

Chapter 2: Introduction

2.1 What is the Purpose of This Workbook?

This Workbook is designed to:

- Clearly explain the environmental, record keeping, and compliance requirements and Best Management Practices (BMPs) that apply to UST systems; and
- Assist owners and operators of regulated UST systems in Vermont to meet the requirements of the Compliance Certification Program.

2.2 Legal Authority

Vermont Underground Storage Tank Regulations (2007) require UST system owner/operators who answered “Yes” to the question in the previous chapter to comply with the DEC UST Compliance Certification Program. These owner/operators are required to complete and submit the applicable Compliance Certification Checklist questions in the accompanying forms booklet, complete and submit the Compliance Certification Statement, and, if necessary, complete and submit Return to Compliance Plan(s) for any aspects of their UST system(s) that are out of compliance. If you would like to file your self-certification electronically via the Internet documents are available online at <http://www.anr.state.vt.us/dec/wastediv/ust/ERPintro.htm>

2.3 What is the Compliance Certification Program?

The Compliance Certification Program is a different approach to achieving environmental protection. DEC believes that the Compliance Certification Program will assist UST system owners and operators in understanding and complying with UST system regulations and lead to exceeding environmental standards. By completing the Compliance Certification Program you will gain the knowledge necessary to perform the maintenance and operational requirements that pertain to your UST systems, and in turn you will be an integral part of the prevention of petroleum releases into the environment.

Vermont's Compliance Certification Program includes:

- This **Workbook** which includes Best Management Practices (BMPs) and compliance requirements. The Workbook has a direct relation to the Compliance Certification Checklist mentioned below;
- A **Compliance Certification Checklist** of questions that are required to be completed by the owner/operator. This checklist is included in the accompanying forms booklet;
- A **Certification Statement** form that UST system owners and operators are required to complete, sign, and return to DEC. On the form, the UST system owners and operators must certify the current compliance status of the facility and acknowledge that the facility

must comply with all applicable environmental laws. This form is included in the accompanying forms booklet;

- A **Return to Compliance Plan** form which is used for compliance problems identified in the process of filling out the Compliance Certification Checklist and that cannot be corrected prior to submittal of the certification forms. The Return to Compliance Plan describes what steps the facility will take to meet its requirements and when it will return to full compliance. This form is included in the accompanying Forms Booklet;
- **Workshops** so owners and operators can learn about their responsibilities under the Compliance Certification Program;
- **Audits/inspections** to confirm the accuracy of the Compliance Certification Checklists and compliance with the UST system regulations; and
- **Technical assistance**, which is available online at www.anr.state.vt.us/dec/wastediv/ust/home.htm, by phone at (802) 241-3888, or by e-mail by contacting Ted Unkles (ted.unkles@state.vt.us)

2.4 Why Is Participating in the UST Compliance Certification Program Important?

As a UST system owner or operator, you have an important role to play in protecting public health, the environment, and your economic investment. If UST systems are not operated and maintained properly, they could leak and pollute the environment. The Compliance Certification Program approach will help you comply with UST system regulations, which will in turn help protect public health, the environment, and your economic investment.

- **Public health and the environment:** Releases from UST systems (spills, overfills, leaking tanks and piping) can contaminate groundwater, soil, surface water, air, etc. Approximately 50 percent of Americans depend on groundwater for their drinking water. In addition, leaks can result in fires or explosions, which threaten human safety.
- **Economic investment:** Any product that is lost in a release may cost you in terms of cleanup costs and the lost revenue of product not sold. By maintaining your system and responding quickly to unusual operating conditions, you may be able to reduce cleanup costs and environmental damage.

2.5 What Does It Mean To Be in Compliance?

To be in compliance means you meet the minimum DEC requirements for your UST system. You must meet all environmental requirements for each regulated UST system to be in compliance.¹ The UST system requirements include spill, overfill, and corrosion protection,

¹While this Workbook addresses most DEC environmental requirements that apply to UST systems, your facility may need to meet additional requirements that are not covered in this Workbook or in the UST Compliance Certification Program. For example, requirements related to Class V injection wells (motor vehicle waste disposal wells such as a gas station with a service floor drain that leads to a septic system), aboveground storage tanks, hazardous substances, and other requirements may apply to your facility as well. Also, this Workbook does not address liability for pollution or spills that may have occurred on your property in the past. If you are unsure whether additional requirements apply to your facility, please call DEC at 802-241-3888.

release detection, proper installation, correct operation, maintenance, repair, testing, controlling releases, reporting releases, remediating releases, reporting and record-keeping, temporary closure, and permanent closure.

If you are the owner or operator of one or more UST system, there are certain things you **MUST** do by law to protect human health and the environment. **You are responsible for preventing and quickly detecting releases from your UST systems.** You are also responsible for reporting and cleaning up any releases that occur. You will be held accountable if your UST system(s) leak. Therefore, you should do everything in your ability to ensure releases do not occur.

For further regulatory information, see either of the following:

The Federal UST regulations, 40 Code of Federal Regulations Part 280, are located at:

<http://www.epa.gov/oust/fedlaws/cfr.htm#40cfr280>

The DEC UST regulations are located at:

http://www.anr.state.vt.us/dec/wastediv/ust/ust_regs.htm

http://www.anr.state.vt.us/dec/wastdiv/ust/ust_regs.htm