

FREQUENTLY ASKED QUESTIONS

Environmental Protection Performance

Standards at Oil and Gas Well Sites

Control, storage and disposal of production fluids

(§ 78a.57)

The purpose of this Frequently Asked Questions (FAQ) document is to highlight changes in and address questions about the new regulations. This FAQ should not be used in lieu of reference to the 2012 Oil and Gas Act, 25 Pa. Code Chapter 78a and other applicable laws and regulations. The answers outlined in this FAQ are intended to supplement existing requirements. Nothing in this document shall affect statutory or regulatory requirements.

This document is not an adjudication or a regulation. There is no intent on the part of the Department to give this document that weight or deference. The Department may supplement or amend this document at any time as necessary without notice.

1) Would you describe at degree of "deficiency" in tank inspection requires notification to the Department?

When substantial modifications are required to correct the deficiency or the deficiency is significant enough that failure could cause a spill or release, notification to DEP should occur. The Department will be releasing additional guidance on this in the future as specific situations are addressed. (posted 10/19/16)

2) What are some examples of "reasonable measures to prevent unauthorized access by third parties" for both temporary tanks and permanent production storage tanks at an unmanned site? Please also provide some examples of what would not be acceptable?

This is an equipment specific, site-specific question. Operators need to assess their operations and equipment to take appropriate steps to prevent unauthorized access by third parties at their particular sites. Generally, these measures would include those that prevent simple interaction with tanks, valves, ladders, etc. This could include fencing, locks, bull plugs, removable handles, retractable ladders, etc. DEP will work with vendors and operators to come up with further examples, but it will not be an exhaustive list to allow operators flexibility to handle situations that apply at their sites. (posted 10/19/16)

3) Does secondary containment as outlined in sections 78a.57(c) and 78a.58(c) need to meet the 1 X 10⁻¹⁰ cm/sec permeability standard specified in section 78a.64a(c)(2)?

REVIEW Secondary containment is defined under section 78a.1 Definitions. It is defined as "A physical barrier specifically designed to minimize releases into the environment of regulated substances from primary containment or well development pipelines, to prevent comingling of incompatible released regulated substances and to minimize the area of potential contamination, to the extent practicable." (posted 10/19/16)

4) Does corrosion inspection require internal inspection as in API standard?

Section 3218.4(b) of the 2012 Oil and Gas Act and section 78a.57(f) require that all new, refurbished or replaced aboveground storage tanks that store brine or other production fluids must meet the corrosion requirements found under sections 245.531 – 245.534 (relating to corrosion and deterioration prevention), with the exception of use of Department-certified inspectors to inspect interior linings.

Also, section 3218.4(b) and section 78a.57(g) require that all new, refurbished or replaced underground storage tanks that store brine or other production fluids must meet the corrosion requirements found under section 245.432 (relating to operation and maintenance including corrosion protection), with the exception of use of Department-certified inspectors to inspect interior linings.

Those sections reference API standards relating to corrosion prevention, and include internal inspection of tank liners as appropriate. (posted 10/19/16)

5) If the tank is on a platform in secondary containment at a production facility, will we need to have a certified inspector?

Section 78a.57(i) requires operators to inspect tanks storing brine or other production fluids at least once per calendar month. Assuming this is an aboveground production storage tank, part of the inspection is to verify the tank is meeting the corrosion requirements found in sections 245.531 –245.534. Department-certified inspectors are only required to be used for inspections of storage tanks regulated under the Storage Tank and Spill Prevention Act. (posted 10/19/16)

6) I downloaded the sample form for monthly tank inspections from the Storage Tank and Spill Prevention Program. In the form, it asks about the leak detection system being monitored. I've looked all over in the regulations, and I can't seem to find where it is a requirement to have a leak detection system on an aboveground production tank battery. Is it a requirement?

No, there is no requirement for leak detection systems on aboveground production tanks. The O&G Monthly Tank Maintenance Inspection Checklist (OG-137U) can be found at the following link: <http://www.elibrary.dep.state.pa.us/dsweb/View/Collection-13066>. The OG-137U can be used for the monthly inspection of aboveground, buried or partially buried production tanks, as required under section 78a.57(i). If a section on the OG-137U is not applicable to the tank you are inspecting, mark NA for that section. (posted 04/27/17)

7) Is it required in the monthly tank inspections to do internal corrosion inspections for aboveground production tanks?

No. Under 25 Pa.Code § 245.534(c), interior linings or coatings must be inspected at installation, when undergoing a major modification, and at least every 10 years or as warranted or recommended by the manufacturer or design engineer. (posted 04/27/17)

8) What are the operator's interior corrosion inspection obligations on aboveground production tanks that do NOT have interior linings or coatings?

There is no requirement under sections 245.531 – 245.534 for operators to install interior linings or coatings on the interior of aboveground production tanks. Section 245.534(c) only requires internal aboveground tank inspection when an interior lining or coating has been installed. Therefore, if an aboveground production tank does not have an interior lining or coating installed, there is no internal corrosion inspection requirement for that aboveground production tank. (posted 04/27/17)

9) Does a partially buried production tank follow the corrosion requirements as those for an aboveground or underground production tank?

The storage tank program defines an “underground tank” as a tank “the volume of which (including the volume of underground pipes connected thereto) is 10% or more beneath the surface of the ground.” 25 Pa.Code § 245.1 Because the corrosion control requirements referenced in section 78a.57(g) were specifically developed for tanks meeting this definition, the oil and gas program will also use this definition to determine whether the underground or aboveground storage tank corrosion control requirements apply to a partially buried production tank. (posted 04/27/17)

10) Can secondary containment precipitation water be drained at production/brine tanks in same manner and conditions as allowed for oil and condensate tanks?

Yes. Section 78a.57(c) addresses secondary containment on production sites and states that “[c]ompliance with section 78a.64 (relating to secondary containment around oil and condensate tanks) or using double walled tanks capable of detecting a leak in the primary containment fulfills the requirements in this subsection.” Drainage of secondary containment around oil and condensate tanks is addressed by section 78a.64(d):

...drainage of secondary containment is acceptable if: (1) The accumulation in the secondary containment consists of only precipitation directly to the secondary containment and drainage will not cause a harmful discharge or result in a sheen. (2) The secondary containment drain valve is opened and resealed, or other drainage procedure.

It is therefore acceptable to drain accumulated uncontaminated precipitation inside secondary containment at production fluid/Brine tanks in the manner outlined in section 78a.64(d). (posted 04/27/17)