

NEWS COLUMN

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A Review of New Fuel Storage Regulations

Homeowners and farmers who store more than 1,320 gallons of fuel must add new secondary containment systems to their fuel storage equipment. This effective, as of Nov. 10, 2010.

Producers with as few as three above-ground 500-gallon gasoline or diesel storage tanks may be subject to these changes. Tank owners are responsible for any consequences of a leak or spill, and the clean-up costs, in many cases are much higher than investing in a secondary containment system.

Structures like sealed basins or impermeable dikes and pads can catch and hold the contents of a storage tank if they leak or rupture. These structures also can help to hold fuel if an overflow occurs during filling.

EPA regulations consist of two parts, one that is a plan for a spill and another that covers equipment to contain a discharge of any petroleum product, including heating oil, gasoline, or diesel fuel. Containment systems must be in place if a discharge could reasonably be expected to reach a waterway or sanitary sewer inlet.

The EPA's Spill Prevention Control and Containment regulation (SPCC) applies to farms and homes with more than 1,320 gallons in above-ground storage. Producers should only count containers that hold 55 U.S. gallons (or more) of petroleum products.

The first part of the new regulation is to have a plan in case of spill, and the second considers the dikes, berms, or walls that would contain it. The system must be able to contain 110 percent of the largest tank's volume, and the bottom walls of the system must have a permeability of .03 inches per day or less. Concrete, clay, native materials, synthetic membranes, and other materials may be used for secondary containment system as long as it meets the permeability standard in the regulation. The design and installation must take into account storm water flows, as well. The containment structure should be set up in a way that minimizes rainwater accumulation in the structure.

In developing their plans, homeowners and producers should list all containers on their property and include a schematic drawing of their locations. The plan also would include a brief description of the actions to be taken in the event of a spill or rupture.

A plan should also include a brief description of the measures the owner would take to contain and clean up a spill and a list of emergency contacts including first responders. Producers must update their plans if they make changes, such as adding more tanks that hold 55 gallons of petroleum products to their property.

Once the plan is completed, it should be kept on file and readily available in the event of an inspection. The plan does not have to be submitted to the EPA nor to a state agency.

Producers can self-certify their plans and containment systems, or they can enlist the help of a certifying professional engineer. If a spill of 1,000 gallons or more occurs, or if two or more releases of 42 gallons each take place in less than one year, the landowner must report these events, according to state and federal laws.

To report a spill, call the South Dakota Department of Environment and Natural Resources at 605-773-3296, or 24 hour hotline at 605-773-3231.

An EPA fact sheet with complete information is available at this link:

<http://www.epa.gov/emergencies/content/spcc/index.htm>.

Producers and landowners who want to self-certify and have a total storage of less than 10,000 gallons can get a plan template to help them at this link:

<http://www.epa.gov/emergencies/content/spcc/tier1temp.htm>.

Complete sections I, II, III and A to have a ready plan for possible spills.