Office of Real Property Disposal Fact Sheet

Federal and State Underground Storage Tank Programs and Federal Real Property Disposal

What is an underground storage tank?

An underground storage tank (UST) is defined by the U.S. Environmental Protection Agency (EPA) as: "...a tank and any underground piping connected to the tank that has at least 10 percent of its combined volume underground." Federal UST regulations apply only to underground tanks and piping storing either *petroleum* or *certain hazardous substances*.

What agencies are responsible for regulating USTs?

In 1984, Congress added Subtitle I to the *Resource Conservation and Recovery Act*, which directed EPA to develop a comprehensive regulatory program for USTs. EPA's Office of Solid Waste and Emergency Response (OSWER) administers the federal UST Program. However, EPA has issued State Program Approval (SPA) regulations that permit states to operate their own UST programs in lieu of the federal program. As a result, most states now have the lead role in managing UST programs.

EPA Regions coordinate the SPA process for states and territories within their jurisdiction. Currently, 34 states, the District of Columbia, and Puerto Rico have EPA-approved UST programs. All 50 states have UST programs that meet at least some of EPA's monitoring and enforcement standards. State standards must be no less stringent than federal standards to obtain SPA status, and some states are significantly more restrictive. Once a state UST program has been approved by EPA, the state assumes the lead role in UST program enforcement. As a practical matter, nearly all states have the lead role in implementing UST programs as result of having SPA status or having executed cooperative agreements with EPA.

What are the objectives and requirements of the federal UST program?

The EPA's UST regulations are divided into three components: (1) technical requirements, (2) financial responsibility requirements, and (3) SPA objectives. *The technical requirements are designed to reduce the risk of releases from USTs, to detect spills and releases when they occur, and to promptly clean*

them up. The financial responsibility regulations are designed to ensure that a UST owner or operator will have the resources to clean up releases and compensate third parties. SPA objectives were described in the preceding section.

How have EPA and state UST programs affected UST management nationwide?

According to EPA, the number of federally and stateregulated USTs has dropped from over 2 million in the mid-1980s to approximately 650,000 in 2006. This is because as of December 1998, all federally-regulated USTs had to be removed, closed, or upgraded to meet applicable spill, overfill, and corrosion protection standards. Also, EPA now requires UST owners and operators to provide detailed information on all regulated USTs on EPA Form 7530-1, "Notification for Underground Storage Tanks," which is attached at the end of this fact sheet. Consequently, UST tracking and compliance data is much better now than it was in the past. Due diligence has shifted from verifying the existence and location of USTs to determining ongoing management responsibilities for USTs identified in owners' records or in EPA and state databases.

Are federal agencies subject to federal and state UST programs?

Yes, federal agencies are responsible for complying with EPA and state UST program requirements at all federal facilities. To emphasize this, Congress included a provision in the *Energy Policy Act of 2005* requiring "each department, agency, and instrumentality of the... Federal Government" to comply with "Federal, State, interstate, and local requirements...respecting underground storage tanks... including the payment of reasonable service charges... and all civil and administrative penalties and fines...."

What types of tanks are exempt from federal UST regulations?

The following types of tanks are exempt from federal UST regulations:

 Farm and residential tanks of 1,100 gallons or less capacity storing motor fuel used for non-commercial purposes;

GSA

- Tanks storing heating oil used on the premises where it is stored;
- Tanks on or above the floor of underground areas, such as basements or tunnels;
- Septic tanks and systems for collecting stormwater and wastewater;
- Flow-through process tanks;
- Tanks of 110 gallons or less capacity; and
- Emergency spill and overflow tanks.

However, individual state or local authorities may include tanks such as these federally-exempt tanks in their regulations, so it is prudent to verify the scope of their UST programs.

What special requirements do hazardous substance USTs have to meet?

USTs containing hazardous substances must meet special EPA design and construction criteria not required for petroleum USTs. These criteria include "secondary containment" (e.g., a tank contained within another tank) and "interstitial monitoring," a system to monitor the space between the inner and outer tanks for potential leaks.

What UST information should landholding agencies provide when they submit a Report of Excess (ROE) to GSA?

Landholding agencies must inform GSA of any USTs located on excess property that are subject to federal UST regulations. Section 15 of GSA's Excess Real Property Checklist specifically requests information about USTs on the property being reported excess. The Excess Real Property Checklist can be found at <u>http://rc.gsa.gov/resourcecenter/</u>.

The following information should be provided for all USTs on excess property:

- Tank status (in use, temporarily closed, permanently closed)
- Date of installation
- Estimated total capacity
- Tank construction material
- Piping material
- Piping type
- Substance currently stored in tank
- Type(s) of release protection system(s)
- Type(s) of spill and overflow protection
- Tank closure status and information

EPA Form 7530-1 provides a useful format for sharing the above information on USTs. Landholding agencies can utilize this form when reporting properties with closed or active USTs excess to GSA.

Landholding agencies should also certify that their USTs are in compliance with EPA's December 22, 1998 spill, overfill, corrosion and leak detection requirements and with all current EPA, state, and local requirements pursuant to the *Energy Policy Act* of 2005.

Landholding agencies should separately identify any USTs containing hazardous substances and certify that those tanks meet appropriate design and construction standards.

What is GSA's responsibility as the disposal agency for obtaining and revealing UST information?

GSA is responsible for requesting from the landholding agency the UST information described above on properties that are reported excess. If a landholding agency indicates that state or federally-regulated USTs are located on excess property, GSA discloses this information to potential grantees. GSA also provides summary information to potential new owners based on the EPA Form 7530-1 and/or other information provided by the landholding agency.

Where can I learn more about EPA and state UST programs?

More information on EPA and state UST programs can be found at the Web sites and in the publication delineated below.

- For overview information on the Federal UST Program, see 40 Code of Federal Regulations (CFR) Part 280 or go to: <u>http://www.epa.gov/swerust1/overview.htm</u>
- For information and links to state UST programs, go to: <u>http://www.epa.gov/swerust1/fsstates.htm</u>
- For a summary of Federal UST regulations, see EPA's "Musts for USTs, A Summary of Federal Regulations for Underground Storage Tank Systems"; EPA Office of Solid Waste and Emergency Response, July 1995, at: <u>http://www.epa.gov/OUST/pubs/musts.pdf</u>

EPA Form 7530-1 "Notification for Underground Storage Tanks" follows

United States Environmental Protection Agency Washington, DC 20460						Form Approved. OMB No.2050-0068			
	Ν	lotificati	ion for Under	rground Storage Tanks					
State Agency Name and Address:			STATE USE O	DNLY					
			DATE RECEIVED:						
ТҮ	PE OF NOTIFICA	TION		DATE ENTERED INTO COMPUTER:					
A. NEW FACILITY	B. AMENDED		CLOSURE	DATA ENTRY CLERK INITIALS:					
Number of tanks at facility	Number of cont	inuation she	eets attached	OWNER WAS CONTACTED TO CLARIFY RESPONSES, COMMENTS:					
INSTRUCTION	NS AND GENERA	L INFOR	MATION						
Please type or print in ink. Also, be sure you have signatures in ink for sections VIII and XI. Complete a notification form for each location containing underground storage tanks. If more than 5 tanks are owned at this location, you may photocopy pages 3 through 5 and use them for additional tanks. The primary purpose of this notification program is to locate and evaluate underground storage tank systems (USTs) that store or have stored petroleum or hazardous substances. The information you provide will be based on reasonably available records, or in the absence of such records, your knowledge or recollection. Federal law requires UST owners to use this notification form for all USTs storing regulated substances that are brought into use after May 8, 1986, or USTs in the ground as of May 8, 1986 that have stored regulated substances at any time since January 1, 1974. The information requested is required by Section 9002 of the Resource Conservation and				and gathering operations;Tanks on or above the floor of underground areas, such as basements or					
 Recovery Act (RCRA), as amended. Who Must Notify? Section 9002 of RCRA, as amended, requires owners of USTs that store regulated substances (unless exempted) to notify designated State or local agencies of the existence of their USTs. "Owner" is defined as: In the case of an UST in use on November 8, 1984, or brought into use after that date, any person who owns an UST used for storage, use, or dispensing of regulated substances; or In the case of an UST in use before November 8, 1984, but no longer in use on that date, any person who owned the UST immediately before its discontinuation. 				 Tanks with a capacity of 110 gallons or less. What Substances Are Covered? The notification requirements apply to USTs containing petroleum or certain hazardous substances. Petroleum includes gasoline, used oil, diesel fuel, crude oil or any fraction thereof which is liquid at standard conditions of temperature and pressure (60 degrees Fahrenheit and 14.7 pounds per square inch absolute). Hazardous substances are those found in Section 101 (14) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), with the exception of those substances regulated as hazardous waste under Subtitle C of RCRA. Where To Notify? Send completed forms to: 					
Also, if the State so requires, any facility that has made any changes to facility information or UST system status, must submit a notification form (only amended information needs to be included).									
What USTs Are Included? An UST system is defined as any one or combination of tanks that (1) is used to contain an accumulation of regulated substances, and (2) whose volume (including connected underground piping) is 10% or more beneath the ground. Regulated USTs store petroleum or hazardous substances (see the following "What Substances Are Covered").				When To Notify? 1. Owners of USTs in use or that have been taken out of operation after January 1, 1974, but still in the ground, must notify by May 8, 1986. 2. Owners who bring USTs into use after May 8, 1986, must notify within 30 days of bringing the UST into use. 3. If the State requires notification of any amendments to facility, send information to State agency immediately.					
				Penalties: Any owner who knowingly fails to notify or submits false information shall be subject to a civil penalty not to exceed \$11,000 for each tank for which notification is not given or for which false information is given.					
I. OWNERSHIP OF UST(s)			II. LOCATION OF UST(s)						
Owner Name (Corporation, Individual, Public Agency, or Other Entity)			If required by State, give the geographic location of USTs by degrees, minutes, and seconds. Example: Latitude 42° 36' 12" N, Longitude 85° 24' 17" W Latitude Longitude						
Street Address			Facility Name or Company Site Identifier, as applicable						
County			Q If address is the same as in Section I, check the box and proceed to section III. If address is different, enter address below: Street Address						
City		State	Zip Code	County					
Phone Number (Include Area Code)			City	State	Zip Code				

EPA Form 7530-1 (Rev. 9-98) Electronic and paper versions acceptable. Previous editions may be used while supplies last.

United States Form Approv Environmental Protection Agency Washington, DC 20460								
Notification for Underground Storage Tanks								
III. TYPE OF OWNER		IV. INDI	IAN COUNTRY					
Federal Government State Government Commercial Local Government Private	USTs are located on land within a Reservation or on trust lands outs reservation boundaries. USTs are owned by a Native Ame nation or tribe.	side	Tribe or Nation where USTs are located:					
	V. TYPE OF F	ACILITY						
 Gas Station Petroleum Distributor Air Taxi (Airline) Aircraft Owner Auto Dealership 	 Railroad Federal - Non-Military Federal - Military Industrial Contractor 		 Trucking/Tran Utilities Residential Farm Other (Explain 					
	VI. CONTACT PERSON IN	CHARGE OF T	ANKS					
Name: Job Titl	e:	Address:		Phone Number (Include Area Code):				
	VII. FINANCIAL RE	SPONSIBILITY						
L have met the financial responsibility requirem	ents (in accordance with 40 CFR S	ubpart H) by using	the following mecha	nisms:				
Self Insurance	Guarantee		State F	unds				
Commercial Insurance Risk Retention Group Local Government Financial Test	 Surety Bond Letter of Credit Bond Rating Test 		und Method (describe here)					
VIII. CERTIFICATION (Read and sign after completing ALL SECTIONS of this notification form)								
I certify under penalty of law that I have personally attached documents, and that based on my inquir is true, accurate, and complete.								
Name and official title of owner or owner's authorized representative (Print)	Signature			Date Signed				
Paperwork Reduction Act Notice EPA estimates public reporting burden for this form to average 30 minutes per response including time for reviewing instructions, gathering and maintaining the data needed and completing and reviewing the form. Send comments regarding this burden estimate to Director, OP, Regulatory Information Division (2137), U.S. Environmental Protection Agency, 401 M Street Washington D.C. 20460, marked "Attention Desk Officer for EPA." This form amends the previous notification form as printed in 40 CFR Part 280, Appendix I. Previous editions of this notification form may be used while supplies last.								

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Form Approved. OMB No.2050-0068

Notification for Underground Storage Tanks						
IX. DESCRIPTION OF UNDERGROUND STORAGE TANKS (Complete for all tanks and piping at this location.)						
Tank Identification Number	Tank No.	Tank No.	Tank No	Tank No	Tank No	
1. Status of Tank (check only one) Currently In Use Temporarily Closed Permanently Closed						
2. Date of Installation (month/year)						
3. Estimated Total Capacity(gallons)						
4. Material of Construction(check all that apply) Asphalt Coated or Bare Steel Cathodically Protected Steel Coated and Cathodically Protected Steel Composite (Steel Clad with Fiberglass) Fiberglass Reinforced Plastic Lined Interior Excavation Liner Double Walled Polyethylene Tank Jacket Concrete Unknown If Other, please specify here						
Check box if tank has ever been repaired						
5. Piping Material (check all that apply) Bare Steel Galvanized Steel Fiberglass Reinforced Plastic Copper Cathodically Protected Double Walled Secondary Containment Unknown Other, please specify						
6. Piping Type "Safe" Suction (no valve at tank) (Check all that apply) "U.S." Suction (valve at tank) Pressure Gravity Feed Check box if piping has ever been repaired						

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United States Environmental Protection Agency Washington, DC 20460								Form / OMB No.2	Approved. 050-0068	
Notification for Underground Storage Tanks										
Tank Identification Number	Tank No		Tank No		Tank No		Tank No		Tank No	
7. Substance Currently Stored (or last Gasoline stored in the case of closed tanks) Diesel (Check all that apply) Gasohol Kerosene Heating Oil Used Oil If Other, please specify here Hazardous Substance										
CERCLA name and/or CAS number Mixture of Substances			 			 				
Please specify here										
 8. Release Detection (check all that apply) Manual tank gauging Tank tightness testing Inventory Control Automatic tank gauging Vapor monitoring Groundwater monitoring Interstitial monitoring Automatic line leak detectors Line tightness testing No release detection required (such as some types of suction piping, emergency generator tanks or field constructed tanks) Other method allowed by implementing agency (such as SIR) 		PIPE								
Please specify other method here										
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9. Spill and Overfill Protection Overfill device installed Spill device installed										

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Page 4 of 5

	Form Approved. OMB No.2050-0068								
Notification for Underground Storage Tanks									
Tank Identification Number	Tank No	Tank No.	Tank No.	Tank No.	Tank No				
X. CLOSURE OR CHANGE IN SERVICE									
1. Closure or Change in Service									
Estimated date the UST was last used for storing regulated substances (month/day/year)									
Check box if this is a change in service									
2. Tank Closure									
Estimated date tank closed (month/day/year)			.						
(check all that apply below)									
Tank was removed from ground									
Tank was closed in ground Tank filled with inert material									
Describe the inert fill material here									
3. Site Assessment									
Check box if the site assessment was completed									
Check box if evidence of a leak was detected									
XI. CERTIFICATION OF INSTALLATION (C	OMPLETE FOR	UST SYSTEMS IN	NSTALLED AFTE	R DECEMB	ER 22, 1988)				
Installer Of Tank And Piping Must Check All That Ap	oply:								
Installer certified by tank and piping manufacturers									
Installer certified or licensed by the implementing agency									
Installation inspected by a registered engineer									
Installation inspected and approved by implementing agency									
Manufacturer's installation checklists have been completed									
Another method allowed by State agency If so, please specify here									
Signature of UST Installer Certifying Proper Installation of UST System									
Name	Si	gnature		Date					
Position Company									

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