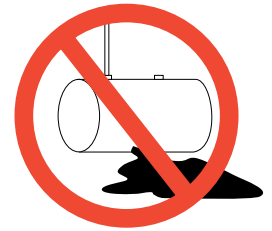


L.U.S.T.LINE

A Report On Federal & State Programs To Control Leaking Underground Storage Tanks



Setting Our Sights on Operational Compliance

by Ben Thomas

Many regulators still define the universe of underground storage tanks (USTs) according to the erstwhile two-part model that focuses on those tanks that are upgraded and those that are not. Under that model, new or upgraded tanks are, more or less, resistant to failure. Conversely, nonupgraded tanks are an inherent risk to human health and the environment. Prior to December 22, 1998, this either/or model helped drive 1.5 million tanks into compliance or closure. However, two full years after the deadline, it's just not that simple any more.

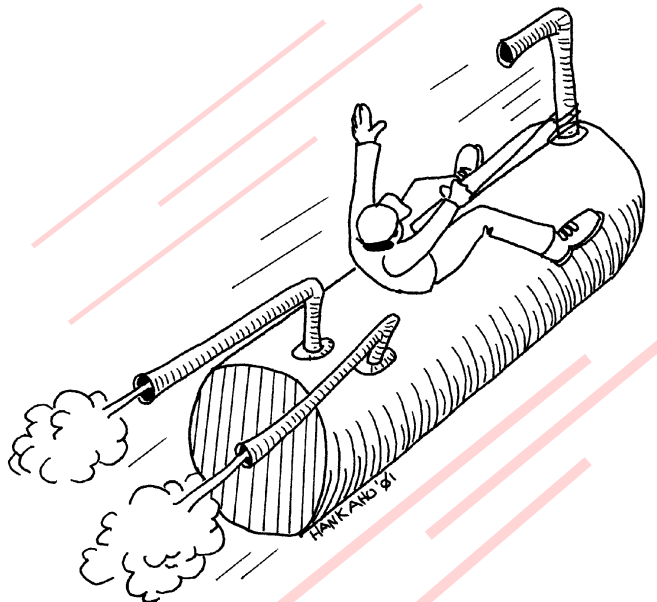
Like it or not, UST programs are in transition from a simplistic model of the tank universe (upgrade) to a more complex and real-world model (operational compliance). The sooner states start doing the groundwork to move in this new direction, the better off both regulators and tank operators will be—not to mention the environment.

The "1998 deadline" had a fearsome and somewhat tantalizing aura and a nice, neat do-or-die endpoint, but it is history. Now regulators are tasked with energizing the UST program with a new long-term target that is fraught with behavioral implications for the UST operator—"Significant Operational Compliance."

I'd like to offer a recipe for how states can identify, achieve, and maintain this new target. The recipe contains the following key ingredients:

- Forget the '98 deadline.
- Admit that operational compliance is a national problem.
- Define new goals, change old endpoints.
- Explore new incentives.

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