



# LATEST LEAKS

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## UST Rule Changes

In recent months, the DNR has continued its dialogue with the PSTIF and other interested parties regarding possible changes to its UST rules. A draft of changes being considered is available at <http://www.pstif.org> under "Laws and Regulations."

It is anticipated that a final version of *proposed* changes will be presented to DNR's Hazardous Waste Management Commission on February 17, 2011. If the Commission approves, the proposed changes will then be published in the "Missouri Register" and the Commission will accept public comments before deciding whether to implement the proposed changes.

The proposed rule changes would affect everyone who owns or operates an underground tank in Missouri, so you are encouraged to participate in the discussion over the next few months. The PSTIF will keep you informed via this newsletter as the discussion progresses.

## Inspections

In our last newsletter, we announced that a new contractor would be conducting inspections of tank facilities for the DNR and the PSTIF. That has changed.

Beginning January 1, 2011, Rounds and Associates will again be inspecting both UST and AST facilities in Missouri. As was the case previously, results from UST inspections will be provided to both the DNR and the PSTIF; AST inspection reports will be provided to the Department of Agriculture's Division of Weights and Measures and the PSTIF.

## E15

Readers likely saw recent news reports about the U.S. EPA's decision to *allow* the sale of gasoline that contains 15% ethanol to newer model cars. This action means that, under the Clean Air Act, it is okay to sell this type of fuel.

But EPA's action did *not* address what a tank owner who decides to offer this blend of fuel must do to make sure he/she is still complying with the government's UST rules. And to be insured or stay insured with the PSTIF, you must comply with those rules.

So it is reasonable that retailers in Missouri are asking, "If I decide to sell E15, will the PSTIF still insure my tank system? Will the inspectors who check my tank equipment and dispensers cite me for a violation?"

The short answer to both questions is, at the moment, we don't know.

On November 17, the U.S. EPA's Office of Underground Storage Tanks published draft guidance and invited comments on how owners and regulatory agencies should go about making decisions on whether tanks, piping, and associated equipment are compatible with E15. This document contains a good discussion of the issue; it is available at <http://snipurl.com/pstif029>. Feedback to EPA was due by December 17, 2010.

The PSTIF has sent a letter to the Missouri Department of Natural Resources and the Missouri Department of Agriculture's Division of Weights and Measures, asking them what their regulatory requirements will be for tank systems that store and dispense E15. We expect the dialogue on this issue to continue in the coming weeks and months, and will inform our insured tank owners as various questions are answered.

## Attention Consultants: Monitoring Well Rule Changes

Several changes to DNR's rules governing the installation and plugging of monitoring wells have been published for review and comment in the January 3 version of the "Missouri Register." You can review the changes at <http://www.pstif.org> under "Laws and Regulations" or at <http://snipurl.com/pstif030>.

Written comments on the proposed changes will be accepted until February 7, 2011, and a public hearing to hear oral comments will be held at 10:00 a.m. on February 3, 2011, at the DNR Office in Rolla.

*All environmental consultants who do tank site cleanups are urged to review and comment on these proposed rule changes.* The PSTIF will appreciate receiving a copy of any written comments you submit to DNR.



## SPCC Plan Deadline Extended

The U.S. EPA recently announced an extension of its deadline for bulk plant owners and gas stations to comply with new Spill Prevention, Control and Countermeasure (SPCC) Plan requirements.

This means AST owners – and owners of UST facilities with more than 42,000 gallons capacity – who began operations on or before August 16, 2002, have until November 10, 2011, to amend their existing SPCC Plans. Tank owners who began operation after August 16, 2002, must prepare and implement a SPCC Plan no later than November 10, 2011.

## ULSD Guide

The Clean Diesel Fuel Alliance, has published "Guidance for Underground Storage Tank Management at ULSD Dispensing Facilities" to help tank owners prevent bacteria and fungi build-up in tank systems and identify symptoms of contamination.

The *Guide* is available free at <http://snipurl.com/pstif031>.

## UST Installations

The Petroleum Equipment Institute, (PEI), has released a 2011 version of RP100, called "Recommended Practices for Installation of Underground Liquid Storage Systems." It is available to PEI members for \$40 and to non-members for \$95.

This is the 8th edition of RP100. It changes or adds to the prior version's guidance for piping slope, piping layout, flow shut-off devices, transition sumps, line leak detectors, and other equipment. PEI also offers installer training. For more information, see <http://www.pei.org>.

## Marcia Hopp Retires

For 17 years, tank owners/operators and equipment companies knew they could get prompt and courteous help from Marcia Hopp when they had questions or problems relating to tank systems, regulatory requirements, or insurance coverage. As a longtime employee of the PSTIF's third party administrator, Williams & Company Consulting, Inc., Marcia handled tens of thousands of documents, phone calls, faxes, and email messages, all with patience and kindness.

But time marches on, and on July 30, 2010, Marcia retired so she can spend more of her time and energy with her family. We want to publicly thank her for her long and excellent service to the PSTIF and to Missouri's tank owners/operators, and we wish her a long and enjoyable retirement!

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