Tribal Corrective Action Training

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Corrective Action at Leaking Underground Storage Tank (LUST) Sites

Training Outline

• Overview of LUST Program and Regulations
• Subpart E—Release Reporting, Investigation, and Confirmation
• Subpart F—Release Response and Corrective Action for UST Systems Containing Petroleum or Hazardous Substances
• Remediation Technologies
• Subpart G—Out-of-Service UST Systems and Closure
• Subpart H—Financial Responsibility
• Batesland LUST Site Case Study
• LUST Jeopardy Game
Underground Storage Tanks by the Numbers

- There are 590,104 active USTs
- Since the 1984 inception of the UST program, 1,768,193 USTs have been closed
- There have been 501,723 releases reported since the beginning of the UST program
- 413,740 Releases (or 82.5 percent) have been cleaned up
- 87,983 Releases remaining to be cleaned up
UST Tribal Data

- There are **2,587** active tanks
- Since the 1984 inception of the UST program, **5,899** USTs have been closed
- There have been **1,284** releases reported since the beginning of the UST program
- **961** Releases (or 75 percent) have been cleaned up
- **323** Releases remaining to be cleaned up
Location of UST and Public Water Supply (PWS) Wellheads
Background And History Of The UST Program

In 1984, Congress responded to the increasing threat to groundwater posed by leaking underground storage tanks by adding Subtitle I to the Solid Waste Disposal Act (SWDA)

- SWDA required EPA to develop a comprehensive regulatory program for USTs storing petroleum or certain hazardous substances to protect the environment and human health from UST releases
- Federal UST regulations require preventive measures (such as spill, overfill, and corrosion protection), release detection monitoring, corrective action, and demonstration of financial resources to carry out corrective action
- EPA’s 1988 regulations set minimum standards for new tanks and required owners of existing tanks to upgrade, replace, or close them
In 1986, Congress amended Subtitle I of SWDA and created the Leaking Underground Storage Tank (LUST) Trust Fund.

- It was established to:
  - Oversee cleanups by responsible parties
  - Enforce cleanups by recalcitrant parties
  - Pay for cleanups at sites where the owner or operator is unknown, unwilling, or unable to respond, or which require emergency action; and
  - Conduct inspections and other release prevention activities.

- The LUST Trust Fund is financed by a 0.1 cent federal tax on each gallon of motor fuel sold in the country.

- Tax is in effect through March 31, 2012 (originally authorized in 1986).

- As of September 2011, the balance in the fund was approximately $3.5 billion; in fiscal year 2011, the fund earned $93.2 million in interest.
Background And History Of The UST Program


  ▪ This legislation focuses on further preventing releases
  ▪ In particular, it expands eligible uses of the LUST Trust Fund and includes provisions regarding operator training, delivery prohibition, secondary containment and financial responsibility, and clean up of releases that contain oxygenated fuel additives
40 CFR PART 280—TECHNICAL STANDARDS AND CORRECTIVE ACTION REQUIREMENTS FOR OWNERS AND OPERATORS OF UNDERGROUND STORAGE TANKS

- Subpart A - 280.10-280.12 - Program Scope and Interim Prohibition
- Subpart C - 280.30-280.34 - General Operating Requirements
- Subpart D - 280.40-280.45 - Release Detection
- Subpart E - 280.50-280.53 - Release Reporting, Investigation, and Confirmation
- Subpart F - 280.60-280.67 - Release Response and Corrective Action for UST Systems Containing Petroleum or Hazardous Substances
- Subpart G - 280.70-280.74 - Out-of-Service UST Systems and Closure
- Subpart H - 280.90-280.116 - Financial Responsibility
- Subpart I - 280.200-280.230 - Lender Liability
Schematic Diagram of Leak Detection Methods
Tank System Components that Leak
Conceptual Site Model
For Further Information

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