Hits and Misses

Region 7’s Experience with the October Deadline of the 2015 UST Rules

August 2019 TLEF Meeting
The use of organization, company, and product names are for identification purposes only and does not constitute endorsement by USEPA
We’ll start with October 13, 2018. . .

- October 13, 2018
  - Implementation Dates
- Outreach
- November 30, 2018, Responses
- Current Status in Region 7
- Panel Discussion
  - After Action Review
• No later than October 13, 2018
  – First triennial tests under 40 CFR 280.35
    • Spill buckets (all facilities)
    • Overfill equipment (all facilities)
    • Containment sumps used for interstitial monitoring (IM) (two facilities)
Sac & Fox Truck Stop, Powhattan, Kan. (EPA-R7-USTFacID-486), Diesel Tank 9

- Installed 2/10/2017
- More than 50% of diesel piping replaced
WCHS Twelve Clans Unity Hospital, Winnebago, Neb. (EPA-R7-USTFacID-855), Diesel Tank 2

- East submersible turbine pump (STP) not equipped with line leak detector
- Double wall piping with contained sump
- Sump sensor detects liquid and shuts system down
• Beginning on October 13, 2018
  – Annual operability testing of release detection equipment (40 CFR 280.40(a)(3))
  – Monthly and annual walkthrough inspections (40 CFR 280.36)
  – Designate and train Class A, B, and C UST Operators (40 CFR 280.240)
Outreach

• Mail merge letters sent to each facility
  – New requirements – 1/23/2018
  – Documentation requested – 8/28/2018
• Tribal Call on the Implementation of the 2015 UST Rules – 10/25/2018
CERTIFIED MAIL
RETURN RECEIPT REQUESTED
Article Number: 7014 4300 0000 6123 7627

August 22, 2018

Lester Randall, Chairman
Kickapoo Tribe in Kansas
824 111th Drive
Horton, Kansas 66439

Re: Documentation of October 13, 2018, Task Requirements for Kickapoo Trading Post, 808 K 20 Hwy, Horton, Kansas 66439 (EPA-R7-UST Pac. ID 785)

Dear Chairman Randall:

The intent of this letter is to provide a way that owners and operators of USTs located in Indian Country can communicate back to EPA Region 7 that they have met the upcoming October 13, 2018, deadlines for the 2015 UST rules. Please find below a list of the October 13 deadlines that apply to your UST facility as referenced above and blanks to fill in what dates that particular requirements were met. Return this letter to EPA once you have filled in the dates you met the October 13 deadlines no later than November 30, 2018. Be sure to include any copies supporting documentation, especially if testing is involved. Also, be sure to retain a copy of this record and the supporting documentation for your records.

Specific requirements associated with the October 13, 2018, deadline are summarized below:

No later than October 13, 2018 owners and operators must conduct the following tests or inspections:

- Spill prevention equipment testing (40 CFR 280.35);

  Date accomplished: 
  Copy of Test Report included with this letter: Yes  No (Circle one)

- Overfill prevention equipment inspections (40 CFR 280.35);

Each letter was facility specific
Facility specific requirements continue.

- Containment sump testing for piping interstitial monitoring sumps (40 CFR 280.35)

Beginning on October 13, 2018, owners and operators must meet these requirements:


- Walkthrough inspections (40 CFR 280.36). EPA Region 7 checklists are attached for the annual walkthrough and the monthly inspection checklists.

- Operator training: Designate Class A, B, and C operators and train them on their different responsibilities (40 CFR 280.240)

- Conduct release detection for USTs that store fuel solely for use by emergency power generators (40 CFR 280.10(a)).

The following documents are attached and are provided to assist you in complying with the federal UST regulations:

- Class A and Class B UST Operator Exam (Print out from the EPA website) [https://www.epa.gov/wastewater/class-a-and-class-b-ust-operator](https://www.epa.gov/wastewater/class-a-and-class-b-ust-operator)

Outreach materials included with letter
Letter signed by Branch Manager

Sincerely,

Scott Hayes
Chemical and Oil Release Prevention Branch
Air and Waste Management Division

cc: Eric Sheets
Director, Environmental Office
Kickapoo Tribe in Kansas
1107 Goldfinch
Horton, Kansas 66439

Cc:ed to tribal environmental officials

bcc: Patrick Bustos, Director, Office of Tribal & International Cooperation, OGAD/OTIC

• Operating and Maintaining Underground Storage Tank Systems: Practical Help and Checklists
  https://www.epa.gov/sites/production/files/2016-02/documents/usi_final_2-7-16_588_0.pdf

• Region 7 Monthly and Annual 3-Year Checklists (attached)

Thank you in advance for your cooperation. If you have any questions, please contact me at 913-515-7670, or hayes.scott@epa.gov, or you may contact Michael Powers of my staff at 913-551-7216, or powers.michael@epa.gov.
Class A and Class B UST Operator Exams

EPA developed class A and class B UST operator exams to primarily help UST system owners and operators in Indiana county meet the 2015 federal UST regulation requirement that designated operators demonstrate knowledge. October 15, 2018 is the deadline for designated operators to verify compliance with the requirement to pass an exam.

On this page:

- Access UST operator exam
- Successfully complete UST operator exam
- About EPA’s UST operator exam
- Comments, questions, feedback?

Typical UST facilities are gas stations, convenience stores, and other non-retail facilities. Airport hydrant fueling systems and UST systems with field-constructed tanks are regulated under 40 CFR Part 280, Subpart K.

Do I take class A or class B UST operator exam?

- Class A operator is the person who has primary responsibility to operate and maintain the UST system according to the UST regulations. Class A operator exam tests general knowledge of the UST regulations.

https://www.epa.gov/ust/class-a-and-class-b-ust-operator
Outreach – Implementation Times

If your UST systems are located in a state with state program approval, you must follow the state requirements. Their implementation time frames may be different from those identified in this brochure. To find information about your state’s UST regulation, contact your implementing agency. You can find contact information and state UST websites at http://www.epa.gov/ust/underground-storage-tank-ust-contacts.

If your UST systems are located in a state without state program approval or in Indian country, the implementation time frames in this brochure apply to you.

Note: This document is a resource to promote compliance and does not replace the federal UST regulation.

EPA developed this compliance assistance brochure to help UST owners and operators comply with the federal UST regulation.

This brochure highlights implementation time frames to meet the 2015 UST requirements.

For more information about the 2015 UST requirements, visit http://www.epa.gov/ust

Implementation Time Frames For 2015
Underground Storage Tank Requirements

https://www.epa.gov/ust/implementations-time-frames-2015-underground-storage-tank-requirements
Outreach – Musts and Operating and Maintaining

https://www.epa.gov/ust/operating-and-maintaining-underground-storage-tank-systems-practical-help-and-checklists

https://www.epa.gov/ust/musts-usts
Outreach – Walkthrough Inspections

### Monthly Walkthrough Inspection Checklist

<table>
<thead>
<tr>
<th>Task #</th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
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- Check release detection equipoment to ensure it is operating with LTG or unusual operating conditions.
- Review and keep current monitoring and detection records.
- Usually check spill basin for damage. Remove liquids or debris and clean and dry.
- Check to add/remove obstructions on fill pipes.
- Check fill cap to ensure it is securely on fill pipes.
- Remove liquid and debris from catchment pumps.
- Recommended: Inspect all relevant gateways and other access points to make sure the covers and caps are tightly sealed and fastened.

### Annual Walkthrough Inspection Checklist

<table>
<thead>
<tr>
<th>Task</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
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</table>

- Visual check containment sump for damage and leaks to the containment area or releases to the environment. Remove leaks or leaks.
- Check hand-held release detection equipment, such as ground water basins, and sampling for leaks.
- If applicable, annual back detection test and annual line balance test.
- Every three years, do a line balance test.
- Every three years, do a fill test.
- Every three years, do a fill test.
- Every three years, do a fill test.

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**Monthly**

**Annual**
Responses Received by 11/30/2018

• Eight out of 12 Region 7 Indian Country UST facilities
October 13, 2018, Implementation Dates

• Current status in Region 7
Spill Buckets (single wall)

<table>
<thead>
<tr>
<th>Number Passed</th>
<th>Number Failed</th>
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<table>
<thead>
<tr>
<th>Passing Rate</th>
<th>Failure Rate</th>
<th>Number of Facilities</th>
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<tbody>
<tr>
<td>97%</td>
<td>3%</td>
<td>9</td>
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### Overfill

<table>
<thead>
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<tbody>
<tr>
<td>23</td>
<td>6</td>
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</table>

**Passing Rate:** 79%

**Failure Rate:** 21%

**Number of Facilities:** 8

Containment Sumps Used for IM (STP ad UDC)

<table>
<thead>
<tr>
<th>Number Passed</th>
<th>Number Failed</th>
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<tbody>
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<td>18</td>
<td>10</td>
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</tbody>
</table>

| Passing Rate  | 64%           |
| Failure Rate  | 36%           |
| Number of Facilities | 3          |

### ATG Consoles

(Measuring Stick – Breitbarth One Stop)

<table>
<thead>
<tr>
<th>Number Passed</th>
<th>Number Failed</th>
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<tbody>
<tr>
<td>7</td>
<td>0</td>
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</table>

| Passing Rate  | 100%          |
| Failure Rate  | 0%            |
| Number of Facilities | 7            |

### ATG Probes

<table>
<thead>
<tr>
<th>Number Passed</th>
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<tbody>
<tr>
<td>23</td>
<td>2</td>
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</tbody>
</table>

**Passing Rate**: 92%

**Failure Rate**: 8%

**Number of Facilities**: 7

# Tank IM Sensors

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<th>Number Passed</th>
<th>Number Failed</th>
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<tbody>
<tr>
<td>6</td>
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<table>
<thead>
<tr>
<th>Passing Rate</th>
<th>Failure Rate</th>
<th>Number of Facilities</th>
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<tbody>
<tr>
<td>86%</td>
<td>14%</td>
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</table>

Sump Sensors (STP and UDC)

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<tbody>
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<td>36</td>
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</tbody>
</table>

Passing Rate: 100%
Failure Rate: 0%
Number of Facilities: 2

40 CFR 280.36 Walkthrough Inspections
40 CFR 280.240 UST Operator Training

<table>
<thead>
<tr>
<th>Walkthrough Inspections</th>
<th>Number of Facilities</th>
</tr>
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<tbody>
<tr>
<td>Annual</td>
<td>6</td>
</tr>
<tr>
<td>Monthly</td>
<td>7</td>
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<table>
<thead>
<tr>
<th>UST Operator</th>
<th>Number of Facilities</th>
<th>Number of Operators</th>
<th>Earliest Certificates</th>
<th>Latest Certificates</th>
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<tbody>
<tr>
<td>Class A</td>
<td>8</td>
<td>13</td>
<td>12/9/2015</td>
<td>10/23/2018</td>
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<td>Class B</td>
<td>7</td>
<td>12</td>
<td>9/21/2015</td>
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<td>Class C</td>
<td>5</td>
<td>20</td>
<td>2/10/2017</td>
<td>6/22/2019</td>
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Region 7 Panelists for Discussion

• Alisha Bartling, Santee Sioux Nation, Santee, Neb.
• Mark Junker, Sac & Fox Nation of Missouri in Kansas & Nebraska, Reserve, Kan.
• Virginia LeClere, Prairie Band Potawatomi Nation, Mayetta, Kan.