

New Secondary Containment Regulations

The Energy Policy Act of 2005 mandates states to require either evidence of financial responsibility and installer certification or secondary containment and under-dispenser containment for new and replaced underground storage tank systems.

In order to meet these federal requirements and develop regulations, the Louisiana Department of Environmental Quality (LDEQ) formed a work group consisting of LDEQ staff, owners, operators and installers of UST systems and representatives of LOMCSA. After extensive research and discussions with stakeholders, LDEQ proposed Secondary Containment for UST Systems regulations (UT014) on June 20, 2008. The public comment period ended and the rule became final on October 20, 2008.

This new rule requires all UST systems installed after December 20, 2008 to have secondary containment (double-walled or jacketed tanks and piping) with monthly interstitial monitoring provided on both the tanks and the piping. Interstitial monitoring of double-walled or jacketed tanks and piping can be conducted either continuously by means of an automatic leak sensing device that signals to the operator the presence of any regulated substance in the interstitial space, or manually every 30 days by means of a procedure capable of detecting the presence of any regulated substance in the interstitial space.

If a single-walled underground storage tank is placed in the ground at the location where it is to be put into service prior to December 20, 2008 the UST owner is allowed 90 days (until March 20, 2009) to complete the UST system installation without having to comply with the secondary containment requirements.

The rule also requires the installation of secondary containment with interstitial monitoring for certain piping repairs. If 25% or more of a piping run to any one UST is replaced, the entire piping run must be secondarily contained with monthly interstitial monitoring.

UST systems installed after December 20, 2008 are also required to have under-dispenser containment and submersible pump containment.

After December 20, 2008 under-dispenser secondary containment (UDC) sumps are required under the following conditions:

- a) in any installation of a new dispenser at a new facility;
- b) in any installation of a new dispenser at an existing facility where new piping is added to the UST system to connect the new dispenser to the existing system; and
- c) in any installation of a replacement dispenser at an existing facility where the piping that connects the dispenser to the existing piping is replaced, including replacing the metal flexible connector, riser, or other transitional components that are beneath the dispenser and the impact shear valve and that connect the dispenser to the piping. Replacing an existing dispenser where no piping and none of the piping that connects the dispenser to the existing piping are replaced does not require the addition of an under-dispenser containment sump.

In addition, all UDC sumps installed after December 20, 2008 must have liquid-tight sides and bottoms and be maintained free of storm water and debris. Regulated substances spilled into any UDC sump shall be immediately removed upon discovery to the maximum extent practicable.

After December 20, 2008 secondary containment for submersible pumps is required under the following conditions:

- a) in any installation of a new STP at a new facility;
- b) in any installation of an STP (the entire STP, STP housing, and riser pipe) at an existing facility where new piping is added to the UST system to connect the new STP to the existing system; and
- c) in any installation of a replacement STP (the entire STP, STP housing, and riser pipe) at an existing facility where the piping that connects the STP to the existing piping is replaced. Replacing the metal flexible connector with a single-walled flexible connector requires the addition of a containment sump. Replacing the metal flexible connector with a double-walled flexible connector does not require the addition of a containment sump as long as the newly-installed STP is secondarily contained. Replacing an existing STP where no piping is replaced does not require the addition of STP secondary containment.

Secondary containment for submersible pumps can consist of either a built-in secondary containment system or a STP containment sump. STP containment sumps installed after December 20, 2008, must have liquid-tight sides and bottoms and be maintained free of storm water and debris, and regulated substances spilled into any STP containment sump shall be immediately removed upon discovery to the maximum extent practicable.

After October 20, 2008 all spill buckets shall have liquid-tight sides and bottoms and be maintained free of regulated substances. Regulated substances spilled into any spill bucket shall be immediately removed by the UST owner and/or operator or the bulk fuel distributor. The presence of greater than one inch of regulated substances in a spill bucket is a violation and may result in issuance of an enforcement action to the UST owner and/or operator and the bulk fuel distributor, common carrier, or transporter.

These actions were taken to maintain federal funding and delegation of the UST program in the State of Louisiana. This will further enhance our effort to maintain protection of human health and the environment by containing and detecting releases before they enter the environment.

The UST regulations (LAC 33:XI – Underground Storage Tanks) can be found at the following web address:

<http://www.deq.louisiana.gov/portal/tabid/1674/Default.aspx>

If you have any questions or need further clarification of these new regulations, please feel free to call Sam Broussard of LDEQ's UST Division, at 337-262-5744.