

## UST Inspection Procedures

PSTIF-insured UST owners/operators soon will benefit from a new level of cooperation between the PSTIF Board of Trustees and the Department of Natural Resources.

Beginning July 1, DNR's UST inspectors will use current data from the PSTIF on number and types of tanks, owner information, leak detection information, etc. In addition, they will no longer routinely request that tank owners/operators provide the same documents regarding tank system operations for their review as have been provided to the PSTIF underwriters. Rather, inspectors will focus on those aspects of UST operation that can only be reviewed in the field.

Information from the DNR inspections will be provided to the PSTIF underwriting staff, so they can be assured of continuing compliance with leak prevention and leak detection procedures.

These new procedures will reduce costs for both agencies and will reduce the regulatory burden for tank owners who choose to use the PSTIF to meet their "financial responsibility" requirement.

## RBCA Tips - Land Use

As announced in the last issue of Latest Leaks, the Department of Natural Resources has issued a new guidance document describing how to assess the risks posed by petroleum contamination and how to design a corrective action plan to address those risks.

In this and future newsletters, we will be offering "RBCA Tips" on specific aspects of the risk-based process. This "Tip" concerns land use.

In order to assess risks posed by petroleum, one must determine how

the land is being used currently, and what its "reasonably anticipated future use", or RAFU, is. Current use is easy to discern; how land is likely to be used in the future may be a more challenging analysis.

However, there are some sites where the RAFU is obvious: If the petroleum spill or leak occurs at an operating tank site, one can automatically assume that the RAFU is ...An operating tank site! Similarly, if the petroleum contamination is discovered as part of a real estate development where there is a specific plan for the property, then the RAFU is....Whatever the next use of the site is!

For other sites where the future use is not so obvious, a list of sources in section 6 of the Guidance Document should be used to make a judgement on what the RAFU of the property is. The PSTIF expects consultants who prepare risk assessment reports for Fund participants to document their conclusions regarding both current and "reasonably anticipated future" land use.

## Deadline for Dry Cleaner Sites

Properties that were previously dry cleaning facilities are eligible to receive money for environmental cleanup from Missouri's Dry Cleaning Environmental Response Trust Fund, (DERT Fund), *only if the property is reported to the Department of Natural Resources by July 1, 2004.*

If you are aware of a property that may need cleanup funds, you may download the notification form from [www.dnr.mo.gov/alpd/hwp/hwpcvp-dryclean.htm](http://www.dnr.mo.gov/alpd/hwp/hwpcvp-dryclean.htm) or call (573) 526-8913 to obtain a form. Forms must be postmarked by July 1 for the property to be eligible to receive benefits from the DERT Fund.

## "Consultant Forum" for RBCA

To assist consultants in understanding how the new RBCA guidance works, and to answer specific questions that arise during implementation, the PSTIF will be hosting a series of "Consultants' Forums" via the Internet.

Consultants will be able to participate in a live, interactive session from their own offices. Dialogue with both DNR and PSTIF staff will be a part of each session.

Watch for more information coming soon!

## Be Alert When You Sign!

A few tank owners are signing renewal applications, claim forms, and payment request forms *without reading them!*

We know you are busy. And we've tried to make our forms easy to read and understand. But we have to rely on what you tell us - and you are legally liable for what you sign.

So please take time to review the papers before signing them. In particular, when you sign your renewal applications, be sure names, addresses, and tank/piping information are correct. We *only* insure who and what are on those papers!

## Legislative Wrap-Up

The following bills were passed by the Missouri General Assembly. While none will have a direct impact on the PSTIF, they may be of interest:

**SB1020** - Makes changes to the State "Sunshine Law" to assure that information is more readily available to the public.

**HB980** - Requires a "Regulatory Impact Report" when regulations that "prescribe environmental conditions or standards" are promulgated.

SB901 - Transfers authority to issue regulations governing USTs from the Clean Water Commission to the Hazardous Waste Management Commission.

HB978 - Establishes the "Small Business Regulatory Fairness Board" to review the impact of new state regulations on small businesses.

Governor Holden must decide whether to sign or veto each bill by midnight, July 14.

### **SPCC Plan Deadline**

New US EPA regulations require AST facilities with more than 1,320 gallons of storage capacity to update their Spill Prevention, Control and Countermeasure (SPCC) Plan by August 17, 2004.

AST owners should consult with a professional engineer to determine how this new rule affects them.

### **Dispenser Fire Hazards**

An excellent "Refueling Awareness Video" discusses how to prevent fires at the gas pump, and what to do if one occurs. It is available free for viewing or download at [www.opw-fc.com](http://www.opw-fc.com).

As emphasized in the video, every convenience store employee must know how to turn off the fuel dispensing system if a flash fire occurs while a customer is fueling his vehicle. Be sure your employees all have this vital training. Other resources are at [www.api.org](http://www.api.org) and [www.pei.org/static](http://www.pei.org/static).

### **Meet Our Trustees**

PSTIF Board member Ron Hooker, Director of the Department of Agriculture's Division of Weights and Measures, has announced his plans to retire December 31, 2004. In addition to his duties for Department of Agriculture, Ron has served as a PSTIF trustee since the Board's inception in April 1997.



Readers will recognize Ron as a dedicated public servant who has worked tirelessly with the petroleum and propane industries to improve safety and service. He is a native Missourian, who was district manager for Great Plains Gas Company before joining state government 21 years ago.

Ron's not giving many details about his retirement plans, but we suspect he will spend more time on that list of "Honey Do's" for his wife, Dianne. And who knows? He may be freeing up time in case some grandchildren appear in the household of his daughter, Sonja, and her husband, who also live in mid-Missouri.

Thanks, Ron, for your long and valuable service to the PSTIF and the State of Missouri!

**Check out our web site:**  
[www.pstif.org](http://www.pstif.org).

*Latest Leaks* is a newsletter of the Missouri Petroleum Storage Tank Insurance Fund.

**Bob Holden, Governor**

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