

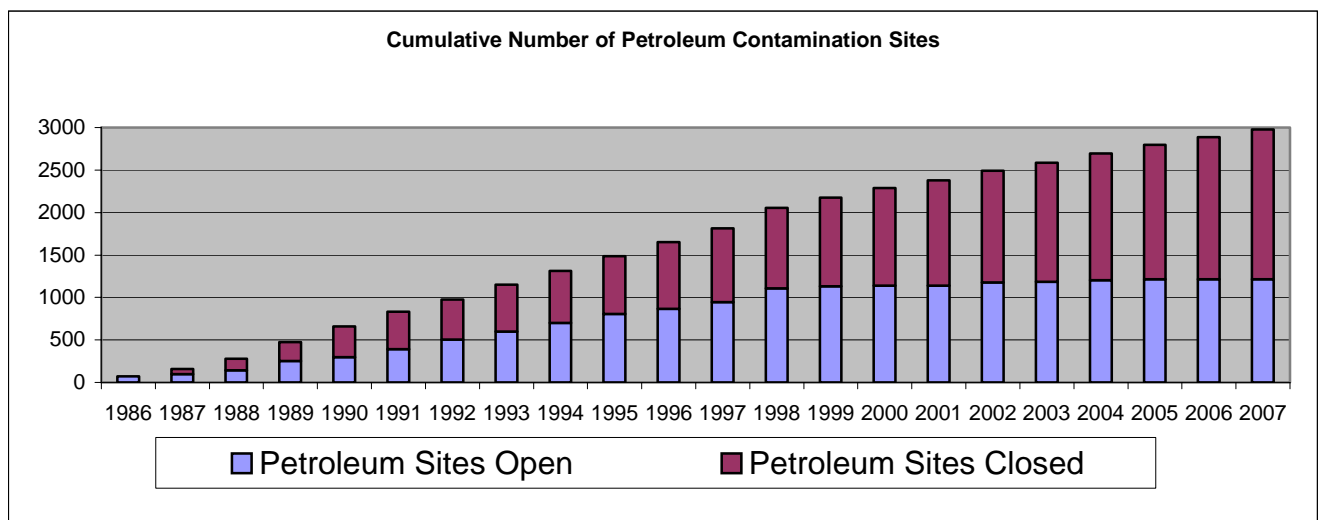
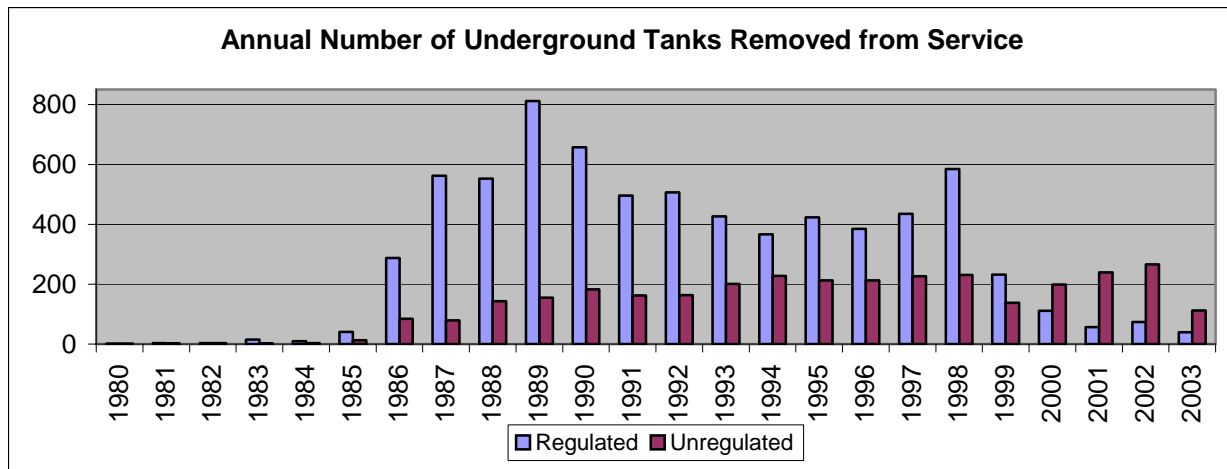
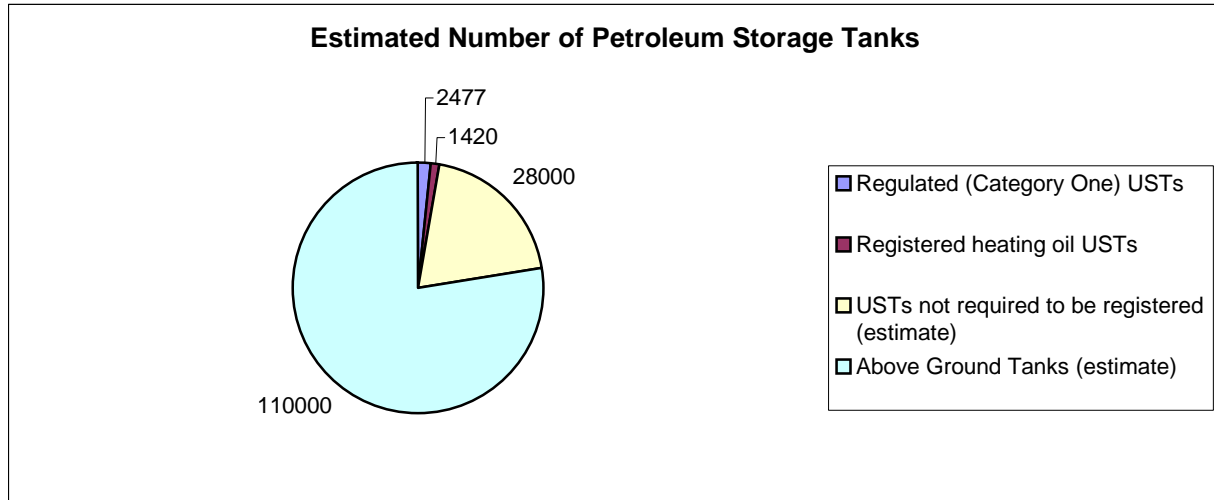
Underground Storage Tank Program

Waste Management Division

November 15, 2005

Results Reduce the number of releases of hazardous materials from underground storage tanks.

Key Indicators



Story Behind the Baseline

Petroleum is stored in about 147,000 above and below ground storage tanks in Vermont. The vast majority are residential heating oil tanks and are not subject to any significant degree of regulation. Beginning in 1985 the construction, operation and maintenance of the highest risk underground storage tanks (USTs) were regulated and are required to hold permits. These tanks are the commercial gasoline and diesel motor fuel USTs. Registration is required for 1600 USTs holding more than 1,100 gallons of heating fuel. The numbers of tanks that are exempt from any form of regulation are difficult to estimate, but US Census data provides some information on the numbers of households heated with different types of fuel. From this data, it is possible to develop reasonable guesses about the numbers of above-ground and underground tanks heating homes in Vermont. The UST Program estimates that approximately 28,000 unregistered USTs hold less than 1,100 gallons and serve home and commercial heating and motor fuels. There are also an estimated 110,000 aboveground petroleum storage tanks ranging from the typical 275-gallon oil tank commonly located in basements, to unregulated smaller farm tanks to commercial fuel tanks regulated only for fire hazards by the department of Public Safety, Fire Services Division.

Leaking underground storage tanks cause petroleum-contaminated sites that may pollute soils, groundwater drinking water supplies, surface waters and cause contaminated indoor air. In 1988 the Vermont legislature established the petroleum clean-up fund (PCF) to provide funds to assist in the cost of clean-ups of releases from underground storage tanks. The PCF also provides loans to small facilities for tank replacements. While the number of open petroleum sites has remained relatively constant at approximately 1,100 each year, the vast majority of the new petroleum sites come from tanks not subject to current regulatory controls. These tanks include: home heating oil tanks; commercial heating oil tanks under 1,100 gallons; abandoned tanks (often found during real estate transactions, construction, and road work in right-of-ways); and tanks that have been out-of-service since the 1980s and before. In recent years the Vermont Legislature has amended the law creating and controlling the petroleum cleanup fund. The fund now can provide grants to homeowners who wish to replace high-risk heating oil tanks (both above- and underground). The legislature also assessed a ½ cent per gallon fee on heating oil to offset the costs of cleaning up heating oil sites. The fact remains, however, that most heating oil tanks are exempt from regulatory oversight, except for the requirement to report a release.

Strategies/ Performance Measures / Proposed Accomplishments

Regulation, Compliance, and Enforcement - Inspections: Target those who have never been inspected, those whose permits are up for renewal, those in or close to source protection areas, and those who have bad compliance histories; Compliance: Continue issuing NOAVs and compliance letters that require a return to compliance, but without penalties; Enforcement: Use to compel compliance after other methods have failed or in the case of significant violations.

Permitting – Continue to issue permits in a timely fashion that contain necessary controls to ensure that facilities with USTs pose a minimal threat of release. Continue to hold permits, or issue as conditional, where the facility has not certified that they are in compliance with requirements for Cathodic Protection (CP) or Line Leak Detectors (LLDs). Continue practice of assigning a number of inspections at those facilities that are due for permit renewal.

Compliance Assistance, Technical Assistance, Education & Outreach – A newsletter is published 2-4 times per year that highlights both compliance and technical issues. Occasionally, letters are sent that are targeted to tank owners with certain system types that are vulnerable to leaks and/or

other problems. Other efforts to educate the UST community are planned as resources allow. In 2005 and 2006 the UST Program will be included in a pilot Environmental Results Program (ERP). This will include measuring baseline compliance with inspections, conducting extensive outreach and education, requiring owner-conducted inspections and self-certification, and again measuring compliance rates by conducting more inspections. The program expects a significant increase in compliance rates after the outreach and self-certification.

Grants and Loans - Grants are available to owners of residential and farm heating oil tanks for the removal of USTs. Loans of up to \$40,000 are available to qualifying tank owners for the replacement of UST systems with compliant equipment.

Environmental Results Program – In 2005, the UST Program began an Environmental Results Program (ERP), in cooperation with the Air Pollution Control Division (Stage I and II vapor recovery), the Wastewater Management Division (underground injection control), and the Hazardous Waste program (fuel contaminated waste and spill debris management). The program has conducted 100 inspections to determine a baseline compliance rate. In the winter and spring of 2006, the program will launch a series of outreach and educational workshops for station owners and operators (O/Os), then the O/Os will be required to inspect their own facilities, and self-certify their compliance. After the self-certifications are submitted, the program will conduct another round of inspections to determine whether the compliance rate has improved. It is anticipated that the self-certification requirement will become an annual event.

Energy Act – In August 2005, President Bush signed into law the Energy Bill. This very comprehensive piece of legislation contained several new requirements for state UST Programs that receive federal funding. Although final guidance to states has not yet been issued by the EPA, over the next several years the Energy Act will require that the UST program conduct many more inspections, launch an operator training course, and issue a report on the compliance status of government-owned tanks, among other things.

Proposed Accomplishments

Performance Measure	"P"=Projected and "A"=Actual Values	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
UST Enforcement Actions	P			4	5	5	5	5	5	5	5	5	5
	A			4	5	4	4	4	4				
UST Inspections	P					200	200	100	100	100	300*	300*	300*
	A				297	186	87	99	82	63			
UST Permits and Renewals for Facilities	P							413	359	189	364	340	400
	A	407	434	211	322	659	366	208	253				
% Completed actions meeting PEP times	P							95	99	100	100	100	100
	A	94		97	99	100	99	100	99				
UST Program Newsletter	P					3+	3+	3+	3	3	3	3	3
	A				3	3	3	3	2				

*Increases in the number of inspection will in part be dependant upon the receipt of addition federal or state funds.