

# UTAH TANK NEWS

Summer 2014

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## Legislative Update by Doug Hansen



This legislative session was a busy one up on the Hill. Among the many bills passed and signed into law was HB138 which made amendments to the Underground Storage Tank Act. Several of the changes will directly impact many tank owners in Utah.



The first change affects owners of compartmented and siphoned tanks. Historically, compartmented tanks were considered to be one tank regardless of how many compartments were within a common outer wall. Likewise, multiple tanks siphoned together were considered to be one tank. As of May 13, each compartment of a multi-compartment tank and each tank in a siphoned system will be considered to be an individual tank. The most noticeable effect of this change will be an increase in registration and Petroleum Storage Tank (PST) Fund fees for owners of these types of tank systems.

### PST FUND FEES

< 70,000 gallons annual  
throughput = \$450 per tank

> 70,000 gallons annual  
throughput = \$150 per tank

Several changes were made to the PST Fund in an attempt to bring rates in line with private insurance pricing. The annual fee charged to participants on the PST Fund was changed for facilities that sell (or use) less than 400,000 gallons of fuel. The fee for facilities that sell less than 70,000 gallons each year increased from \$50 per tank to \$450 per tank. The fee for facilities that sell between 70,000 and 400,000 gallons increased to \$150 per tank. The fee for facilities that sell more than 400,000 gallons remained at \$150 per tank. Invoices sent out in May for fiscal year 2015 reflected these changes. Payment remains due on July 1 each year.

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Legislative Update ~ continued from page 1

The surcharge paid on each gallon of gas sold at facilities that participate on the PST Fund was raised from 1/2 cent per gallon to 13/20 cent per gallon. Coupled with this increase is a partial rebate of the surcharge for facilities deemed to be at low risk for a leak. The Division of Environmental Response and Remediation (DERR) will be working with the Tax Commission and writing rules that clarify how the rebate process will work.



One tool that tank owners have had in the past to help with tank removal, replacement, or upgrades is the PST Loan Fund. This Fund carried an interest rate of 3%. HB138 transferred the balance of the PST Loan Fund into the PST Trust Fund and allows for the use of PST Trust Fund money to make 0% interest loans which can be used for removal, replacement, or upgrade of tanks. The new rate goes into effect for loans made after July 1, 2014.

A final change affects facilities that do not participate on the PST Fund. HB138 allows the individual responsible for a spill or release to be charged for State oversight of the work needed to investigate and clean up the spill. These costs are already paid out of the PST Fund for Fund covered spills, and now non-participants will pay for ongoing oversight.

Many of the changes outlined in the legislation require modification of the UST rules. The rulemaking process will take place over the summer this year, so watch for notices of comment periods and meetings to take advantage of your opportunity to be involved in the process.



## THINKING OF REMOVING TANKS?

Follow this link and you'll find information that will help you get through the process.

[http://undergroundtanks.utah.gov/ust\\_closure.htm](http://undergroundtanks.utah.gov/ust_closure.htm)



## Basic Responsibilities of a Class B Operator

- Conduct UST inspections every 30 days
- Document that system is working properly and that a release has not occurred
- Ensure that leak detection for tanks and piping is operating correctly
- Keep records of passing leak tests on tanks for future inspections
- Train and maintain a list of Class C operators
- Ensure that a Class C operator is on-site during operating hours

Class B operators or owners are required to correct any problems identified during an inspection. Violations discovered during an inspection may result require the Class A or Class B operator to get retrained. If you have any questions of what is required at your facility please call or email the compliance section (801-536-4100).

## ~~~ TANK TIPS ~~~

The Division of Environmental Response and Remediation (DERR) provides tips to tank individuals on our email distribution list. These *Tank Tips* are intended to inform owners and operators about safety issues, suggestions to improve UST system operations and record keeping. In addition, Tank Tips help to keep individuals informed about upcoming issues, such as operator training and registration, as well as dates for upcoming training or compliance deadlines. If you do not currently receive Tank Tips and would like to, register for our email service at <http://www.undergroundtanks.utah.gov/listserv.htm>.

## CLOSURE PLANS, ONE-TIME DROPS, RED TAG REMOVALS, ETC???

**Approval letters for closure plans, one-time drops, red tag removals, etc., need the director's signature so please give us a few days to process them. We'll do our best to process them as fast as possible. Please help us, help you by giving us adequate notice. Thanks!**

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## Certification Corner

GOOD NEWS!! You can now submit UST certification and operator applications, documentations, and payments online here: <https://secure.utah.gov/storagetank>

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### **CLASS A & B OWNER/OPERATOR EXAMINATION**

The same examination applies to both Class A & B Owner/Operators. The test of 50 multiple choice questions, is open book, and has a time limit of two hours. Students can use reference materials including course material provided by the course instructor. Testing will be conducted the first and third Tuesday at 9:00 a.m. and 2:00 p.m. at the DEQ/DERR office located at 195 North 1950 West, Salt Lake City. All students must register with the DERR at least one week prior to taking the exam. Please contact Michelle Horning at [mhorning@utah.gov](mailto:mhorning@utah.gov) for registration.

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### **CERTIFIED UST CONSULTANT ~ Initial Exam and Renewal Course Schedule**

Thursday, October 16, 2014

Thursday, February 12, 2015

Thursday, June 18, 2015

Thursday, October 15, 2015

The renewal course (option 2) will begin promptly at 9 a.m. and finish at 1:00 p.m. The comprehensive exam (initial and option 1) will begin at 2:00 p.m. If you have any questions, please contact Michelle Horning at [mhorning@utah.gov](mailto:mhorning@utah.gov).