



Aboveground Petroleum Storage Tanks

Utah Chemical Industry
Compliance Workshop
2023



UTAH DEPARTMENT of
ENVIRONMENTAL QUALITY
**ENVIRONMENTAL RESPONSE
& REMEDIATION**

New Requirements for APSTs Required to Notify DEQ by June 30, 2022

01.

June 30, 2023

Must obtain a CoC

- Must meet minimum standards that are defined in the International Fire Code as adopted by the Utah State Fire Marshal and EPA Spill Prevention Control and Countermeasures
- Utah Code R311 has been updated to include APSTs. To obtain a Certificate, must provide tank and line tightness tests, site plats, spill prevention, previous pollution incident report, and financial responsibility

02.

July 1, 2023

Inspections

APSTs compliance inspections likely to begin.

03.

June 30, 2026

Upgrade Requirements

If necessary, APSTs using the EAP must upgrade to meet existing Fire Code performance standards – as addressed in the revised rules - updated to require cathodic protection, overfill prevention, line leak detector and secondary containment

Regulated Aboveground Petroleum Storage Tanks (APSTs)

APSTs - by volume, less than 10% buried in the ground, including the pipes connected to the storage tank and:

- (1) (a) has attached underground piping; or
(b) rests directly on the ground;
- (2) contains regulated substances;
- (3) has the capacity to hold 501 gallons or more.

Exempt APSTs

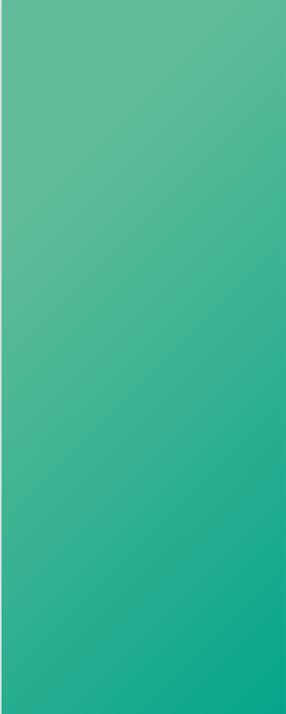
- (1) used in agricultural operations – farm tanks
- (2) used for heating oil for consumptive use on the premises
- (3) related to petroleum refineries or bulk terminals
- (4) directly related to oil or gas production and gathering
- (5) used in the fueling of aircraft or ground service equipment at a commercial airport

New Rule Updates - 2023

- Defined APST and added exemptions for:
 - Oil & gas transmission operation tanks,
 - Oil filled electrical equipment (transformers),
 - Temporary APSTs,
 - Used Oil APSTs managed by DWMRC,
 - ASTs containing de Minimis concentrations,
 - Liquefied petroleum gases,
 - Military facility hydrant systems
 - Hot-oil tanks for asphalt



New Rule Updates - 2023

- 
- Sets the Financial Responsibility (FR) coverage amount to match the Federal requirement for USTs to cleanup releases.
 - \$1,000,000 or \$500,000
 - Establishes requirements and processes for APST release reporting, investigation, confirmation, response, and corrective action to match Federal UST requirements.

Intent of the New Requirements

Definition of “Petroleum Storage Tank” now includes:

- Underground Storage Tanks
- Aboveground Petroleum Storage Tanks
- Tanks containing regulated substances that voluntarily participate in the Environmental Assurance Program

Meaning:

- APSTs are required to obtain and maintain a Certificate of Compliance and financial responsibility with the minimum amount of \$1,000,000 to operate
- Abatement and Corrective Action for APSTs falls under DERR



Certificate of Compliance (CoC) Requirements

All regulated APSTs must demonstrate FR by June 30, 2023

APSTs must obtain a Certificate of Compliance June 30, 2023:

- Payment of annual registration fees (\$110/tank or \$220 if not participating in the EAP)
- Demonstrate Financial Responsibility – State Fund Participation or Alternate FR
- Certificate of Compliance Application
- Previous Pollution Incident Form
- Tank Tightness Test(s) performed in the last six months (refer to (STI)R912 for testing procedures)
- Line Tightness Test(s) performed in the last six months
- Spill Bucket Test(s) performed in the last six months (not required if using an alternate FR mechanism)
- As-built drawing or site plat
- Site Assessment (optional)



APST Implementation of new Rules

- 226 Facilities have submitted notification forms with 588 tanks.
- 87 Facilities (204 Tanks) have achieved a Certificate of Compliance.

Shortage of Testers, Procrastination, Unaware, Denial...

38% of APST Facilities are in compliance with the new rules.



Abatement, Investigation, & Corrective Action

APSTs release requirements now include:

- 201** – Certified Consultant and Sampler requirements
- 202** – Report, Control, Abate and Characterize releases
- 211** – Corrective Action Cleanup Standards Policy

R311: 200 - 212
updated



Petroleum bulk plant - not regulated



Tank on concrete and all piping above ground - not regulated.



Retail gas station. Tanks off the ground but have underground piping to dispensers - regulated

Gravity fed. Likely less than 500 gallons, no underground piping. Common in rural Utah. Not regulated.





Tank is in containment and piping is underground - regulated



Tank on asphalt and no underground piping - not regulated

Tanks on gravel, piping is above ground - regulated



Tanks on gravel, no underground piping - regulated



Mobile AST with Underground Piping Release reported September 2023





Loa - AST damaged by logging truck - January 2020 (3,000 gallons lost)



Helper - Leaking
APST
August 2020





Ticaboo - AST Overfill August 2020 (3,000 gallons lost)

Wendover 2021 – AST Release & Oil Water Separator Overflow



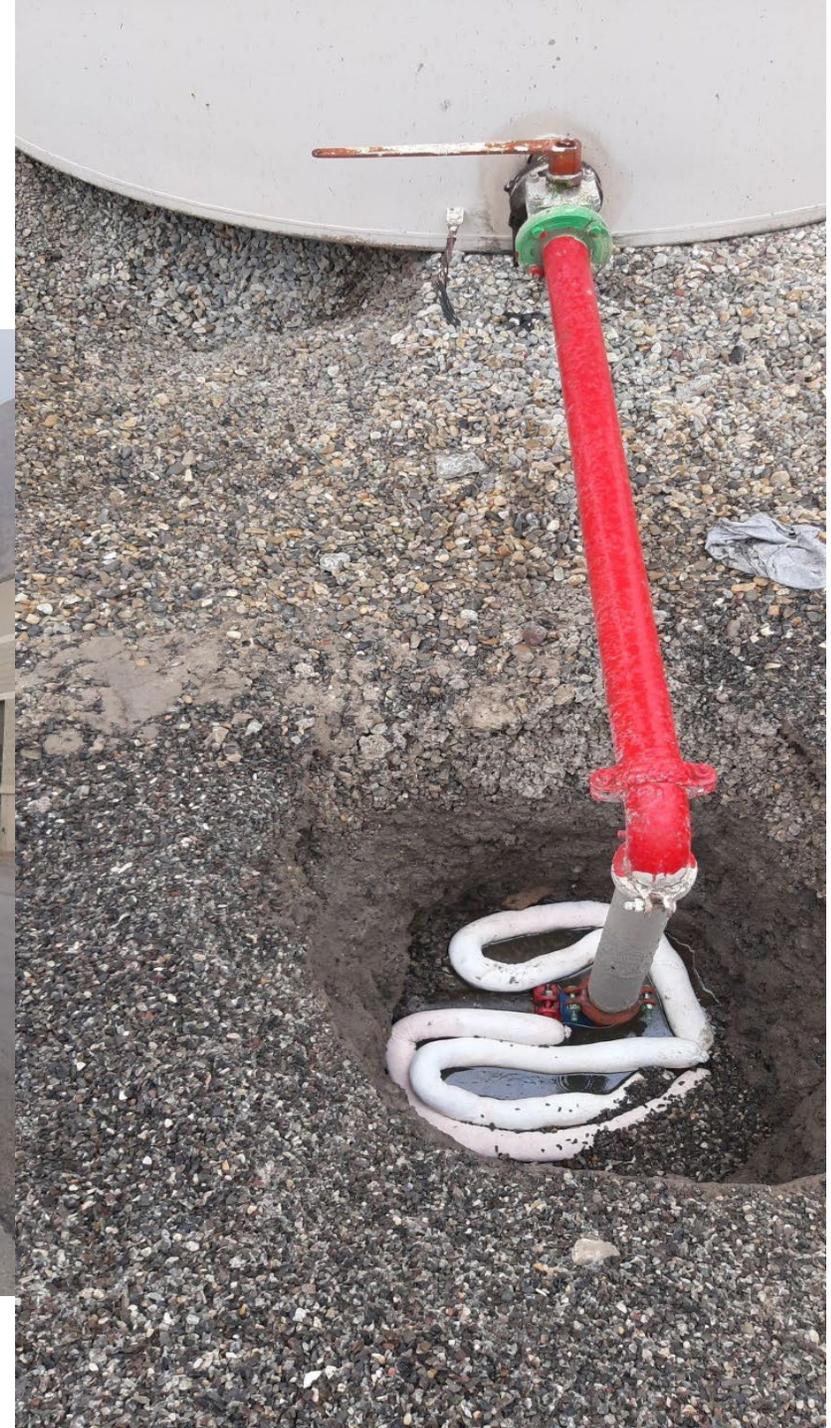
Scipio APSTs Spill 2022 - 200 Gallons
Lost



Scipio 2022



Springville 2022
Approx. 178
Gallons Lost



Springville 2022
Approx. 178 Gallons
Lost

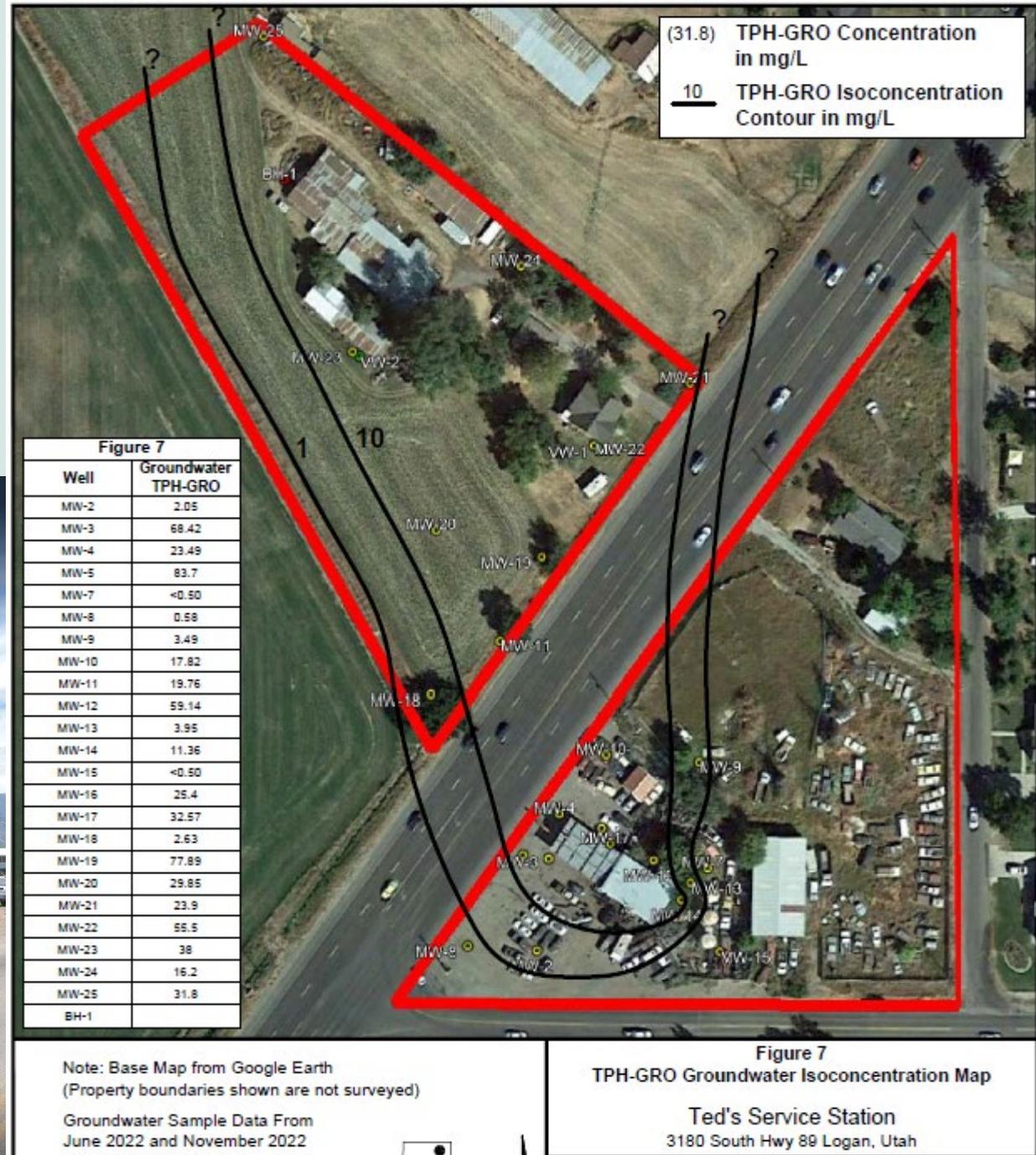


Springville 2022 - Approx. 178 Gallons



AST Release - Logan, UT

Release reported in 2007



How You Can Help

- Help be our eyes when you are out and about
- If you see an APST let us know
- Take a picture and text or email it to us
- Let APST owners know about the new regulations and that they need to notify us

ASTNotice.utah.gov

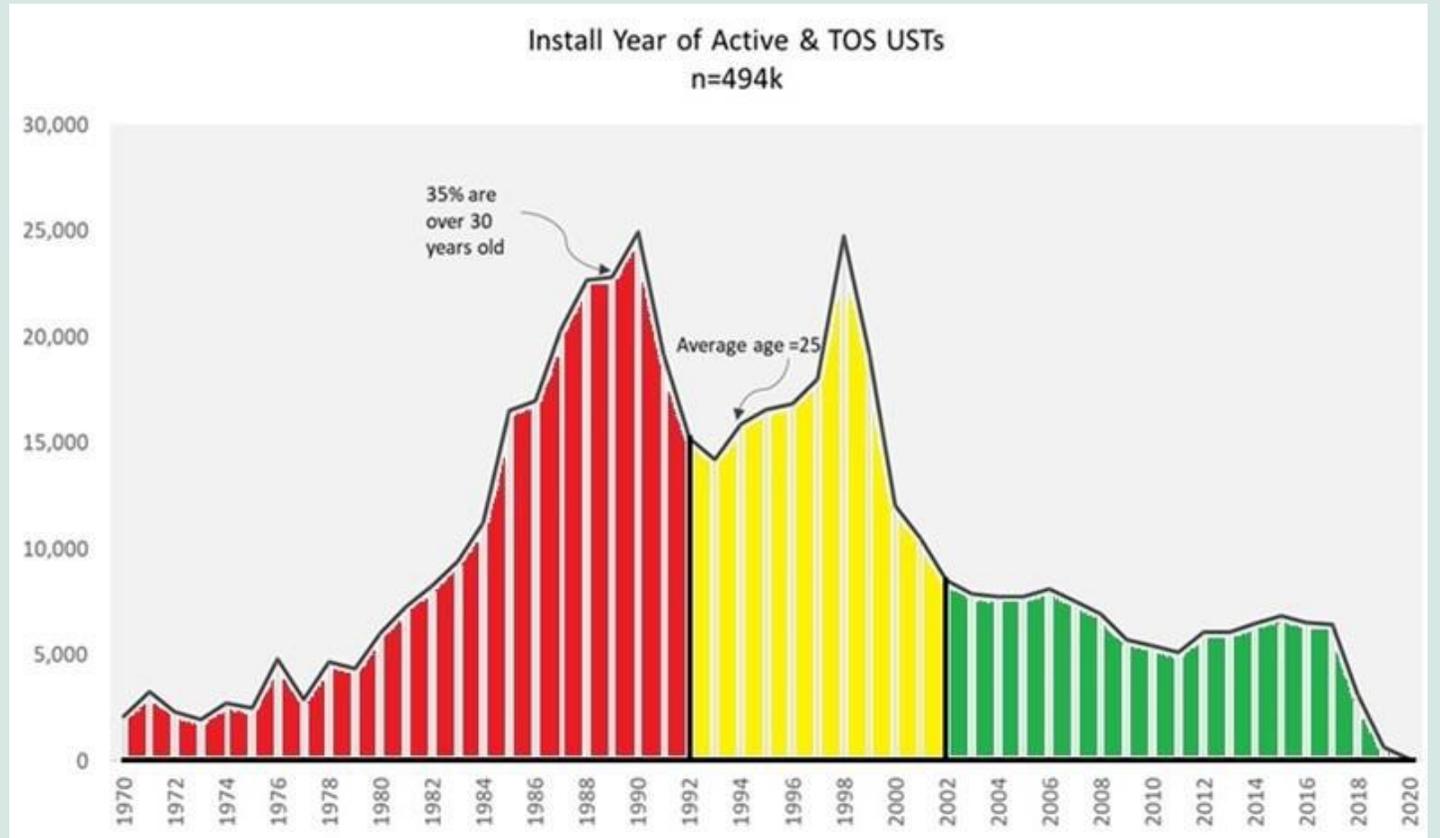


Other Petroleum Storage Tank Issues

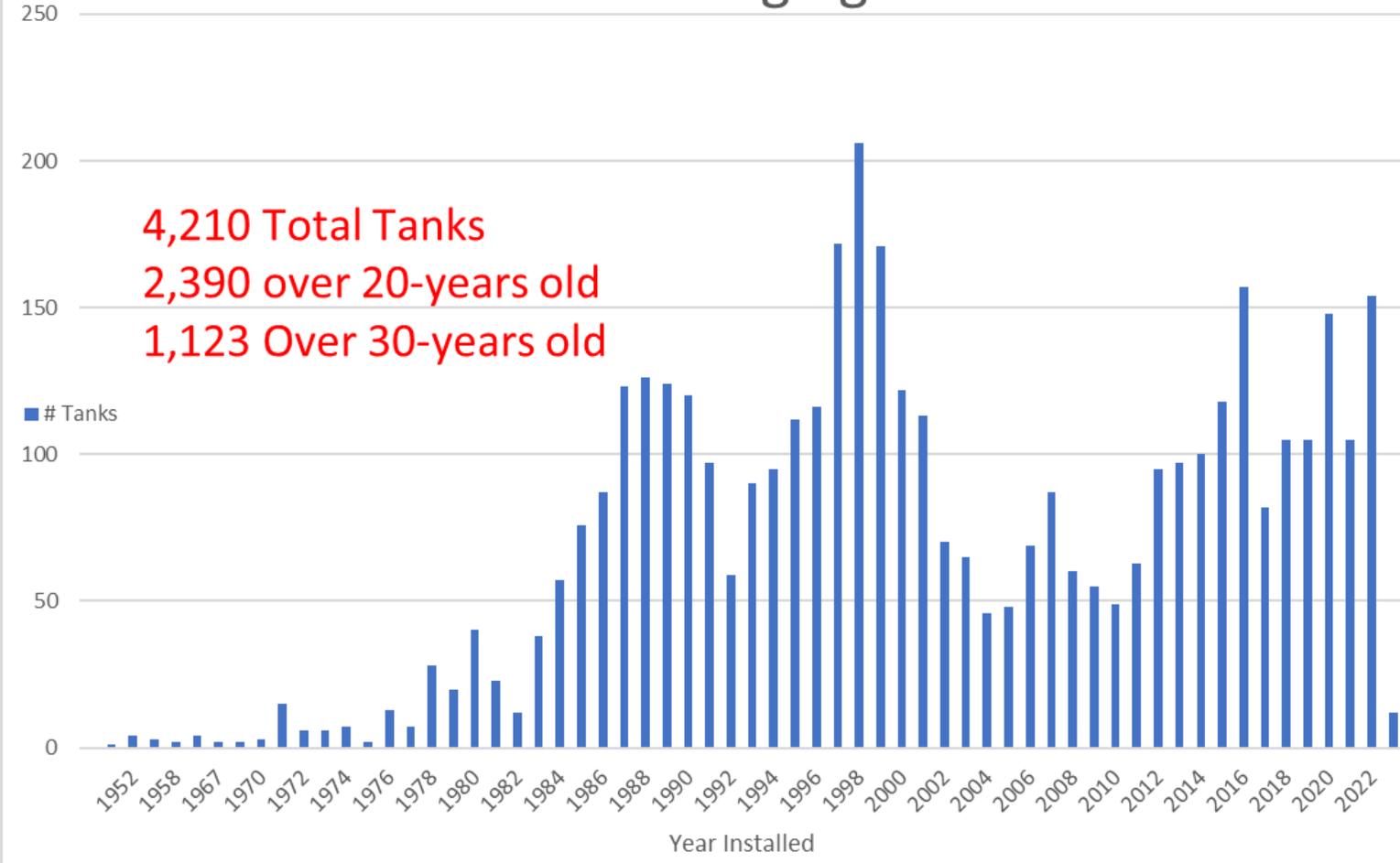


Aging Tanks

About $\frac{3}{4}$ of USTs will be over 30-years old this decade, including related piping and equipment.



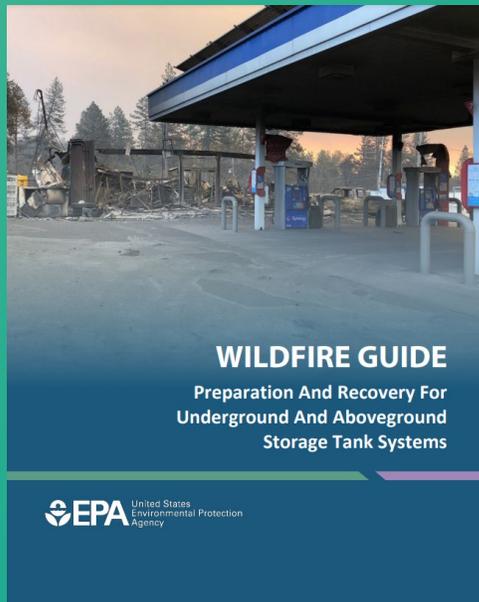
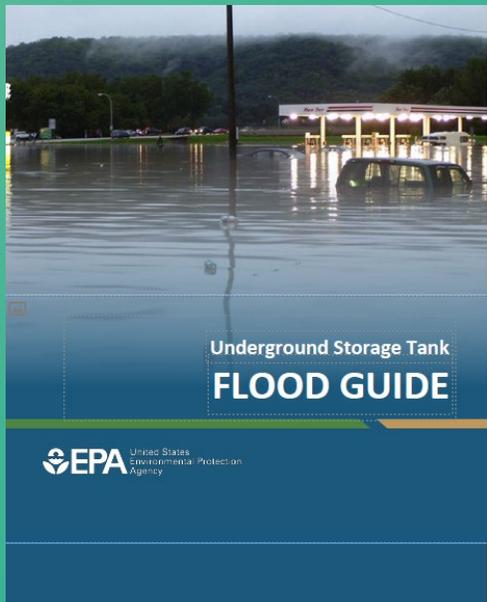
Utah's Aging Tanks



4,210 Total Tanks
2,390 over 20-years old
1,123 Over 30-years old

■ # Tanks

USTs and Natural Disasters.



Flooding

EPA's Flood Guide

<https://www.epa.gov/sites/default/files/2014-03/documents/ustfloodguide.pdf>

- Resource for UST owners and operators
- Preparation and Response
- Inclusive of aboveground storage tank info.



Wildfires

- Take steps to ensure no underlying concern after a fire
- Checklists provided in the wildfire guide.

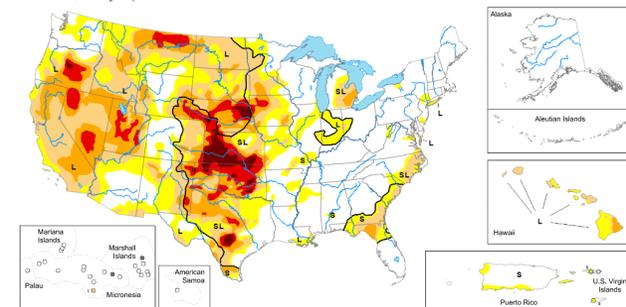
https://www.epa.gov/system/files/documents/2021-09/wildfire-guide_8-31-21_0.pdf

Drought

- To understand the potential risk for drought, explore the U.S. Drought Monitor

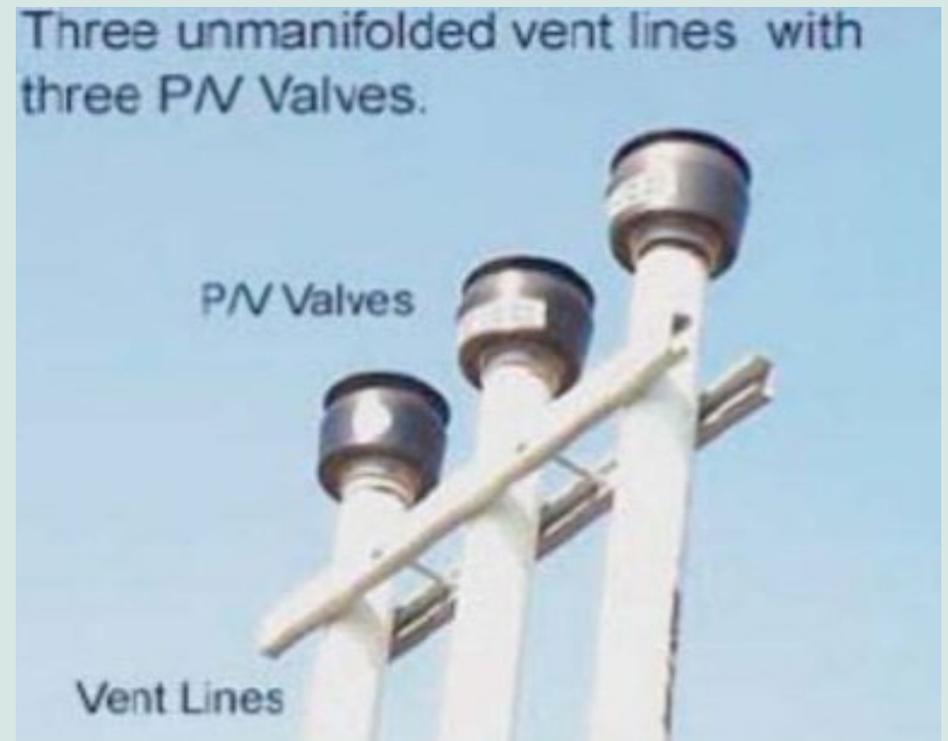
<https://droughtmonitor.unl.edu/>

Map released: January 26, 2023
Data valid: January 24, 2023



Division of Air Quality Rules Update

- DAQ Rule R307-328 Gasoline Transfer & Storage recently amended to include requirements for the installation and testing of pressure relief valves.
 - Relief valve is required to protect the tank from exceeding its design limit AND to control fugitive emissions from the tank to help reduce ozone.
- DERR will begin inspection of these devices and verifying functionality through periodic testing requirements.
- VAPOR RECOVERY requirements for all PSTs.



Spill Prevention, Control, and Countermeasure (SPCC) Regulation

Originally published in 1973 under the authority of §311 of the [Clean Water Act](#), the Oil Pollution Prevention regulation sets forth requirements for:

- the prevention of,
- preparedness for, and
- response to oil discharges at specific non-transportation-related facilities.

The goal of this regulation is to prevent oil from reaching navigable waters and adjoining shorelines, and to contain discharges of oil. The regulation requires these facilities to develop and implement Spill Prevention, Control, and Countermeasure (SPCC) Plans and establishes procedures, methods, and equipment requirements (Subparts A, B, and C).

SPILL PREVENTION, CONTROL, AND COUNTERMEASURE (SPCC) REGULATION

40 CFR part 112

A Facility Owner/Operator's Guide to Oil Pollution Prevention





Thank you



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Questions? Contact us