

# Summation of Changes from the December 6, 2016, Storage Tank Advisory Committee Meeting

## CHAPTER 245. ADMINISTRATION OF THE STORAGE TANK AND SPILL PREVENTION PROGRAM

### Subchapter A. GENERAL PROVISIONS

#### GENERAL

##### § 245.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

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**Aboveground Storage Tank System—An aboveground storage tank, connected piping within the emergency containment area, ancillary equipment, and emergency and secondary containment.**

**Aboveground Storage Tank System—An aboveground storage tank, connected piping and ancillary equipment within the emergency containment area and emergency and secondary containment.**

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*Containment structure or facility*—Anything built, installed or established which comes in contact with regulated substances that are spilled, leaked, emitted, discharged, escaped, leached or disposed from a storage tank or storage tank system[. **The term includes**], **including** but [is] not limited to[, ] a vault, dike, wall, building or secondary containment structure around an underground or above[-]ground storage tank, or any rock or other fill material placed around an underground storage tank. **The term also includes spill prevention equipment used to contain regulated substances.**

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*Release*—Spilling, leaking, emitting, discharging, escaping, leaching or disposing from a storage tank into surface waters and groundwaters of this Commonwealth or soils or subsurface soils in an amount equal to or greater than the reportable released quantity determined under section 102 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C.A. § 9602), and regulations promulgated thereunder, or an amount equal to or greater than

a discharge as defined in section 311 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1321) and regulations promulgated thereunder. The term also includes spilling, leaking, emitting, discharging, escaping, leaching or disposing from a storage tank into a containment structure or facility that poses an immediate threat of contamination of the soils, subsurface soils, surface water or groundwater. **All spills, leaks, emissions, discharges, escapes, leaching or disposals of a regulated substance into a containment structure or facility pose an immediate threat of contamination of the soils, subsurface soils, surface water or groundwater, except when a regulated substance is present in a liquid-tight containment sump or emergency containment structure as a result of a tank handling activity, if the certified installer providing direct onsite supervision has control over the regulated substance, the regulated substance is completely contained, and prior to the certified installer leaving the storage tank facility, the total volume of the regulated substance is recovered and removed. All spills, leaks, emissions, discharges, escapes, leaching or disposal of a regulated substance into a containment structure or facility pose an immediate threat of contamination of the soils, subsurface soils, surface water or groundwater except:**

**(i) When the presence of a regulated substance in the interstitial space of a double-walled storage tank has been completely contained within the storage tank and, within 24 hours of its discovery, the total volume of the regulated substance is removed.**

**(ii) When the presence of a regulated substance in a containment sump has been completely contained within the storage tank system and, within 24 hours of its discovery, the total volume of the regulated substance is removed.**

**(iii) When the presence of a regulated substance in spill prevention equipment has been completely contained within the storage tank system and, within 24 hours of its discovery, the total volume of the regulated substance is removed.**

**(iv) When the presence of less than 25 gallons of a regulated petroleum product is completely contained within an emergency containment structure and, within 24 hours of its discovery, the total volume of the petroleum product is removed.**

**(v) When the presence of a regulated substance in an amount less than its reportable quantity under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C.A. §§ 9601 – 9675) and 40 CFR Part 302 (relating to designation, reportable quantities, and notification) is completely contained within an emergency containment structure and, within 24 hours of its discovery, the total volume of the regulated substance is removed.**

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## TANK REGISTRATION AND FEES

### § 245.41. Tank registration requirements.

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(c) A form for registration of a storage tank must be complete upon submission to the Department and provide the following:

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**(8) Certified Trained underground storage tank operator information, as required by § 245.436 (relating to operator training).**

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**Subchapter B. CERTIFICATION PROGRAM FOR INSTALLERS  
AND INSPECTORS OF STORAGE TANKS AND STORAGE  
TANK FACILITIES**

**GENERAL CERTIFICATION REQUIREMENTS**

Sec.

245.101. Purpose.

245.102. Requirement for certification.

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245.105. Certification examinations.

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245.110. Certification of installers.

245.111. Certified installer experience and qualifications.

245.112. Certification of inspectors.

245.113. Certified inspector experience and qualifications.

245.114. Renewal and amendment of certification.

**GENERAL CERTIFICATION REQUIREMENTS**

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**§ 245.108. Suspension of certification.**

(a) The Department may suspend the certification of a certified installer or certified inspector for good cause which includes, but is not limited to:

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(4) In the case of a certified inspector's failure to:

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(iii) Submit reports of inspection activities to the Department within 60 days of conducting [the]an inspection [activities] activity, **excepting reports of modification inspection activities, which shall be reported to the Department within 30 days of conducting a modification inspection activity.**

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**§ 245.111. Certified installer experience and qualifications.**

(a) An applicant shall meet the following minimum experience, education, training or certification requirements and have completed the required number of activities in the appropriate category for an initial installer category certification:

<i>Category</i>	<i>Experience, Education, Training or Certification</i>	<i>Total Number of Activities Completed</i>
UMX	2 years, or college degree and 1 year  Technical training	<del>[9 installations]</del> <b><u>10 installations or major modifications (at least 5 installations)</u></b>
	<b><u>or</u></b>  <b><u>UMI certification</u></b>	<b><u>10 installations or major modifications (at least 5 installations)</u></b>
<b><u>UMI</u></b>	<b><u>2 years, or college degree and 1 year</u></b>  <b><u>Technical training</u></b>	<b><u>10 minor modifications</u></b>
UMR	2 years, or college degree and 1 year  Technical training	6 removals
UTT	Department-approved training with testing equipment manufacturer's certification	None
AMMX	2 years, or college degree and 1 year  Technical training	<b><u>[9 installations] 10 installations or major modifications (at least 5 installations)</u></b>

	or UMX certification	None
	Technical training	
	or AFMX certification	None
AMNX	2 years, or college degree and 1 year	<b><u>[9 which may be installations or major modifications] 10 installations or major modifications (at least 5 installations)</u></b>
	Technical training	6 AST installations
	or AMMX certification	

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(c) A college degree being substituted for experience shall **be at a minimum a bachelor's degree** in civil engineering, mechanical engineering, environmental engineering, petroleum engineering, chemical engineering, structural engineering, **[or] geotechnical engineering, hydrology, geology, environmental studies, or equivalent degree as determined by the Department.**

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**§ 245.113. Certified inspector experience and qualifications.**

(a) An applicant shall meet the following minimum experience, education, training or certification requirements, and have completed the required number of activities in the appropriate category for an initial inspector category certification:

	<i>Category Experience, Education, Training or Certification</i>	<i>Total Number of Activities Completed</i>
IUM	4 years, or college degree and 2 years,	None

**and**

Department-approved tank tightness testing familiarization course or UTT certification,

**and**

UMX **or UMI** certification,

and

Corrosion protection training

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(c) A college degree being substituted for experience shall be **at a minimum a bachelor's degree** in civil engineering, mechanical engineering, environmental engineering, petroleum engineering, chemical engineering, structural engineering, geotechnical engineering, hydrology, geology, **[or environmental studies] or equivalent degree as determined by the Department.**

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**(h)i** Certified inspectors of underground storage tanks (IUM) shall complete Department-provided inspector training prior to **conducting [UST facility operation] inspections on underground storage tank systems as** required in § 245.411 (relating to inspection frequency).

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## STANDARDS [FOR] OF PERFORMANCE

### § 245.132. Standards of performance.

(a) Certified companies, certified installers and certified inspectors shall:

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(2) Complete and submit to the Department, within 60 days of **[the]an** inspection activity, **except for a modification inspection, which shall be submitted within 30 days of the inspection activity,** or 30 days of a tank handling activity, **or modification inspection on a large aboveground storage tank,** a Department-approved form certifying that the tank handling activity or inspection activity conducted by the certified installer or certified inspector meets the requirements of the act and this chapter and accurately describes the conditions of the storage tank system and facility. For tank handling activities involving multiple certified individuals and certification categories, the tank handling report shall be submitted within 30 days of the completion of all project tank handling and inspection activities.

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(4) Report to the Department a release of a regulated substance; **[or] suspected or confirmed [confirmed or suspected] contamination of soil, surface or groundwater from regulated substances; or a regulated substance observed in a containment structure or facility, including containment sumps and or spill prevention equipment** while performing services as a certified installer or certified inspector.

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**(6) [This notification shall be submitted to the Department] As required by paragraphs (4) and (5), notify the Department in writing within 48 hours of performing the failed test or observing a release of a regulated substance, suspected or confirmed contamination, or a regulated substance in a containment structure or facility or spill prevention equipment on a form provided by the Department. If the notification is being submitted because of a failed valid tightness test, spill prevention equipment test, containment sump test, or overfill prevention evaluation, a copy of the test results shall also be provided to the Department with the notification report. [When there is a reportable release, the notification may be submitted jointly by the owner, operator, certified installer and certified inspector. In this instance, the written notification report shall be submitted to the Department, at the appropriate regional office, in accordance with § 245.305 (relating to reporting releases).]**

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**[(6) Not affix the certified installer's or certified inspector's signature or certification number to documentation concerning the installation or inspection of a component of a storage tank system project or to documentation concerning tank handling or inspection activity, unless:**

**(i) The storage tank system project was accomplished by the certified installer or under the installer's direct, onsite supervision and control.**

**(ii) Inspection activities were conducted on the storage tank system project by the certified inspector, or under the inspector's direct, onsite supervision and control and as required by the act and this chapter and the certified inspector was present at the site during the conducting of inspection activities on the storage tank system project and as required by the act and this chapter.**

**(iii) Installation or modification inspection activities were conducted on a large or field constructed aboveground storage tank and the certified inspector was involved prior to the initiation of the project and was present at critical times, so that the inspector can reliably determine that the following requirements were met:**

**(A) Industry standards and project specifications were followed throughout the tank handling activity.**

**(B) Appropriate testing and nondestructive examinations were properly conducted.**

**(C) The tank is suitable for operational service.**

**(7) Not certify to an owner or operator or the Department that a storage tank system project or component thereof is complete unless it complies with the act or this chapter. Project certification applies to both certified activities and nontank handling activities that may have been performed as part of the project.]**

**(8) Adhere to equipment manufacturer's instructions, accepted industry standards and applicable industry codes of practice when performing tank handling, tightness testing or inspection activities or other nontank handling activities on the project.**

(9) Provide requested records and documentation to the Department under section 107(c) of the act (35 P. S. § 6[201]021.107(c)).

**(10) Participate in the Tank Installer Indemnification Program (TIIP) if the company employs an individual certified in the UMX, UMR, UMI, or UTT category. The certified company must participate in TIIP as required by section 704(a)(1) of the act (35 P. S. 6021.704(a)(1)), including the timely payment of TIIP fees as required by section 705(d)(1) and 705(e) of the act (35 P. S. § 6021.705(d)(1) and 35 P. S. § 6021.704(e)) and by the Underground Storage Tank Indemnification Fund regulations in § 977.19(b) (relating to certified company fees).**

**(b) Certified companies, certified installers and certified inspectors may not:**

**(1) Affix the certified installer's or certified inspector's signature or certification number to documentation concerning the installation or inspection of a component of a storage tank system project or to documentation concerning tank handling or inspection activity unless:**

**(i) The storage tank system project was performed by the certified installer or under the installer's direct, onsite supervision and control.**

**(ii) Inspection activities were conducted on the storage tank system project by the certified inspector, or under the inspector's direct, onsite supervision and control and as required by the act and this chapter and the certified inspector was present at the site during the conducting of inspection activities on the storage tank system project and as required by the act and this chapter.**

**(iii) Installation or modification inspection activities were conducted on a large or field constructed aboveground storage tank and the certified inspector was involved prior to the initiation of the project and was present at critical times, so that the inspector can reliably determine that the following requirements were met:**

**(A) Industry standards and project specifications were followed throughout the tank handling activity.**

**(B) Appropriate testing and nondestructive examinations were properly conducted.**

**(C) The tank is suitable for operational service.**

**(2) Certify to an owner or operator or the Department that a storage tank system project or component thereof is complete unless it complies with the act or this chapter. Project certification applies to both certified activities and nontank handling activities that may have been performed as part of the project.**

**[(b)](c)** A certified installer or certified inspector shall display [a] their Department-issued certification identification card or certificate upon request.



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**Subchapter C. PERMITTING OF UNDERGROUND AND ABOVEGROUND STORAGE TANK SYSTEMS AND FACILITIES**

**§ 245.232. General requirements.**

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(b) In addition to the items required by subsection (a), owners of aboveground storage tank systems or facilities required to apply for a site-specific installation permit shall include:

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(2) Proof of notification to the municipality and county prior to submitting the application for a site-specific installation permit under section 1101(a) of the act (**35 P. S. § 6[21]021.1101(a)**) and § 245.236 (relating to public notice). Acceptable proof of notification includes, but is not limited to, copies of letters sent to the affected municipality and county and legal notices published in a newspaper of general circulation in the area where the project is proposed.

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**Subchapter D. CORRECTIVE ACTION PROCESS FOR OWNERS AND OPERATORS OF STORAGE TANKS AND STORAGE TANK FACILITIES AND OTHER RESPONSIBLE PARTIES**

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**§ 245.303. General requirements.**

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(e) The Department may waive or combine one or more of the requirements of this subchapter based on:

(1) The nature, extent, type, volume or complexity of the release[.], including a release to a containment structure or facility that is shown to be liquid-tight.

(2) The general characteristics of the site and the regulated substances which were released.

(3) The corrective action which occurred subsequent to the release.

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**§ 245.304. Investigation of suspected releases.**

(a) The owner or operator of a storage [tanks and] tank system or storage tank [facilities] facility shall initiate and complete an investigation of [an indication of] a suspected release of a regulated substance as soon as practicable, but no later than 7 days after the indication of a release. An indication of a release includes one or more of the following conditions:

(1) The presence of a regulated substance or an unusual level of vapors from a regulated substance [of unknown origin, at] outside of storage tank system components designed to routinely contain or convey product, at or near a storage tank facility.

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#### § 245.305. Reporting releases.

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[(h)](g) Upon the occurrence of a [reportable] release at the aboveground storage tank, the owner or operator of a [aboveground] storage tank [facilities] facility with [a] an aggregate aboveground storage capacity greater than 21,000 gallons shall immediately notify the county emergency management agency, the Pennsylvania Emergency Management Agency and the Department. Downstream water companies, downstream municipalities and downstream industrial users within 20 miles of an aboveground storage tank facility located adjacent to surface waters shall be notified on a priority basis based on the proximity of the release by the owner or operator or the agent of the owner or operator within 2 hours of a release which enters a water supply or which threatens the water supply of downstream users. If the owner or operator or an agent fails to notify or is incapable of notifying downstream water users, the county emergency management agency shall make the required notification. This notification shall be done in accordance with section 904 of the act (35 P. S. § 6021.904).

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(i) Release reporting under this section and further corrective action under this subchapter are not required for the following releases if the owner or operator has control over the release, the release is completely contained, within 24 hours of the release the total volume of the release is recovered and removed, and any defective storage tank system component that caused or contributed to the release is properly repaired or replaced:

(1) A release of petroleum to an aboveground surface or that is completely contained within an emergency containment structure at a storage tank facility that is less than 25 gallons.

(2) A release of a hazardous substance to an aboveground surface or that is completely contained within an emergency containment structure at a storage tank facility that is less than its reportable quantity under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C.A. §§ 9601—9675) and 40 CFR Part 302 (relating to designation, reportable quantities, and notification).

(3) A release to a liquid-tight containment sump used for interstitial monitoring of piping in accordance with § 245.444(6) (relating to methods of release detection for tanks)

**(i) Release reporting under this section and further corrective action under this subchapter is not required for the following releases if the owner or operator has control over the release, the release is completely contained, and within 24 hours of the release the total volume of the release is recovered or removed:**

**(1) A release of petroleum to an aboveground surface at a storage tank facility that is less than 25 gallons.**

**(2) A release of a hazardous substance to an aboveground surface at a storage tank facility that is less than its reportable quantity under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C.A. §§ 9601—9675) and 40 CFR Part 302 (relating to designation, reportable quantities, and notification).**

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#### **§ 245.309. Site characterization.**

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(c) The responsible party shall conduct the site characterization activities necessary to satisfy the objectives established in subsection (b). The site characterization shall include the following tasks, as necessary, based on the nature, extent, type, volume or complexity of the release:

**[(18)] (17) [An analysis of] Analyzing** the data collected as a result of the site characterization.

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### **Subchapter E. TECHNICAL STANDARDS FOR UNDERGROUND STORAGE TANKS**

#### **GENERAL**

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#### **UNDERGROUND STORAGE TANK SYSTEMS: DESIGN, CONSTRUCTION, INSTALLATION AND NOTIFICATION**

245.421. Performance standards for new underground storage tank systems.

245.422. Upgrading of existing underground storage tank systems.

**245.423. [Registration requirements.]Reserved.**

245.424. Standards for new field constructed tank systems.

245.425. Reuse of removed tanks.

§ 245.421. Performance standards for underground storage tank systems.

(a) *New underground storage tank systems.*

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(2) At least 30 days prior to the installation of a(n) **[new or replacement] tank, piping system, replacement or additional dispenser,** or underground storage tank system **[installed after January 9, 2008,]** or within another reasonable time agreed upon by the Department, owners and operators shall notify the Department of the proposed installation on a form provided by the Department.

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(3) *Spill and overfill prevention equipment.*

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**(iii) Ball float valves may not be used to comply with this subsection when overfill prevention is installed or replaced after \_\_\_\_\_ (Editor’s Note: The blank refers to the date of adoption of the proposed rulemaking.).**

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**(v) Spill and overfill prevention equipment must be periodically tested or evaluated in accordance with § 245.437 (relating to periodic testing). Required tests shall be documented on a form provided by the Department and shall be maintained onsite at the storage tank facility or at a readily available alternative site.**

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§ 245.422. Upgrading of existing underground storage tank systems.

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(b) *Tank upgrading requirements.* Steel tanks shall be upgraded to meet one of the following requirements in accordance with a code of practice developed by a **[Nationally-recognized] Nationally recognized** association or independent testing laboratory:

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(2) *Cathodic protection.* A tank may be upgraded by cathodic protection if the cathodic protection system meets the requirements of § 245.421 **(b)(1)(ii)(B)—(D)** and the integrity of the tank is ensured using one or more of the following methods:

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**GENERAL OPERATING REQUIREMENTS**

- 245.431. Spill and overflow control.
- 245.432. Operation and maintenance including corrosion protection.
- 245.433. Compatibility.
- 245.434. Repairs allowed.
- 245.435. Reporting and recordkeeping.
- 245.436. Operator training.
- 245.437. Periodic testing.**
- 245.438. Periodic operation and maintenance walkthrough inspections.**

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**§ 245.433. Compatibility.**

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**(c) Upon Department request, an owner and operator of underground storage tank systems shall demonstrate compatibility of the underground storage tank system by using one or more of the following:**

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**§ 245.435. Reporting and recordkeeping.**

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(b) Owners and operators shall maintain required records either onsite at the underground storage tank facility or at a readily available alternative site. Records maintained at the underground storage tank facility shall be immediately available for inspection by the Department and certified inspectors. If records are maintained offsite, the records shall be easily obtained and provided for inspection or for review by the Department upon request.

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(3) *Temporary recordkeeping.* Owners and operators shall retain current temporary records for a minimum of 1 year after the **underground storage** tank system has been **[removed] permanently closed**. Temporary records shall be maintained as follows:

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(ii) Tank and **[pipe] piping** release detection records for the past 12 months, including written certifications or performance claims for the release detection[s] methods in use **[and documentation of investigations of suspected releases]** (§ **[§ 245.304 and]** 245.446 (relating to **[investigation of suspected releases; and]** release detection recordkeeping)).

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**(x) Documentation of the last test of spill prevention equipment and containment sumps used for interstitial monitoring of piping, and evaluation of overfill prevention equipment as required in § 245.437 (relating to periodic testing).**

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**(xiii) Documentation of investigations of suspected releases in accordance with § 245.304 (relating to investigation of suspected releases).**

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**§ 245.437 Periodic testing.**

**(a) Owners and operators of underground storage tank systems shall ensure installed equipment is operating properly by meeting the following requirements:**

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**(2) Overfill prevention equipment must be evaluated at least once every three years. At a minimum, the evaluation must ensure that overfill prevention equipment is set to activate at the correct level specified in § 245.421(b)(3) (relating to performance standards for underground storage tank systems) and will activate when the regulated substance stored reaches that level.**

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**(b) Tests and evaluations required by this section shall be performed in accordance with one of the following criteria:**

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**RELEASE DETECTION**

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**§ 245.442. Requirements for petroleum underground storage tank systems.**

**(a) Except as provided in subparagraph (2) [Owners]owners and operators of [underground storage tank systems] new piping systems that routinely contain and convey regulated substances and underground storage tanks installed after November 10, 2007, shall perform interstitial monitoring, at least once every 30 days, in accordance with § 245.444([7]6) (relating to methods of release detection for tanks) [of both the tank and underground piping that routinely contains a product (regulated substance). In addition, pressurized piping for these systems must be equipped and operated with an automatic line leak detector with an automatic pump shut off device in accordance with § 245.445(1) (relating to methods of release detection for piping)].**

**(1) Pressurized piping for these systems must be equipped and operated with an automatic line leak detector with an automatic pump shut off device in accordance with § 245.445(1) (relating to methods of release detection for piping).**

**(2) No release detection is required for suction piping that meets the requirements of subparagraph (b)(2)(ii)(A-E).**

(b) Owners and operators of petroleum underground storage tank systems installed on or before November 10, 2007, shall provide release detection for tanks and piping as follows:

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(2) *Piping.* Underground piping that routinely contains regulated substances shall be monitored for releases in a manner that meets one of the following requirements:

(i) *Pressurized piping.* **Except as provided in subparagraph (iii),** Underground piping that conveys regulated substances under pressure shall meet the following requirements:

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**(iii) Owners and operators of double-walled pressurized underground piping that routinely contains regulated substance installed on or before November 10, 2007, with containment sumps at the piping junctures and dispensers shall perform interstitial monitoring in accordance with § 245.444(6).**

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## **OUT-OF-SERVICE UNDERGROUND STORAGE TANK SYSTEMS AND CLOSURE**

245.451. Temporary [closure]removal-from-service (out-of-service).

245.452. Permanent closure and changes-in-service.

245.453. Assessing the site at closure or change-in-service.

245.454. Applicability to previously closed underground storage tank systems.

245.455. Closure records.

**§ 245.451. Temporary [closure] removal-from-service (out-of-service).**

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(e) **[Routine facility inspection]Inspection** requirements at 3-year intervals in § 245.411(c) (relating to inspection frequency) **[may be delayed for a storage tank facility with all tank systems temporarily closed, unless notified otherwise by the Department under § 245.21(c) and (d) (relating to tank handling and inspection requirements). A delayed inspection]** shall be performed on **[a] an underground storage tank system [or facility] in temporary [closure when returning the tank system to operating status.] out-of-service status.**

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**§ 245.452. Permanent closure and changes-in-service.**

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**(e) [An amended registration shall be submitted by the owner to the Department.] The owner shall complete and submit an amended tank registration form, signed by the owner and the certified installer that provided direct onsite supervision of the tank handling activity, to the Department within 30 days of:**

**(1) The completion of permanent closure.**

**(2) Change-in-service of the tank.**

**Subchapter F. TECHNICAL STANDARDS FOR ABOVEGROUND STORAGE TANKS  
AND FACILITIES**

**GENERAL**

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**§ 245.503. Variances.**

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(6) The Department will provide to the applicant a written notice of approval, approval with conditions or denial. **Granted variances will be published in the *Pennsylvania Bulletin*.**

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**OPERATIONS AND MAINTENANCE**

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**§ 245.513. Preventive maintenance and housekeeping requirements.**

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(b) Routine maintenance inspection procedures shall be established and implemented at each storage tank facility.

(1) An owner[/and] operator is responsible to assure that a visual inspection is performed once every 72 hours. The visual inspection may be accomplished by or supplemented with electronic surveillance and shall include:



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**(iii) In the case of aboveground storage tanks in underground vaults, a check of the continuous leak detection system, as required under §245.523(7) (relating to aboveground storage tanks in underground vaults), to ensure the equipment is functioning as designed.**

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**§ 245.516. Recordkeeping requirements.**

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**(2) Temporary recordkeeping. Owners and operators shall retain current temporary records for a minimum of 1 year after the aboveground storage tank system has been permanently closed. Temporary records shall be maintained as follows:**

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**(vii) Documentation of investigations of suspected releases in accordance with § 245.304 (relating to investigation of suspected releases).**

## DESIGN, CONSTRUCTION AND INSTALLATION

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**§ 245.523. Aboveground storage tanks in underground vaults.**

The following requirements shall be met when an owner or operator chooses to install an aboveground storage tank in an underground vault:

(1) The vault shall completely enclose the **aboveground storage** tank. There may be no openings in the vault enclosure except those necessary for access to, inspection of, and filling, emptying and venting of the tank. The walls and floor of the vault must be constructed of reinforced concrete at least 6 inches thick. The top, walls and floor shall be designed to withstand the anticipated loading, including loading from traffic, soil and groundwater.

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(7) A vault must be equipped with a continuous leak detection system capable of detecting vapors and liquids including water. The detection system must activate an alarm that automatically shuts down the dispensing system if **[a release occurs] vapors or liquids are detected.**

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## ABOVEGROUND STORAGE TANK INSPECTIONS

245.551. General requirements for third party inspections.

245.552. In-service inspections.

245.553. Out-of-service inspections.

245.554. Installation and modification inspections.

**245.555. Repairs allowed.**

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**§ 245.552. In-service inspections.**

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(d) **Except as provided in subsection (5) and (6), [I]**inspection intervals for in-service inspections are as follows:

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**(5) Aboveground storage tanks in underground vaults shall have in-service inspections conducted as follows:**

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**(ii) Aboveground storage tanks storing highly hazardous substances with a capacity greater than 1,100 gallons shall have in-service inspections conducted within 6 and 12 months of installation and at least every 3 years thereafter.**

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**§ 245.553. Out-of-service inspections.**

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(f) Deficiencies **noted during the inspection** shall be remedied before the **aboveground storage tank system** is returned to service. **[When substantial] [modifications] Modifications or repairs performed on the aboveground storage tank system [are necessary to correct deficiencies, they]** shall be made in accordance with manufacturer's specifications or an engineer's design criteria (See § § 245.522(a) and (b), 245.524(b)(2) and 245.532(b) and (c) (relating to new aboveground **storage** tank installations and reconstructions; aboveground **storage** tank modifications; and cathodic protection system)). The Department may require submission **of** and review documentation relating to these remedies. Required tank handling activities **[are] shall be** reported to the Department by the certified installer. Tank handling activities involving major modifications shall also be inspected by a certified aboveground storage tank inspector and reported to the Department.

(g) Aboveground storage tanks which can be completely **[examined] inspected** from the exterior are **[exempt]excluded** from out-of-service inspections, **]**except for tanks that are internally lined.

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**CLOSURE AND REMOVAL FROM SERVICE REQUIREMENTS**

245.561. Permanent closure or change-in-service.

245.562. Temporary removal-from-service (out-of-service).

**§ 245.561. Permanent closure or change-in-service.**

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**(2) [The owner/operator shall submit an amended registration form to the Department indicating the change in tank status within 30 days after the change in tank status.] The owner shall complete and submit an amended tank registration form, signed by the owner and the certified installer that provided direct onsite supervision of the tank handling activity, to the Department within 30 days of:**

**(i) The completion of permanent closure.**

**(ii) Change-in-service of the tank.**

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**§ 245.562. Temporary removal-from-service (out-of-service).**

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**(f) Aboveground storage [Tanks] tanks shall be permanently closed within 5 years of being placed temporarily out-of-service unless the owner requests in writing an extension to the temporary out-of-service period and the Department approves the request. [which are temporarily removed-from-service for 5 years or longer must meet the requirements for permanent closure, unless the time frame for retaining the tank or tanks in temporary removal-from-service status is extended under § 245.503 (relating to variances)].**

**(g) The Department may establish conditions and require submission of documentation associated with the extension of the temporary out-of-service period, such as the following:**

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**Subchapter G. SIMPLIFIED PROGRAM FOR SMALL ABOVEGROUND STORAGE TANKS**

**GENERAL**

Sec.

245.601. Purpose.

245.602. Scope.

245.603. General storage tank facility requirements.

245.604. Referenced organizations.

245.605. Applicability.

**245.606. Variances**

\*\*\*\*\*

**TECHNICAL REQUIREMENTS**

Sec.

245.611. Testing requirements for new and substantially modified small aboveground storage tanks.

245.612. Performance and design standards.

245.613. Monitoring standards.

245.614. **[Requirements for closure.]Reserved.**

245.615. Recordkeeping requirements.

245.616. Inspection requirements.

**245.617. Temporary removal from service (out-of-service)**

**245.618. Requirements for closure.**

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**[§ 245.614. Requirements for closure.]**

**(a) Tank systems shall be cleaned, rendered free from hazardous vapors and ventilated if left onsite or shall be emptied and removed from the site in a manner consistent with current industry practices and Bureau of Waste Management requirements such as Chapters 263a and 299 (relating to transporters of hazardous waste; and storage and transportation of residual waste). Piping shall be removed or capped and fill ports shall be secured, capped or dismantled.**

**(b) The owner shall conduct a visual examination of the surface, soil and area surrounding and underlying the storage tank system for obvious indications or evidence of a release of regulated substance.**

**(1) If a release is suspected, it shall be investigated in accordance with § 245.304 (relating to investigation of suspected releases).**

**(2) If a release is confirmed, it shall be reported to the appropriate Department regional office responsible for the county in which the tank is located in accordance with § 245.305 (relating to reporting releases).**

**(c) The owner shall complete and submit an amended tank registration form to the Department within 30 days of:**

**(1) The completion of permanent closure.**

**(2) Change-in-service status of the tank.**

**(3) Temporary removal from service.**

**(d) Temporary removal from service requires that the owner/operator empty the tank system of regulated substances and conduct a visual examination of the area surrounding the tank as required in subsection (b), excluding the surface and soil underlying any tank bottom in contact with the ground. A tank may be considered to be in a temporary removal from service status when the tank is emptied and intended to remain out of use for 1 year or more.**

**(1) Temporary removal from service may not exceed 5 years, unless the owner can demonstrate an operational need to retain the tank in temporary removal-from-service beyond 5 years and the Department agrees to extend this time frame.**

**(2) Monitoring standards in § 245.613 (relating to monitoring standards) are not required when a tank is reported to the Department as temporarily removed from service.**

**(3) Inspection of tanks temporarily removed from service shall be performed in accordance with § 245.616 (relating to inspection requirements). In-service inspection interval may be delayed for a tank that is temporarily removed-from-service. The delayed inspection shall be conducted prior to placing regulated substance in a tank and returning the tank to operating status. Deficiencies noted during inspection shall be addressed and remedied and an amended registration form submitted to the Department prior to returning a tank to operating status.]**

**§ 245.615. Recordkeeping requirements.**

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(b) The following records shall be maintained for the operational life of the aboveground storage tank system unless otherwise stated:

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**(7) Documentation of investigations of suspected releases in accordance with § 245.304 (relating to investigation of suspected releases).**

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**§ 245.618. Permanent closure or change-in-service.**

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**(c) The owner shall complete and submit an amended tank registration form, signed by the owner and the certified installer that provided direct onsite supervision of the tank handling activity, to the Department within 30 days of:**

**(1) The completion of permanent closure.**

**(2) Change-in-service of the tank.**