CHAPTER 245. ADMINISTRATION OF THE STORAGE TANK AND SPILL PREVENTION PROGRAM

SUMMATION OF CHANGES

Subchapter A. GENERAL PROVISIONS

GENERAL

§ 245.1. Definitions.

Containment structure or facility—Anything built, installed or established AND DESIGNED TO CONTAIN which comes in contact with regulated substances that are spilled, leaked, emitted, discharged, escaped, leached or disposed from a storage tank or storage tank system[. The term includes, but is not limited to], including a vault, A dike, A wall, A building or secondary containment structure around an underground or [above-ground] aboveground storage tank, or any rock or other fill material placed around an underground storage tank.

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IMMEDIATE THREAT OF CONTAMINATION—SPILLING, LEAKING, EMITTING, DISCHARGING, ESCAPING, LEACHING OR DISPOSING FROM A STORAGE TANK INTO A CONTAINMENT STRUCTURE OR FACILITY IN AN AMOUNT EOUAL TO OR GREATER THAN THE REPORTABLE RELEASED OUANTITY **DETERMINED UNDER SECTION 102 OF THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT OF 1980** (42 U.S.C.A. § 9602) AND REGULATIONS PROMULGATED THEREUNDER, OR AN AMOUNT EOUAL TO OR GREATER THAN A DISCHARGE AS DEFINED IN SECTION 311 OF THE FEDERAL WATER POLLUTION CONTROL ACT (33 U.S.C.A. § 1321) AND REGULATIONS PROMULGATED THEREUNDER. THE TERM DOES NOT INCLUDE SPILLING, LEAKING, EMITTING, DISCHARGING, ESCAPING, LEACHING OR DISPOSING OF PETROLEUM INTO A LIQUID-TIGHT CONTAINMENT SUMP OR EMERGENCY CONTAINMENT STRUCTURE IN AN AMOUNT LESS THAN 25 GALLONS AS A RESULT OF A TANK HANDLING ACTIVITY IF THE CERTIFIED INSTALLER PROVIDING DIRECT ONSITE SUPERVISION HAS CONTROL OVER THE REGULATED SUBSTANCE, THE REGULATED SUBSTANCE IS COMPLETELY CONTAINED AND, PRIOR TO THE CERTIFIED INSTALLER LEAVING THE STORAGE TANK FACILITY, THE TOTAL VOLUME OF THE REGULATED SUBSTANCE IS RECOVERED AND REMOVED.

Release—Spilling, leaking, emitting, discharging, escaping, leaching or disposing from a storage tank into surface waters and groundwaters of this Commonwealth or soils or subsurface soils in an amount equal to or greater than the reportable released quantity determined under section 102 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C.A. § 9602), and regulations promulgated thereunder, or an amount equal to or greater than a discharge as defined in section 311 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1321) and regulations promulgated thereunder. The term also includes spilling, leaking, emitting, discharging, escaping, leaching or disposing from a storage tank into a containment structure or facility that poses an immediate threat of contamination of the soils, subsurface soils, surface water or groundwater. All spills, leaks, emissions, discharges, escapes, leaching or disposals of a regulated substance into a containment structure or facility pose an immediate threat of contamination of the soils, subsurface soils, surface water or groundwater, except when a regulated substance is present in a liquid-tight containment sump or emergency containment structure as a result of a tank handling activity, if the certified installer providing direct onsite supervision has control over the regulated substance, the regulated substance is completely contained and, prior to the certified installer leaving the storage tank facility, the total volume of the regulated substance is recovered and removed.

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Subchapter B. CERTIFICATION PROGRAM FOR INSTALLERS AND INSPECTORS OF STORAGE TANKS AND STORAGE TANK FACILITIES

GENERAL CERTIFICATION REQUIREMENTS

§ 245.108. Suspension of certification.

(a) The Department may suspend the certification of a certified installer or certified inspector for good cause which includes [, but is not limited to]:

- (4) In the case of a certified inspector's failure to:
- (i) Inform the owner or operator and the Department of conditions or procedures that are not in accordance with the manufacturer's technical and procedural specifications for installation, construction, modification or operation of the storage tank system or storage tank facility and not in compliance with the act or this chapter.
 - (ii) Conduct, review or observe a test or inspection activity required by the act or this chapter.
- (iii) Submit A reports REPORT of AN inspection activities ACTIVITY to the Department within 60 days of conducting [the inspection activities] an inspection activity, except for reports of modification inspection activities, which shall MUST be reported to the Department within 30 days of conducting a modification inspection activity. FOR

INSPECTION ACTIVITIES INVOLVING MULTIPLE CERTIFIED INDIVIDUALS AND CERTIFICATION CATEGORIES, REPORTS OF MODIFICATION INSPECTION ACTIVITIES SHALL BE SUBMITTED WITHIN 30 DAYS OF THE COMPLETION OF ALL PROJECT TANK HANDLING AND INSPECTION ACTIVITIES.

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§ 245.113. Certified inspector experience and qualifications.

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(c) A college degree being substituted for experience shall be, at a minimum, a bachelor's degree in civil engineering, mechanical engineering, environmental engineering, petroleum engineering, chemical engineering, structural engineering, geotechnical engineering, CORROSION ENGINEERING, hydrology, geology or [environmental studies] an equivalent degree as determined by the Department.

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STANDARDS [FOR] OF PERFORMANCE

§ 245.132. Standards of performance.

- (a) Certified companies, certified installers and certified inspectors shall:
- (1) Maintain current technical and administrative specifications and manuals, [Nationally-recognized] Nationally recognized codes and standards, and State and Federal regulations which pertain to the categories for which certification was issued. [Nationally-recognized] Nationally recognized organizations are identified in §§ 245.405, 245.504 and 245.604 (relating to codes and standards; referenced organizations; and referenced organizations).
- (2) Complete and submit to the Department, within 60 days of [the inspection activity] an inspection activity, except for a modification inspection, which shall be submitted within 30 days of the inspection activity, or 30 days of a tank handling activity, a Department-approved form certifying that the tank handling activity or inspection activity conducted by the certified installer or certified inspector meets the requirements [of] in the act and this chapter and accurately describes DESCRIBING the conditions of the storage tank system and facility IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:. For tank handling activities involving multiple certified individuals and certification categories, the tank handling report shall be submitted within 30 days of the completion of all project tank handling and inspection activities.
- (I) SUBMIT A REPORT OF AN INSPECTION ACTIVITY TO THE DEPARTMENT WITHIN 60 DAYS OF CONDUCTING AN INSPECTION ACTIVITY, EXCEPT FOR A REPORT OF MODIFICATION INSPECTION ACTIVITIES, WHICH MUST BE

REPORTED TO THE DEPARTMENT WITHIN 30 DAYS OF CONDUCTING A MODIFICATION INSPECTION ACTIVITY.

(II) SUBMIT A REPORT OF A TANK HANDLING ACTIVITY TO THE DEPARTMENT WITHIN 30 DAYS OF CONDUCTING THE TANK HANDLING ACTIVITY.

(III) FOR TANK HANDLING ACTIVITIES OR INSPECTION ACTIVITIES INVOLVING MULTIPLE CERTIFIED INDIVIDUALS AND CERTIFICATION CATEGORIES, SUBMIT A REPORT OF TANK HANDLING ACTIVITIES OR INSPECTION ACTIVITIES WITHIN 30 DAYS OF THE COMPLETION OF ALL PROJECT TANK HANDLING OR INSPECTION ACTIVITIES.

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Subchapter D. CORRECTIVE ACTION PROCESS FOR OWNERS AND OPERATORS OF STORAGE TANKS AND STORAGE TANK FACILITIES AND OTHER RESPONSIBLE PARTIES

§ 245.302. Scope.

This subchapter applies to **SUSPECTED RELEASES AND** releases of regulated substances from storage **[tanks]** tank systems regulated under the act.

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§ 245.304. Investigation AND REPORTING of suspected releases.

(a) The owner or operator of [storage tanks and storage tank facilities] a storage tank system or storage tank facility shall initiate and complete an investigation of [an indication of a release] a suspected release of a regulated substance as soon as practicable, but no later than 7 days after the indication of a SUSPECTED release. An indication of a SUSPECTED release includes one or more of the following conditions:

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(c) [If the investigation confirms that a reportable release has occurred, the owner or operator shall report the release in accordance with § 245.305 (relating to reporting releases) and initiate corrective action.] Except as provided in § 245.305(i) (relating to reporting releases), if the investigation confirms that a release has occurred, the owner or operator shall report the release in accordance with § 245.305 and initiate corrective action. UPON COMPLETION OF THE INVESTIGATION UNDER SUBSECTION (A), THE OWNER OR OPERATOR SHALL COMPLY WITH ONE OF THE FOLLOWING REQUIREMENTS:

- (1) EXCEPT AS PROVIDED IN § 245.305(I) (RELATING TO REPORTING RELEASES), IF THE INVESTIGATION CONFIRMS THAT A RELEASE HAS OCCURRED, THE OWNER OR OPERATOR SHALL REPORT THE RELEASE UNDER § 245.305 AND INITIATE CORRECTIVE ACTION.
- (2) IF THE INVESTIGATION CANNOT DETERMINE WHETHER A RELEASE HAS OCCURRED, THE OWNER OR OPERATOR SHALL REPORT THE SUSPECTED RELEASE WITHIN 15 DAYS OF THE INDICATION OF THE SUSPECTED RELEASE TO THE APPROPRIATE REGIONAL OFFICE OF THE DEPARTMENT ON A FORM PROVIDED BY THE DEPARTMENT.
- (3) IF THE INVESTIGATION CONFIRMS THAT A RELEASE HAS NOT OCCURRED, NO FURTHER CORRECTIVE ACTION IS REQUIRED EXCEPT THAT THE OWNER OR OPERATOR SHALL COMPLETELY RECOVER AND REMOVE THE REGULATED SUBSTANCE.
- [(d) If the investigation confirms that a nonreportable release has occurred, the owner or operator shall take necessary corrective actions to completely recover or remove the regulated substance which was released.
- (e)] (d) If the investigation confirms that a release has not occurred, further [investigation] corrective action by the owner or operator is not required.
- § 245.305. Reporting releases.

- (i) Release reporting under this section and further corrective action under this subchapter are not required for the following releases if the owner or operator has control over the release, the release is completely contained, the CONTAINED AND THE total volume of the release is recovered and removed within 24 hours of the release, and any defective storage tank system component that caused or contributed to the release is properly repaired or replaced:
- (1) A release of petroleum to an aboveground surface, including within an emergency containment structure, that is less than 25 gallons.
- (2) A release of a hazardous substance to an aboveground surface, including within an emergency containment structure, that is less than its reportable quantity under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C.A. §§ 9601—9675) and 40 CFR Part 302 (relating to designation, reportable quantities, and notification) A RELEASE OF PETROLEUM TO A CONTAINMENT SUMP IF THE TOTAL VOLUME OF THE RELEASE IS CONTAINED BELOW THE LOWEST SUMP PENETRATION.
- (3) A release to a liquid-tight containment sump used for interstitial monitoring of piping in accordance with § 245.444(6) (relating to methods of release detection for tanks).

Subchapter E. TECHNICAL STANDARDS FOR UNDERGROUND STORAGE TANKS

GENERAL

§ 245.403. Applicability.

- (a) *General*. The requirements [of] <u>in</u> this subchapter apply to owners and operators, as well as installers and inspectors of underground storage tank systems as defined in § 245.1 (relating to definitions), except as otherwise provided in [subsection (b)] subsections (c) and (d).
- [(b) Deferrals. Sections 245.441—245.446 (relating to release detection) do not apply to an underground storage tank system that stores fuel solely for use by emergency power generators.
- (c) Temporary exclusions. Existing tanks that become regulated due to the addition of new regulated substances in \S 245.1 ((relating to definitions) (See the definition of 'regulated substance' (i)(C)(I) and (II))) are subject to this chapter and shall be registered with the Department by January 9, 2008. In addition, these tanks are temporarily excluded from the requirements of $\S\S$ 245.421, 245.422, 245.431, 245.432 and 245.441—245.446, until November 10, 2010.]
- (b) Emergency power generator fuel tanks. Underground storage tank systems that store fuel solely for use by emergency power generators must meet the requirements in §§ 245.441—245.446 (relating to release detection) as follows:
- (1) Underground storage tank systems installed on or before November 10, 2007, must meet the requirements in §§ 245.441—245.446 on or before (Editor's Note: The blank refers to 730 days after the effective date of adoption of this proposed rulemaking.).
- (2) Underground storage tank systems installed after November 10, 2007, must meet the requirements in §§ 245.441—245.446 on or before (Editor's Note: The blank refers to 365 days after the effective date of adoption of this proposed rulemaking.).
- (3) Underground storage tank systems installed after (*Editor's Note*: The blank refers to the effective date of adoption of this proposed rulemaking.), must meet the requirements in §§ 245.441—245.446 at installation.
- (c) Partial exclusions. EXCEPT AS PROVIDED IN PARAGRAPH (4), The THE following underground storage tanks systems are not required to comply with §§ 245.411, 245.421(b)(3) and (4)(ii) and (iii), 245.422(d), 245.432(g) and 245.436—245.446:
- (1) A wastewater treatment tank system INSTALLED ON OR AFTER MAY 7, 1985, that is not part of a wastewater treatment facility regulated under section 307(b) or 402 of the Clean Water Act (33 U.S.C.A. §§ 1317(b) and 1342).

- (2) An underground storage tank system INSTALLED ON OR AFTER MAY 7, 1985, containing radioactive material that is regulated under the Atomic Energy Act of 1954 (42 U.S.C.A. §§ 2011—2296b-7).
- (3) An underground storage tank system INSTALLED ON OR AFTER MAY 7, 1985, that is part of an emergency generator system at a nuclear power generation facility licensed by the United States Nuclear Regulatory Commission and subject to United States Nuclear Regulatory Commission requirements regarding design and quality criteria, including 10 CFR Part 50 (relating to domestic licensing of production and utilization facilities).
- (4) AN UNDERGROUND STORAGE TANK SYSTEM REFERENCED IN PARAGRAPH (1), (2), OR (3) INSTALLED BEFORE MAY 7, 1985, IS NOT REQUIRED TO COMPLY WITH §§ 245.411—245.422, 245.424, 245.432, 245.433, AND 245.436—245.446.
- (d) Previously excluded underground storage tanks. Underground storage tank systems that were not required to be registered with the Department prior to (Editor's Note: The blank refers to the effective date of adoption of this proposed rulemaking.), shall be registered with the Department by (Editor's Note: The blank refers to 3060 days after the effective date of adoption of this proposed rulemaking.). Underground storage tanks include all of the following:
- (1) Field-constructed underground storage installed on or before October 11, 1997, that the Department previously did not require to be registered as a matter of policy. These tanks are temporarily excluded from §§ 245.421, 245.422, 245.431, 245.432, 245.437 and 245.441—245.446, until (Editor's Note: The blank refers to 365 days after the effective date of adoption of this proposed rulemaking.).
- (2) Underground storage tank systems referenced in subsection (c)(1)—(3) installed on or before (Editor's Note: The blank refers to the effective date of adoption of this proposed rulemaking.).

GENERAL OPERATING REQUIREMENTS

- § 245.432. Operation and maintenance including corrosion protection.
- (a) [Owners and operators of steel underground storage tank systems with corrosion protection shall comply with the following requirements to ensure that releases due to corrosion are prevented for as long as the underground storage tank system is used to store regulated substances:] Owners and operators of metal underground storage tank systems with corrosion protection shall comply with all of the following requirements to ensure that releases due to corrosion are prevented until the underground storage tank system is

permanently closed or undergoes a change-in-service in accordance with § 245.452 (relating to permanent closure and changes-in-service).

- (1) Corrosion protection systems shall be operated and maintained to continuously provide corrosion protection to the metal components of that portion of the tank and piping that routinely contain regulated substances.
- (2) Underground storage tank systems equipped with cathodic protection systems shall be **inspected TESTED** for proper operation by a qualified cathodic protection tester in accordance with the following requirements:
- (i) *Frequency*. Cathodic protection systems shall be tested within 6 months of installation and at least every 3 years thereafter.
- (ii) *Inspection criteria*. The criteria that are used to determine that cathodic protection is adequate as required by this section shall be in accordance with a code of practice developed by a **[Nationally-recognized] Nationally recognized** association.
- (iii) Documentation. Surveys of cathodic protection systems required under this chapter shall be documented on a form provided by the Department and shall be provided to the Department upon request.
- (3) Underground storage tank systems with impressed current cathodic protection systems shall be **inspected or** checked every 60 days to ensure the equipment is **[running properly] functioning as designed**. At a minimum, the operator or person conducting the 60-day check shall document the date checked, annotate the system's functioning status, and for systems equipped with a direct current readout meter, record the amount of current indicated on the meter.
- (4) For underground storage tank systems using cathodic protection, records of the operation of the cathodic protection shall be maintained, in accordance with § 245.435 (relating to reporting and recordkeeping) to demonstrate compliance with the performance standards in this section. These records must provide the following:
 - (i) The results of the last three inspections CHECKS required in paragraph (3).
 - (ii) The results of testing from the last two **inspections SURVEYS** required in paragraph (2).

§ 245.433. Compatibility.

(a) Owners and operators shall use an underground storage tank system[,] made of or lined with materials[, that is] that are compatible with the substance stored in the underground storage tank system. [Owners and operators storing alcohol blends may use the following codes to comply with the requirements of this section:

- (1) American Petroleum Institute Publication 1626, "Storing and Handling Ethanol and Gasoline-Ethanol Blends at Distribution Terminals and Service Stations."
- (2) American Petroleum Institute Publication 1627, "Storage and Handling of Gasoline-Methanol/Cosolvent Blends at Distribution Terminals and Service Stations."]
- (b) UPON DEPARTMENT REQUEST, An AN owner and operator of an underground storage tank storing alternative fuel blends or biodiesel or biodiesel blended fuel shall submit on a form provided by the Department information verifying compatibility of the underground storage tank system with the substance stored prior to storing the substance in the underground storage tank.
- (c) Upon Department request, an AN owner and operator of an underground storage tank system shall demonstrate compatibility of the underground storage tank system with the substance stored by using one or more of the following:
- (1) Certification or listing of the underground storage tank system equipment or component by a Nationally recognized, independent testing laboratory for use with the substance stored.
- (2) Equipment or component manufacturer approval. The manufacturer's approval must be in writing, indicate an affirmative statement of compatibility, specify the range of alternative fuel blend or biodicsel blend with which the equipment or component is compatible WITH THE SUBSTANCE STORED, and be from the equipment or component manufacturer.
- (3) Verification by a Pennsylvania-licensed professional engineer who has knowledge, experience and training in materials science that the equipment or component is compatible with the substance stored. The Department may request documentation supporting the professional engineer's verification.
- (4) Another option that is determined by the Department to be at least as protective of human health and the environment as those in paragraphs (1)—(3).
- § 245.435. Reporting and recordkeeping.

(d) Recordkeeping. Owners and operators shall maintain all of the following records for underground storage tank systems for the operational life of the system and retain the records for a minimum of 1 year after the underground storage tank system has been permanently closed:

[(iv)] (13) Documentation of the last three impressed current cathodic protection system inspection checks for each 60-day test period in accordance with § 245.432.

Subchapter F. TECHNICAL STANDARDS FOR ABOVEGROUND STORAGE TANKS AND FACILITIES

OPERATIONS AND MAINTENANCE

§ 245.512. Facility operations and spill response plan.

[An initial Spill Prevention Response Plan (Plan) and any future updates, which address the requirements described in Chapter 9 of the act (35 P.S. §§ 6021.901—6021.904) and this chapter, shall be submitted to the Department for aboveground storage tank facilities with an aggregate aboveground storage capacity greater than 21,000 gallons.] An initial Spill Prevention Response Plan (Plan), which addresses the requirements in sections 901—904 of the act (35 P.S. §§ 6021.901—6021.904) and this chapter, shall be submitted to the Department for a storage tank facility with an aggregate aboveground storage capacity greater than 21,000 gallons. Plan revisions OR ANY ADDENDUM TO THE INITIAL PLAN shall be submitted to the Department IN WRITING OR ELECTRONICALLY within 120 180 days of any occurrences as described in section 901(b) of the act. A current copy of the Plan shall be readily available at the facility at all times.

§ 245.513. Preventive maintenance and housekeeping requirements.

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(b) [Routine maintenance inspection procedures shall be established and implemented at each storage tank facility.] The storage tank facility owner and operator shall establish and implement routine maintenance inspection procedures at each storage tank facility.

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(2) [An owner/operator is responsible to assure that a maintenance inspection of the facility and equipment is performed each month. The maintenance inspection shall include:] The facility owner and operator are responsible to assure that a maintenance inspection of each aboveground storage tank system is performed each month. The maintenance inspection shall include all of the following:

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(v) A check of the cathodic protection system, if installed, to ensure the equipment is functioning as designed.

[(v)] (vi) The monthly maintenance inspection report shall be completed and signed by the individual who conducted the inspections and maintained for 1 year.

§ 245.514. Security.

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- (b) The owner and operator of an aboveground storage tank facility with an aggregate above-ground ABOVEGROUND storage capacity greater than 21,000 gallons are responsible for maintaining SHALL MAINTAIN a written OR ELECTRONIC logbook. At a minimum, each log book entry must identify the name of the individual performing tank handling and inspection activities, the individual's signature OR EQUIVALENT VERIFICATION OF PRESENCE ONSITE, the company name, the date of work, start and end times, and a brief description of work performed, including tank identification.
- § 245.516. Recordkeeping requirements.
- (c) Recordkeeping. Owners and operators shall maintain all of the following records for aboveground storage tank systems for the operational life of the tank system and retain the records for a minimum of 1 year after the tank system has been permanently closed:

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(8) Written OR ELECTRONIC logbooks ENTRY INFORMATION AS required under § 245.514(b) (relating to security).

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[(3)] (11) The last two results of cathodic protection monitoring, when a cathodic protection system is in use UNDER § 245.532 (RELATING TO CATHODIC PROTECTION SYSTEMS).

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(16) DOCUMENTATION OF THE LAST THREE IMPRESSED CURRENT CATHODIC PROTECTION SYSTEM CHECKS FOR EACH 60-DAY PERIOD UNDER § 245.532.

DESIGN, CONSTRUCTION AND INSTALLATION

- § 245.522. New aboveground **storage** tank installations and reconstructions.
- (g) <u>Aboveground storage tanks previously regulated by the Department must meet</u> performance requirements for new aboveground storage tank systems prior to returning to regulated tank status.

CORROSION AND DETERIORATION PREVENTION

- § 245.532. Cathodic protection systems.
- (a) [When required for corrosion prevention, on new, reconstructed or relocated tanks or the replacement of the tank bottom the cathodic protection system shall consist of one or more of the following:] When required for corrosion prevention, cathodic protection systems must consist of one or more of the following:
 - (1) Sacrificial anodes and [dielectrical] dielectric coating.
 - (2) Impressed current.
- (3) Another method specified in an appropriate Nationally recognized association code of practice [such as API 651 or associations such as NACE].
- (b) Cathodic protection systems shall be designed by a corrosion expert and maintained to provide protection against external corrosion for the operational life of the tank system.
- (c) Each cathodic protection system shall have an access point which enables the owner or operator to check on the adequacy of cathodic protection. The cathodic protection systems shall be monitored periodically as determined by the corrosion system design. TESTED FOR PROPER OPERATION BY A QUALIFIED CATHODIC PROTECTION TESTER TO VERIFY THAT THE CATHODIC PROTECTION SYSTEM IS MEETING THE FOLLOWING:
- (1) IMPRESSED CURRENT CATHODIC PROTECTION SYSTEMS MUST BE TESTED AT LEAST ANNUALLY.
- (2) GALVANIC CATHODIC PROTECTION SYSTEMS MUST BE TESTED AT LEAST EVERY 3 YEARS.
- (3) CATHODIC PROTECTION SYSTEMS MUST BE TESTED WITHIN 6 MONTHS FOLLOWING INSTALLATION AND 6 MONTHS FOLLOWING REPAIR OF THE CATHODIC PROTECTION SYSTEM.
- (4) THE CRITERIA THAT ARE USED TO DETERMINE THAT CATHODIC PROTECTION IS ADEQUATE UNDER THIS SECTION MUST BE IN ACCORDANCE WITH A CODE OF PRACTICE DEVELOPED BY A NATIONALLY-RECOGNIZED ASSOCIATION.
- (D) ABOVEGROUND STORAGE TANK SYSTEMS WITH IMPRESSED CURRENT CATHODIC PROTECTION SYSTEMS MUST BE CHECKED EVERY 60 DAYS TO ENSURE THE EQUIPMENT IS RUNNING PROPERLY. AT A MINIMUM, THE

OPERATOR OR PERSON CONDUCTING THE 60-DAY CHECK MUST DOCUMENT THE DATE CHECKED, ANNOTATE THE SYSTEM'S FUNCTIONING STATUS, AND FOR SYSTEMS EQUIPPED WITH A DIRECT CURRENT READOUT METER, RECORD THE AMOUNT OF CURRENT INDICATED ON THE METER.

- (E) FOR ABOVEGROUND STORAGE TANK SYSTEMS USING CATHODIC PROTECTION, RECORDS OF THE OPERATION OF THE CATHODIC PROTECTION MUST BE MAINTAINED UNDER § 245.516 (RELATING TO RECORDKEEPING REQUIREMENTS) TO DEMONSTRATE COMPLIANCE WITH THE PERFORMANCE STANDARDS IN THIS SECTION. THE RECORDS MUST INCLUDE THE FOLLOWING:
- (1) THE RESULTS OF THE LAST THREE CHECKS REQUIRED IN PARAGRAPH (D).
- (2) THE RESULTS OF TESTING FROM THE LAST TWO CATHODIC PROTECTION SURVEYS REQUIRED IN PARAGRAPH (C).
- (d) (F) Tank and piping connections of two dissimilar metals which create a galvanic cell are prohibited.

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RELEASE PREVENTION AND LEAK DETECTION

- § 245.542. Containment requirements for [above-ground] aboveground storage tank systems.
- d) Aboveground <u>storage</u> tanks must have emergency containment structures, such as dike fields, curbing and containment collection systems, which contain releases from overfills, leaks and spills[, when a new tank system is installed or at the next out-of-service inspection for existing tank systems as established in § 245.553(d) (relating to out-of-service inspections) or by November 10, 2010, whichever occurs first].
- (1) Permeability of newly installed or replacement emergency containment structures **OR EMERGENCY CONTAINMENT STRUCTURES FOR ABOVEGROUND STORAGE TANKS INSTALLED AFTER OCTOBER 11, 1997,** must be less than 1×10^{-6} cm/sec at anticipated hydrostatic head and be of sufficient thickness to prevent the released substance from penetrating the containment structure for a minimum of 72 hours, and until the release can be detected and recovered.
- (2) Emergency containment structures for existing aboveground storage tanks INSTALLED ON OR BEFORE OCTOBER 11, 1997, must meet one of the following standards [by November 10, 2010, or at the next out-of-service inspection, prior to the tank being placed back into service, whichever occurs first]:

- (i) The standards for new emergency containment structures for aboveground storage tanks in paragraph (1).
- (ii) Verification by a professional engineer that the emergency containment structure, coupled with the tank monitoring program and response plan, is capable of detecting and recovering a release and is designed to prevent contamination of the waters of this Commonwealth. Verification may be conducted in a manner consistent with the Department's technical document entitled "Verification of Emergency Containment Structures for Aboveground Storage Tanks" or in a manner at least as protective of public health and safety and the environment and which meets all statutory and regulatory requirements. Verification of earthen structures should include determination of the containment structure permeability following [Nationally-recognized testing methods such as ASTM Methods and Engineering Standards Listed in API Publication 351] Nationally recognized testing methods.

Subchapter G. SIMPLIFIED PROGRAM FOR SMALL ABOVEGROUND STORAGE TANKS

GENERAL

- § 245.603. General storage tank facility requirements.
- (a) [The owner/operator of aboveground storage tank facilities with an aggregate aboveground storage capacity greater than 21,000 gallons shall develop and adhere to a Spill Prevention Response Plan (Plan) which addresses the requirements described in Chapter 9 of the act (35 P.S. §§ 6021.901—6021.904). The Plan shall be provided to the Department and updated as necessary.] The owner and operator of a storage tank facility with an aggregate aboveground storage capacity greater than 21,000 gallons shall develop and adhere to a Spill Prevention Response Plan (Plan) which addresses the requirements in sections 901—904 of the act (35 P.S. §§ 6021.901—6021.904). Plan revisions OR ANY ADDENDUM TO THE INITIAL PLAN shall be submitted to the Department IN WRITING OR ELECTRONICALLY within 120 180 days of any occurrences as described in section 901(b) of the act. A current copy of the Plan shall be readily available at the storage tank facility at all times.

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(c) The owner and operator of a storage tank facility with an aggregate aboveground storage capacity greater than 21,000 gallons shall maintain a written OR ELECTRONIC log book. At a minimum, each log book entry must identify the name of the individual performing tank handling and inspection activities, the individual's signature OR EQUIVALENT VERIFICATION OF PRESENCE ONSITE, the company name, the date

of work, start and end times, and a brief description of work performed, including tank identification.

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§ 245.613. Monitoring standards.

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- (b) The **[owner/operator]** owner and operator shall assure that a maintenance and general operations check of the <u>aboveground</u> storage tank system is performed at least monthly. Deficiencies noted during the check shall be corrected. The small aboveground storage tank general operations and maintenance checklist provided by the **[owner/operator]** owner and operator shall be used to document the monthly operations and maintenance check. The operations and maintenance check shall include:
- (1) A visual examination of the <u>aboveground storage</u> tank system for deterioration, including[, but not limited to,] the tank, piping, ancillary equipment, foundation, <u>containment structure or facility</u>, and safety equipment.
- (2) A check of the containment areas for accumulation of water and removal of water as necessary.
- (3) Confirmation that containment drain valves are secured in the closed position when not in use.
- (4) [Monitoring] <u>Functionality</u> VERIFICATION OF THE FUNCTIONALITY of the leak detection system.

(5) A check of the cathodic protection system, if installed, to ensure the equipment is functioning as designed.

- $\{(5)\}$ (6) A check of vents for restrictions.
- [(6)] (7) A check of ancillary equipment for operational malfunctions.
- [(7)] (8) An investigation of conditions that may be a fire or safety hazard, or pose an environmental hazard.
- [(8)] (9) Observation for evidence of a release of regulated substance from the **aboveground storage** tank system.
- (C) AN OWNER AND OPERATOR OF AN ABOVEGROUND STORAGE TANK SYSTEM WITH A CATHODIC PROTECTION SYSTEM MUST COMPLY WITH THE FOLLOWING REQUIREMENTS TO ENSURE THAT RELEASES DUE TO

CORROSION ARE PREVENTED FOR AS LONG AS THE ABOVEGROUND STORAGE TANK SYSTEM IS USED TO STORE REGULATED SUBSTANCES:

- (1) AN ABOVEGROUND STORAGE TANK SYSTEM EQUIPPED WITH A CATHODIC PROTECTION SYSTEM MUST BE TESTED FOR PROPER OPERATION BY A QUALIFIED CATHODIC PROTECTION TESTER TO VERIFY THAT THE CATHODIC PROTECTION SYSTEM IS MEETING THE PROTECTION CRITERIA UNDER THE FOLLOWING:
- (I) IMPRESSED CURRENT CATHODIC PROTECTION SYSTEMS MUST BE TESTED AT LEAST ANNUALLY.
- (II) GALVANIC CATHODIC PROTECTION SYSTEMS MUST BE TESTED AT LEAST EVERY 3 YEARS.
- (III) CATHODIC PROTECTION SYSTEMS MUST BE TESTED WITHIN 6 MONTHS FOLLOWING INSTALLATION AND 6 MONTHS FOLLOWING REPAIR OF THE CATHODIC PROTECTION SYSTEM.
- (IV) THE CRITERIA THAT ARE USED TO DETERMINE THAT CATHODIC PROTECTION IS ADEQUATE UNDER THIS SECTION MUST BE IN ACCORDANCE WITH A CODE OF PRACTICE DEVELOPED BY A NATIONALLY-RECOGNIZED ASSOCIATION.
- (2) AN ABOVEGROUND STORAGE TANK SYSTEM WITH IMPRESSED CURRENT CATHODIC PROTECTION SYSTEMS MUST BE CHECKED EVERY 60 DAYS TO ENSURE THE EQUIPMENT IS RUNNING PROPERLY. AT A MINIMUM, THE OPERATOR OR PERSON CONDUCTING THE 60-DAY CHECK SHALL DOCUMENT THE DATE CHECKED, ANNOTATE THE SYSTEM'S FUNCTIONING STATUS, AND FOR SYSTEMS EQUIPPED WITH A DIRECT CURRENT READOUT METER, RECORD THE AMOUNT OF CURRENT INDICATED ON THE METER.
- (3) FOR AN ABOVEGROUND STORAGE TANK SYSTEM USING CATHODIC PROTECTION, RECORDS OF THE OPERATION OF THE CATHODIC PROTECTION SYSTEM MUST BE MAINTAINED UNDER § 245.615 (RELATING TO RECORDKEEPING REQUIREMENTS) TO DEMONSTRATE COMPLIANCE WITH THE PERFORMANCE STANDARDS IN THIS SECTION. THE RECORDS MUST INCLUDE THE FOLLOWING:
- (I) THE RESULTS OF THE LAST THREE CHECKS REQUIRED IN PARAGRAPH (2).
- (II) THE RESULTS OF TESTING FROM THE LAST TWO CATHODIC PROTECTION SURVEYS REQUIRED IN PARAGRAPH (1).

§ 245.615. Recordkeeping requirements.

- (a) The **[owner/operator]** owner and operator shall maintain required aboveground storage tank system records. If records are maintained offsite, the records shall be easily obtained and provided to the Department upon request.
- (b) The following records shall be maintained for the operational life of the **aboveground storage** tank **system** unless otherwise stated:
- (1) Original **[tank and] aboveground storage tank** system installation records and design specifications. This requirement is limited to records currently available for **[tank systems existing prior to] aboveground storage tank systems installed on or before** October 11, 1997.
 - (2) Records of modification to the **[tank or]** aboveground storage tank system.
- (3) The permits issued under Subchapter C (relating to permitting of underground and aboveground storage tank systems and facilities).
 - (4) Current registration certificates.
- (5) [Monthly leak] <u>Leak</u> detection records and maintenance checklists for the past 12 months.
 - (6) Third-party inspection reports.
- (7) Documentation of investigations of suspected releases in accordance with § 245.304 (relating to investigation of suspected releases).
- (8) Written OR ELECTRONIC logbook ENTRY information as required under § 245.603(c) (relating to general storage tank facility requirements).
- (9) DOCUMENTATION OF THE LAST THREE IMPRESSED CURRENT CATHODIC PROTECTION SYSTEM CHECKS FOR EACH 60-DAY PERIOD IN ACCORDANCE WITH § 245.613 (RELATING TO MONITORING STANDARDS).
- (10) THE LAST TWO CATHODIC PROTECTION SURVEYS, DONE AT 3-YEAR INTERVALS ON GALVANIC AND ANNUALLY ON IMPRESSED CURRENT CATHODIC PROTECTION SYSTEMS IN ACCORDANCE WITH § 245.613.