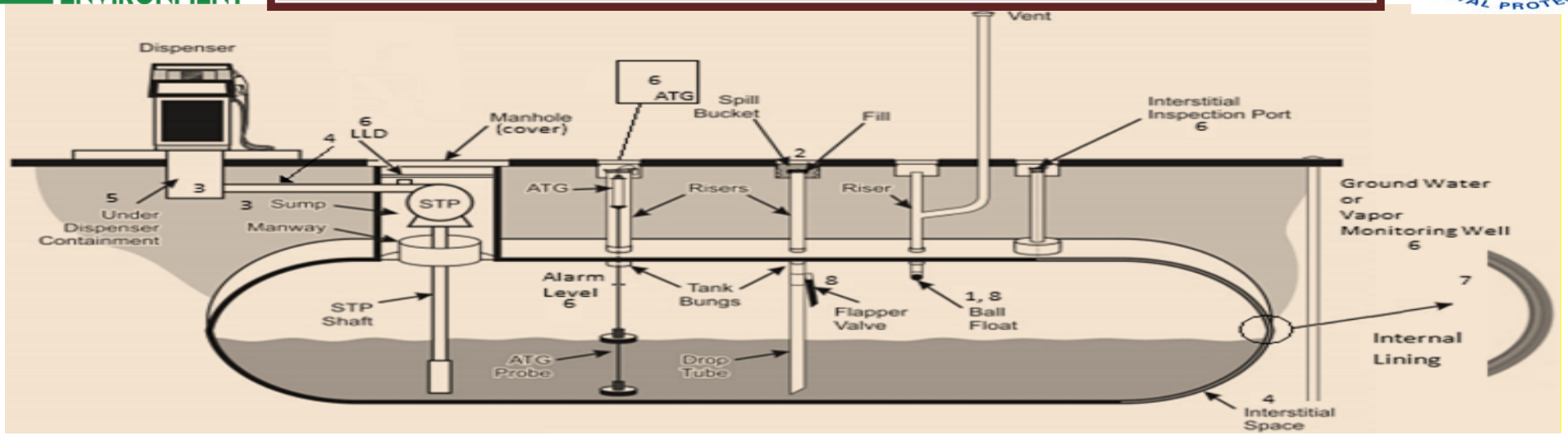
DEPARTMENT OF ENERGY & ENVIRONMENT

District of Columbia
Underground Storage Tank Regulatory Updates & Reminders 2018



Regulatory Changes Represented in Diagram

1. **Flow restrictors (ball floats) in vent lines** may no longer be used to meet the overfill prevention requirement at new installations and when an existing flow restrictor is replaced. Owners must install a different type of overfill prevention device, such as a shut off valve in fill pipes or alarms.
   - *Reference: 20 DCMR 5705.4, EPA-40 CFR 280.20(c)(3)*
2. **Spill buckets to be tested** for tightness at the time of installation and every 3 years thereafter if double wall with interstitial monitoring without monthly checks or tested annually if single wall.
   - *Reference: 20 DCMR 5900.11-5900.14, EPA-40 CFR 280.20(c)(4), 280.35*
3. **Containment sumps** (including UDCs) used as part of an interstitial monitoring system must also be tested for tightness at the time of installation and every 3 years thereafter or test annually if single wall sumps.
   - *Reference: 20 DCMR 5900.11-5900.14, EPA-40 CFR 280.35*
4. **Secondary containment and interstitial monitoring** for new and replaced tanks and piping.
   - *Reference: 20 DCMR5701, 5703, 5704, 6002, 6003. 6011, EPA-40 CFR 280.20*
5. **Under-dispenser containment for new dispenser systems.**
   - *Reference: 20 DCMR 5701, 5904.3, EPA-40 CFR 280.20(f)*
6. **Release detection equipment testing.**
   - *Reference: 20 DCMR 5904.2, 5904.3, EPA-40 CFR 280.36, 280.40(a)(3)*
7. **Closure of internally lined tanks** that fail the internal lining inspection and cannot be repaired according to a code of practice.
   - *Reference: 20 DCMR 5801.6, EPA-40 CFR 280.21(b)(1)(ii)*
8. **Overfill prevention equipment inspections**.
   - *Reference: 20 DC,R 5900.11, 5900.15, EPA-40 CFR 280.20(c)(4), 280.35*

Other Regulatory Changes

- **Walkthrough inspections**
  - *Reference: 20 DCMR 5904, EPA- 40 CFR 280.36*
- **Testing following a repair**
  - *Reference: 20 DCMR 5902, EPA-40 CFR 280.33(d), 280.33 (f)*
- **For airport hydrant fuel distribution systems and UST systems with field-constructed tanks:** Notification and financial responsibility, Release reporting, and Closure
  - *Reference: 20DCMR 5507, 6201, 6202, 6700, EPA-40 CFR 280.10(a)(1), Subpart K*
- **Operator Training**
  - *Reference: 20DCMR 6502, 5603 EPA-40 CFR Subpart J*
- **Site assessment records for groundwater and vapor monitoring**
  - *Reference: 20 DCMR 6009, 6010, EPA-40 CFR 280.45(a), 280.45(b)(1), 280.45(b)(3)*
- **For EPA'S previously deferred UST systems:**
  - Release detection for UST systems that store fuel solely for use by emergency power generators
  - *Reference 20 DCMR 5505*
- **Notification of ownership changes**
  - *Reference: DC 20DCMR 5600, 5604, EPA 40 CFR 280.22(b)*
- **Demonstrating compatibility with Biofuels**
  - *Reference: 20 DCMR 5903 , EPA- 40 CFR 280.32*
  - Subpart K (except notification, financial responsibility, release reporting, and closure) for airport hydrant fuel distribution systems and UST systems with field-constructed tanks
  - *Reference: 20 DCMR 5507, EPA 40 CFR Subpart K*
- **Partial Exclusions**
  - *Reference: 20 DCMR 5502-5505, EPA- 40 CFR 280.10(c).*
- **UST Fees** – *Reference: 20 DCMR 5605*
- **Age 30 years+ USTs** - *Reference: 20 DCMR 5700.10-5700.11*
- **LUST Corrective Action** – *Reference 20 DCMR Chapter 62*

Implementation Time Frames For DC 2018 UST Requirements

Requirement	EPA Implementation Time Frame	DC Implementation Time Frame
A. Flow restrictors (ball floats) in vent lines may no longer be used to meet the overfill prevention requirement at new installations and when an existing flow restrictor is replaced.	Owners and operators must begin meeting these requirements after October 13, 2015	February 21, 2020 (Effective Date of the Revised DC UST Regulations)
B. Testing following a repair		
C. Closure of internally lined tanks that fail the internal lining inspection and cannot be repaired according to a code of practice.		
D. Notification of ownership changes		
E. Demonstrating compatibility		
F. For airport hydrant fuel distribution systems and UST systems with field-constructed tanks: o Notification and financial responsibility1 o Release reporting o Closure		
G. Secondary containment and interstitial monitoring for new and replaced tanks and piping	Owners and operators must begin meeting these requirements after April 11, 2016	Immediately, these requirements are already Effective, since August 2009 of the last DC UST Regulations update.
H. Under-dispenser containment for new dispenser systems		
I. Operator training	Owners and operators must begin meeting these requirements on October 13, 2018	
J. Site assessment records for groundwater and vapor monitoring		October 13, 2021
K. For previously deferred UST systems:2 • Release detection for UST systems that store fuel solely for use by emergency power generators • Subpart K (except notification, financial responsibility, release reporting, and closure) for airport hydrant fuel distribution systems and UST systems with field constructed tanks		
L. Spill prevention equipment testing 2	Owners and operators must conduct the first test or inspection by October 13, 2018	
M. Overfill prevention equipment inspections 2		
N. Containment sump testing for sumps used for piping interstitial monitoring 2		
O. Release detection equipment testing		
P. Walkthrough inspections		
Q. Aged Tanks over 30 years old - removal from the ground or application for a variance including a tank interior and site assessment report.	February 21, 2020 (Effective Date of the Revised DC UST Regulations)	
R. New Fees for all UST removals and VRAP Applications – annual increase of all new & existing fees by inflation rate	February 21, 2020 (Effective Date of the Revised DC UST Regulations)	

In July 15, 2015 EPA published revisions to the underground storage tank (UST) regulations. The District published some of these revisions in August 2009 and additional changes February 21, 2020. The revisions strengthen the 1988 federal underground storage tank (UST) regulations by increasing emphasis on properly operating and maintaining UST equipment. They will help prevent and detect UST releases, which are a leading source of contamination.

For more information** - contact our **DOEE office at 1200 1st Street, NE, 5th Floor, Washington DC 20002, Tel: 202-535-2600, E-mail ust.doee@dc.gov

Or visit our websites https://doee.dc.gov/publication/underground-storage-tank-laws-and-regulation

***For EPA** https://www.epa.gov/ust/underground-storage-tank-ust-technical-compendium-about-2015-ust-regulations .*