resolved prior to placing product in tank.
 - Currently language states, “prior to returning the tank to operating status.”
- Require 72-hour inspections to be documented.
- Add timeframe for owner to submit updated SPRP.
- Require any facility requiring a Spill Prevention Response Plan (SPRP) to maintain a log book detailing who performed and when any tank handling activity occurred on the regulated tank system. Maintain log books for 3 years.
- For consistency, replace “monthly visual inspections” with “visual inspections at least once every 30 days.”
- Require ASTs in underground vaults be inspected every 3 years.
- Add language clarifying that regulated tank systems that become exempt and again become regulated tank systems must meet current technical requirements.

▶ PA Chapter 245 Regulation Changes

245.5** Large Aboveground Storage Tanks

- Modify temporary removal-from-service (TRS) section to remove reference to variance for TRS extension.
 - New language would apply to Small AST regulations as well.
 - Language for TRS extension would be similar to UST regulations.
- Section 245.526 currently only states “piping installed after October 11, 1997,....shall be adequately protected from corrosion.....”
 - What about piping installed prior to 10/11/1997?
- Exempt ASTs storing a mixture of bituminous obtained from native deposits or as a petroleum by-product used for roofing or paving that is in a solid state at 100 degrees Fahrenheit or less from OS Inspections.

PA Chapter 245 Regulation Changes

245.6** Small Aboveground Storage Tanks

- Add a variance section? Or a generic variance section at beginning of regulations applying to all sections?
- Specify size of emergency containment; not just “any potential release.”
 - 110%?
- Shorten In-Service inspection cycle from 10 years to 5 years.
- Remove requirement for a 10-year lining inspection on small ASTs.
- Add sentence to Section 245.612 stating equipment shall be maintained in a good state of repair and function as designed.
- Regarding Double-walled ASTs:
 - Require permanent installation of spill bucket.
 - Clarify that shut down procedure shall be written.
 - Revise “See PEI RP 200” section regarding solenoid and anti-siphon valves to reflect the Department’s position.



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Questions?