

## RBCA Changes Proposed

The DNR is proposing changes to its rules and guidance document governing UST site cleanups, known as the “tanks risk-based corrective action (RBCA) requirements.”

The most significant changes are:

- “Soil types” would be eliminated from Tier 1 Risk Assessments;
- Several Tier 1 risk-based target levels would change to reflect current science;
- Procedures for collecting site-specific geotechnical data would be improved;
- Requirements for sampling and analysis of certain contaminants would be clarified and improved; and
- Use of standardized forms in risk assessment reports would no longer be required.

Other changes would incorporate bulletins and supplemental guidance documents so all would be contained in a single document. Altogether, the proposal would make cleanup requirements clearer, more concise, and more technically sound.

A list of the proposed changes and related information are at [www.pstif.org/rbca\\_proposed\\_changes.html](http://www.pstif.org/rbca_proposed_changes.html). There will be an official comment period and public hearing on these proposed changes in June-August.

Site owners who are doing cleanups should make sure their consultants are familiar with this information, as the PSTIF will only reimburse costs for work required by the DNR.

## The Power of Federal Money

You probably have forgotten that the 2005 Energy Policy Act imposed several new requirements on states who receive federal money for their UST programs. Missouri implemented most of those requirements quickly and without ado.

Recently, EPA questioned how Missouri implemented the requirement for equipment companies to have pollution liability insurance. Worse, EPA withheld 1/3 of this year’s federal funds for Missouri’s UST/LUST regulatory program, due to our alleged failure to implement this requirement “properly.”

After considerable dialogue, the DNR recently submitted a plan to fix this “problem” by imposing a requirement that **all new UST systems installed after July 1, 2017 be fully double-walled**. EPA is reviewing the plan and, in the meantime, has released Missouri’s full share of federal funding for this year.

Stay tuned.

## UST Operator Training

Work continues to develop Missouri’s UST Operator Training program, also required by federal law. Missouri plans to require every UST owner or operator to designate a “Qualified Class A/B Operator” to be responsible for complying with state regulations governing operation of the tank system, and to require on-site personnel to have “Class C” training on what to do in case of a fire or sudden fuel leak. The deadline by which this would have to be done is still under discussion.

A draft rule is posted at [www.pstif.org/ust\\_operator\\_training.html](http://www.pstif.org/ust_operator_training.html).

An ad hoc committee has been formed to write specifications and solicit bids to build a web-based training course and test, which will be made available free of charge to all Missouri UST owners/operators.

The PSTIF is working closely with the DNR to coordinate implementation of new requirements on tank owners/operators.



## Precision Tightness Tests at Installation

A reminder for equipment companies and UST owners: The DNR's rules require precision tightness tests on all new tank/piping systems after they are installed. The test results must be provided to the PSTIF if the owner/operator desires insurance coverage.

## SPCC Plans and Farmers

In March, the U.S. Congress postponed the deadline by which farmers must have a SPCC Plan.

EPA had set May 10, 2013 as the date by which farmers had to hire a professional engineer to write a SPCC Plan and have secondary containment around aboveground fuel tanks if their aggregate capacity exceeds 1,320 gallons. The action by Congress eliminates funding for EPA to enforce the rule during the current federal fiscal year, which lasts through September 30, 2013.

## Congrats and Thanks!

To the following Missourians who are serving on PEI Committees: *John Albert*, Department of Agriculture and PSTIF Trustee; *Sonny Underwood*, Mid-South Steel; *Tracy Barth*, MFA Oil; *Brad Holmes*, Clay & Bailey Mfg.; *Mark Lipa*, Neumayer Equipment; *Joe Laschke*, Husky Corp; *Steve Brandt*, Mid-State Petroleum Equipment; *Bill Parker*, Lincoln; *Phil Farrell*, Double Check; *Chris Farrell*, Double Check; and *Grenny Sutcliff*, Husky. (Also *Brian Wiegert*, inspection manager for DNR and PSTIF.)

We commend these folks for contributing their expertise!



## Sun Power

Kudos to U-Gas Inc., who recently installed solar panels on the canopy of a new store in the St. Louis area. We think this is the first use of sun power at a Missouri convenience store.... If you know of others, let us know!



**Jeremiah W. (Jay) Nixon,**  
Governor

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