



# Are Fuel Storage Tank Owners Compliant and Vigilant?

“What have I learned about underground storage tank systems? They leak!”

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## Audience

- ~ planning and zoning board members
- ~ conservation commissioners
- ~ wetlands commissioners
- ~ health officers
- ~ fire departments
- ~ zoning boards of appeal

Leaking underground storage tanks (LUSTs) are a significant and widespread threat to groundwater water quality in the United States. Petroleum storage tanks, both above ground and underground, can be found in virtually every community in New England—and each and every tank has the potential to leak. New England states have made great progress in developing programs to prevent releases of gasoline and other petroleum products into the soil and groundwater environment. For the most part, municipalities have relied on their state underground storage tank (UST) programs to regulate these pollution sources. But in your source water protection areas, relying solely on the state to protect your drinking water from petroleum releases may not be enough.

## Here a Tank, There a Tank, Everywhere a...

In 1983, the CBS program *60 Minutes* aired a story that brought national attention to families suffering from the effects of leaking USTs on their drinking water supplies. Less than a year later, Congress enacted the Subtitle I RCRA Amendments, calling for the U.S. Environmental Protection Agency to develop UST regulations to protect human health and the environment. The New England states ultimately adopted UST regulations that were more stringent than the federal program. But there are still gaps and unsolved problems. For example:

- Many abandoned USTs are still in the ground and may still contain petroleum product.
- Some owners are not properly operating and maintaining their UST systems.
- Even state-of-the-art tank systems are not “leak proof.”
- Careless fuel-delivery and vehicle-fueling practices can compromise a tank owner’s best efforts.
- State regulatory agencies often do not have the resources to inspect facilities as often as necessary.

## Take a Closer Look

If your municipality is serious about source water protection, you need to take a closer look at your fuel storage tanks and address the following issues:

- what to do about the tanks that fall between the regulatory cracks (e.g., home heating oil, above-ground storage tanks)
- what to do about abandoned, or “orphaned,” tanks that have not been properly closed and removed
- how to ensure that tank systems in source water protection areas are designed and installed such that the risk of a release is minimized to the greatest extent possible
- how to ensure that tank systems in source water protection areas are in compliance with all applicable regulations and are properly operated and maintained on an ongoing basis
- how to reduce or eliminate current and future threats from the source water protection areas.

## Strategies for Action

### ✓ Consider establishing a comprehensive program to prevent the contamination of present and future drinking water from fuel storage tank releases.

If your community's Source Water Assessment report has identified land uses that are likely to have USTs or above ground storage tanks (e.g., gas stations, automobile dealerships, trucking and busing companies, public works facilities), this is your cue to pay attention to these potential threats to your source water area.

Ultimately, it is up to your community and your water supplier to determine how much risk you are willing to accept in your watershed or groundwater protection area. Local communities are able to adopt more stringent regulations (than federal or state) for all tanks, including those not regulated by the state. Many local governments address residential USTs through board of health regulations, zoning bylaws, or general bylaws or ordinances. Begin by reviewing your state UST/AST regulations to see what is covered and what might be lacking.

### ✓ Take advantage of readily available GIS map resources to inventory all storage tanks in your source water protection area.

Do you know where all the USTs and ASTs are in your source water area? If your community doesn't have information on UST and AST locations, your state program may. When a petroleum release occurs, state and local regulators can use GIS mapping information to identify proximity to source water protection areas. It is also easy to update GIS maps as new information is available.

### ✓ Make a special effort to locate and remove or properly close all abandoned tanks.

A surprising number of abandoned or orphaned USTs lay buried and forgotten throughout New England. These tanks are of interest because they are old, made of bare steel, prone to corrosion, and likely to eventually spill their contents into the environment. Check with your state to find out if there are programs to help pay for the removal of these tanks.

### ✓ Contact your state UST program to find out about the UST facilities in your community's source water protection area:

Find out about when those facilities were last inspected, compliance records, and how you can work with the state to address the facilities of concern.

### ✓ Develop municipal ordinances, overlay zones, best management practices, or regulations to address potential threats from fuel storage tanks in your source water protection area.

Local governments have various options for controlling potential water supply threats, including:

- prohibiting new USTs in sensitive areas
- establishing a program for storing residential heating oil tanks, including prohibiting underground storage
- registering tanks
- ensuring that tanks are inspected to enforce the rules
- requiring installation of groundwater monitoring wells near tanks located in source water areas
- providing a cost-share arrangement for removing abandoned and home heating oil tanks.

### ✓ Educate all tank owners about the need for enhanced vigilance in source water protection areas.

Education is a key way to help prevent a problem from happening. Work with your state, local businesses, oil distributors, and homeowners to develop a message so that people will recognize that it is in their interest to be vigilant in preventing leaks to avoid the high cost of future contamination and support local efforts to reduce risk.

Tanks may be everywhere, but do they need to be? If tanks need to be there, let people know that extra precautions are a must in source water protection areas. Target commercial tank owners and residential heating oil tank owners. Provide clear and simple guides for such topics as removing tanks and BMPs for residential heating oil—checklists, brochures, and Web site addresses—so no one can say: "But I didn't know."

## FOR MORE INFORMATION

For more detailed information, check out "Water Today...Water Tomorrow? Protecting Drinking Water Sources in Your Community: Tools for Municipal Officials" at [www.neiwpcc.org](http://www.neiwpcc.org). To find out more about your state's underground storage tank program:

Connecticut	(860) 424-3374	<a href="http://www.dep.state.ct.us/wst/ust/indexust.htm">http://www.dep.state.ct.us/wst/ust/indexust.htm</a>
Maine	(207) 287-7800	<a href="http://www.maine.gov/dep/rwm/">http://www.maine.gov/dep/rwm/</a>
Massachusetts	UST (978) 567-3100 LUST (617) 292-5851	<a href="http://www.mass.gov/dfs/osfm/fireprevention/ust/index.htm">http://www.mass.gov/dfs/osfm/fireprevention/ust/index.htm</a> <a href="http://www.mass.gov/dep/bwsc/bwscheme.htm">http://www.mass.gov/dep/bwsc/bwscheme.htm</a>
New Hampshire	(603) 271-3644	UST - <a href="http://www.des.state.nh.us/orcb/ustprog.htm">http://www.des.state.nh.us/orcb/ustprog.htm</a> LUST - <a href="http://www.des.state.nh.us/orcb/irs_intro.htm">http://www.des.state.nh.us/orcb/irs_intro.htm</a>
Rhode Island	(401) 222-2797	<a href="http://www.state.ri.us/dem/programs/benviron/waste/index.htm">http://www.state.ri.us/dem/programs/benviron/waste/index.htm</a>
Vermont	UST: (802) 241-3882 LUST: (802) 241-3876	<a href="http://www.anr.state.vt.us/dec/wastediv/ust/home.htm">http://www.anr.state.vt.us/dec/wastediv/ust/home.htm</a>