

# UTAH TANK NEWS

**Winter  
2020**

## State Program Approval by EPA

by Doug Hansen

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The Federal Environmental Protection Agency (EPA) required all states to reapply for state program approval (SPA) for the underground storage tank (UST) program by October 2018. By obtaining SPA, Utah is able to maintain delegated program status for USTs, which means that regulation takes place at the state, not federal, level. Staff within the UST Branch within the Division of Environmental Response and Remediation (DERR) began work on the required documents early in 2016. The SPA package needed to cover the entire UST program and included the following:

- Letter from the Governor requesting approval of Utah's UST program
- Certification from the Attorney General of the UST program's authority
- Description of the state program
- Description of the state's enforcement process
- Examples of all letters, forms, processes, guidance documents, manuals and protocols.
- A detailed comparison of the state and federal rules to ensure that the state program meets the intent of requirements within the federal rules.

UST program personnel worked closely with EPA representatives throughout the process to ensure the individual elements of the application were complete prior to submitting the final application. The process of drafting, reviewing, and finalizing the required documents was a significant effort that took a little over two years to complete. The official application for State Program Approval was submitted to EPA on February 21, 2018. The EPA Regional Administrator approved the application which was subsequently published in the Federal Register on November 5, 2018. Following a sixty day comment period, final approval was given on January 5, 2019. Utah was the second state in the union to receive approval to administer their Underground Storage Tank program.

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# **PST Cost Guidance for Leaking Underground Storage Tank Sites**

**by Mark Crim**

In the spring of 2018, Division of Environmental Response and Remediation (DERR) staff began a project to develop cost guidelines for work associated with the Petroleum Storage Tank (PST) Fund. The project gathered information from thirty-four states, including the mountain west, and follows a national trend to bring about cost controls in order to narrow the variability of contractor labor rates and costs of common tasks associated with the underground storage tank (UST) program.

This work is on-going and includes stakeholder outreach with the UST Advisory Task Force, the Utah Petroleum Marketers Association and Utah Certified UST Consultants (UCCs); with efforts leading to a cost guidance document and State rule changes that are slated for the fall of 2020.

The guidance document will become integral to future work plans, or Cost Proposals (CPs), submitted to the PST Fund staff. The cost guidelines will also be adopted by the LUST Remedial Assistance section for use in its Architect and Engineer contracts. The guidance document should benefit owners or operators undergoing site investigations or remediation of petroleum spills associated with the UST program, by providing them references to the appropriate costs of work and labor rates for the environmental services they are seeking.

Highlights of the guidance document will include numerous tables and descriptions showing the following:

- Labor Categories with Personnel Classifications and Requirements
- Labor Rates and Accepted Tasks and Responsibilities
- Contractor Mobilization and Demobilization Costs
- Cost for Specialized Tasks
- Maximum Allowable Rates for Equipment and Laboratory Services

Also included in the guidance document will be Quote and Bid Requirements, and standardized forms for their submittal, and a discussion of other costs broadly described as Allowable and Ineligible Costs.

Other items that will bring consistency to reports and other information submitted to the DERR for review, will be Subsurface Investigation Reporting Templates, Data Table Templates for Soil and Groundwater Analytical information, Well Construction and Groundwater Elevation Templates and Field Data Templates, to mention a few.

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Under Task Descriptions, numerous categories of tasks provided by UCCs are described for routine environmental work and reporting. For example, there are descriptions of appropriate costs to provide a work plan and budget, descriptions of common and repetitive tasks for the writing of environmental reports for the first time, versus ongoing report writing, such as quarterly groundwater monitoring reports; all showing allowable amounts of time to be spent and appropriate labor categories to be used. Site specific needs can be explored with the assigned DERR project managers to propose work or costs that may fall outside the standard.

Following the work to incorporate stakeholder opinions and concerns and finalizing the cost guidance document, the DERR is will be making changes to State UST rules. The final cost guidance document will benefit all concerned parties by providing consistency in submitted CPs, in environmental work and reporting, and the review of these documents at the DERR.

## What's Wrong with this Picture? by Deann Rasmussen



So the Emergency Shut-Off has been engaged. What's next?

In this photo, an Emergency Shut-Off sign has been posted, but there is no emergency contact information to follow.

The Emergency Shut-Off sign must have a contact person listed, and phone number for that individual.

Posting 911 is sufficient, but a contact person and their phone number is best, especially for a site without an attendant.

## Important Dates to Remember

1. Throughput forms are mailed out around March 15th.
2. Throughput forms are due by April 30<sup>th</sup>.
3. Annual tank registration and PST Fund fee invoices are mailed around May 15th and the payment deadline for these fees is July 1st.
4. Any facility that has not paid the annual fees by September 1st will lose PST Fund coverage and the Certificate of Compliance will lapse.
5. Certificates of Compliance are mailed around the 15<sup>th</sup> of December.
6. The Secondary Containment Tests to qualify for the rebate must be received by December 15th.

## DEQ Updates

### Retirements

Neil Taylor, CERCLA Branch of DERR, December-2019

Bruce Hagans, UST Compliance Section, Environmental Scientist, January 2020

### Position Changes

Mike Pecorelli, PST Section Manager, August-2019

Scott Baird, DEQ Director, appointed by Governor Gary Herbert, September-2019

Zach Moore, UST Compliance Section, New Hire as an Environmental Scientist, December-2019

## Certification Corner

### EXAMS for A/B Operators, Groundwater and Soil Samplers, UST Removers, UST Installers, UST Technicians, UST Testers and UST Consultants

**Testing Location:** Utah DEQ/DERR office at 195 North 1950 West, Salt Lake City, Utah.

**Testing Times:** 1<sup>st</sup> Tuesday of each month at 9:00 a.m., and the 3<sup>rd</sup> Tuesday of each month at 2:00 p.m.

Please contact Chelsea Qualls at [cqualls@utah.gov](mailto:cqualls@utah.gov) to register.

Applications, supporting documents and fees must be submitted 5 business days prior to taking the exam.

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### Certified UST Consultant Recertification Course Schedule

**March 19, 2020      November 19, 2020**

The renewal courses begin at 9 a.m. and end at 1:00 p.m.

Please contact Chelsea Qualls at [cqualls@utah.gov](mailto:cqualls@utah.gov) to register.