

REGULATION REVISIONS

What does that mean for UST owners?



Revisions to the South Carolina Underground Storage Tank (UST) Control Regulations became effective on May 26, 2017. The amended regulations incorporate new federal requirements, maintain South Carolina Regulations in place since 2008 and incorporate and/or revise items specific to South Carolina facilities. The overall contents were reorganized for clarity and consistency with the format of the federal regulations. Visit www.dhec.sc.gov/environment/LW/UST/Regulation/ for an electronic copy of the regulations and associated information.

The following requirements **ARE IN EFFECT**.

- **A release must be reported to DHEC within 24 hours of its discovery** [280.50].
- **Submittal of a written notification within 30 days is required** for the following.
 1. **Intent to permanently close, make a change-in-service or replace previously installed piping and dispensers.** (A change-in-service is switching from a non-regulated substance to a regulated substance or switching from a regulated substance to a non-regulated substance) [280.71 (a-c)]. **NOTE:** A regulated substance includes a substance greater than 10 percent ethanol, greater than 20 percent biodiesel or any other regulated substance identified by DHEC. [280.32(b)].
 2. **An ownership change of a regulated UST system** [280.22(b)].
- **Vent line flow restrictors** (Ball Float Vent Valves) **can no longer be installed**, either at new facilities or at any existing facilities. Ball Float Vent Valves that cannot be repaired according to the manufacturer's specifications, must install another approved method of overfill prevention [280.20(c)(3)].
- **Demonstrate compatibility of the UST system with the product being stored** [280.32(b)].
- **Within 30 days after repair, overfill prevention equipment must be tested for proper function** and spill containment and secondary containment areas of tanks and piping used for interstitial monitoring must be tested for tightness [280.33(d) & 280.33(f)].
- **Internally lined tanks that fail the internal lining inspection and cannot be repaired** in accordance with nationally recognized code of practice must be permanently closed [280.21(b)(1)(ii)].
- **All facilities conducting monthly groundwater and vapor monitoring for release detection must have a valid site assessment.** All site assessments developed after May 26, 2017 must be signed by a Professional Engineer (P.E.), Professional Geologist (P.G.) or equivalent licensed professional with experience in environmental engineering, hydrology or other relevant technical discipline [280.45(a)].
- **Certificates of Financial Responsibility** (DHEC-3472) **must be updated annually and kept on file**, but will no longer be required at a Compliance Inspection [280.111(b)(8)].

The following requirements will be **EFFECTIVE MAY 26, 2020**.

- **Records of site assessments for groundwater and vapor monitoring must be on file by May 26, 2020** [280.45(a)].
- **For A/B operators who were certified prior to May 26, 2017, supplemental training must be completed** [280.43(a)].
- **A one-time notification of existence is required for airport hydrant fuel distribution systems and UST systems with field constructed tanks** [280.251(a)(2)(ii)]. *Refer to Subpart K.
- **Release detection is required for emergency generator tanks permitted before May 23, 2008** [280.10(a)(1)(iii)].
- **Spill prevention equipment and containment sumps used for interstitial monitoring must be tested once every three years** [280.35(a)(ii)] (or use a double-walled containment sump/spill bucket with monthly interstitial monitoring). The initial test must be conducted before May 26, 2020 [280.35(b)(1)].
- **Conduct walkthrough inspections that will visually check for damage to the spill prevention equipment and release detection equipment every 30 days** [280.36(a)(1)(i)].
- **Conduct walkthrough inspections that will visually check for damage to the containment sumps and hand-held release detection equipment annually** [280.36(a)(1)(ii)].
- **Release detection equipment must be tested for proper operation at least annually** [280.40(a)(3)].
- **Overfill prevention equipment must be inspected at least once every three years** [280.35(a)(2)]. The initial test must be conducted before May 26, 2020 [280.35(b)(1)].

FORMS: All testing and equipment checks are required to be documented on a DHEC form, a DHEC-approved form or in a format approved by DHEC. If you choose your own form, submit it to DHEC for prior approval. UST forms can be found at www.scdhec.gov/Environment/PermitCentral/ApplicationForms/.

UST OPERATOR SUPPLEMENTAL TRAINING: All previously trained A/B operators must take the supplemental training by May 26, 2020. All new A/B operators must take the on-line training within 30 days of assuming duties. Learn more at www.scdhec.gov/Apps/Environment/USTOperatorTraining/.

Are you a new underground storage tank owner?

By Sallie Williams, Environmental Health Manager

As of May 26, 2017, **any person who assumes ownership of a regulated underground storage tank (UST) system, must submit a notice of the ownership change, within 30 days of acquisition, to DHEC on Form #3871 or a form approved by DHEC.** All supporting documents (e.g., a Bill of Sale, Deed, Title to Real Estate) required by the DHEC notification form also must be included. **DO NOT** submit this form when leasing a facility.

Below are some important tips to remember when completing the form.

- **Use the same name** (either personal or company) in the “I, _____, hereby...” blank and the “New UST Owner Name” blank.
- **Please ensure that the name of the owner or operator submitting financial responsibility matches the owner or operator name on the transfer of ownership form,** unless a Guarantee is used.
- **The Date of UST Transfer of Ownership** (on the bottom of the form) **is the date the ownership was transferred, NOT the date the form was completed** (unless the dates are



the same). This date should correspond to the date of the Bill of Sale, Title to Real Estate or Deed. The form must be notarized.

Failure to provide transfer of ownership documentation within 30 days of acquisition will be considered a violation of the S.C. UST Control Regulation, Section 22(b). The Transfer of Ownership form (DHEC 3871) is available at www.scdhec.gov/library/D-3871.pdf. For any other transfer of ownership questions, contact Sallie Williams at (803) 898-0614 or williasw@dhec.sc.gov.

REMEMBER: Ownership change is a great opportunity to collect valuable information (such as tank/line records, operator training logs and cathodic protection test records) to prove continued compliance at future inspections.

Notes from Permitting

By Alison Post, Environmental Health Manager

TOPIC: Installation Notification Requirements

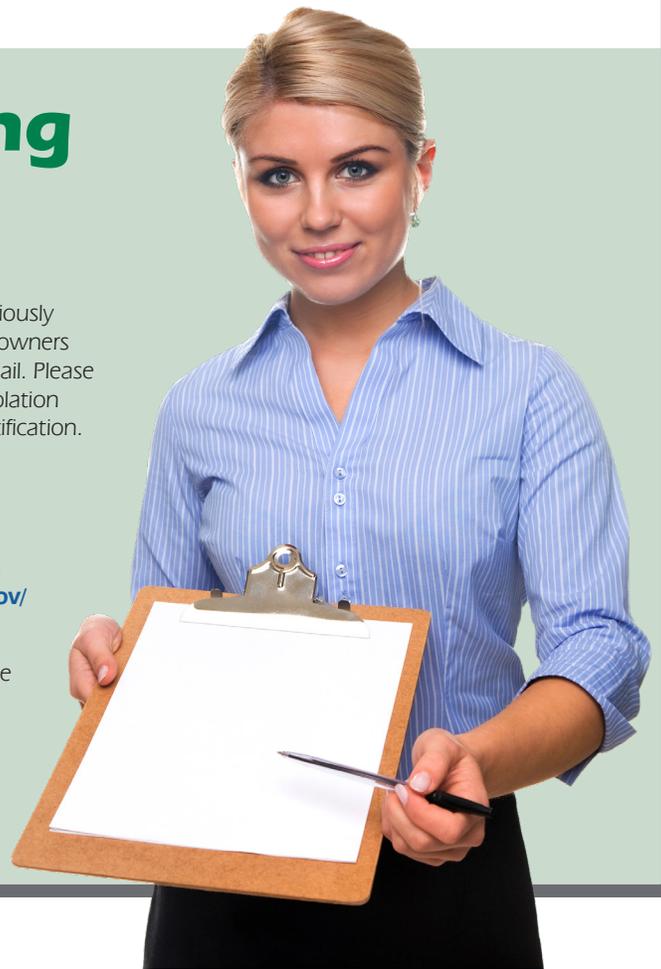
Remember, at least 30 days before replacing previously installed piping or previously installed dispensers, the Underground Storage Tank (UST) Regulations require owners and operators to notify DHEC in writing of their intent by email or standard mail. Please make sure that your contractor is aware of the notification requirements. A violation notice will be issued for replacing dispensers and/or piping without proper notification.

TOPIC: Online Operator Training

As a tank owner, you may designate the person of your choice to act as an A/B operator. It's a good idea to establish a backup A/B operator in case of an emergency. The UST Online Training Course can be found at www.scdhec.gov/Apps/Environment/USTOperatorTraining/.

As a reminder, if you are associated with a facility, you must enter the complete permit number to properly register for training. Please be aware that all operators are required to complete the first nine modules. Then he/she will complete the modules related to the equipment at their facility.

Please do not check the third-party box unless you are not affiliated with a facility.



The Shear Point

By Carolyn Keisler, Environmental Health Manager

Many of you have heard stories of cars crashing into gas dispensers (aka “pumps”). What the general public does not know is there is an important safety device installed inside of the dispenser that may save lives. This device – known as a shear valve, impact valve or crash valve – is designed to activate when a car or other vehicle hits a dispenser. Activating this valve prevents fuel from spraying, which minimizes the threat of fire and/or explosion. The shear valve also is designed to activate in non-impact cases of fire caused by static electricity, lightning or other sources. In order for it to work properly, the valve must be installed correctly.

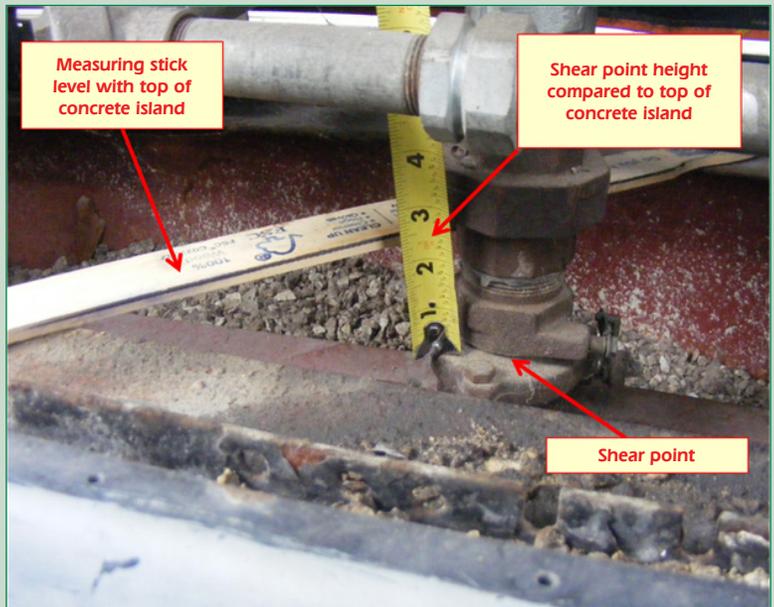
According to the S.C. Underground Storage Tank (UST) Regulations [Section 20(e)], equipment must be installed in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory and in accordance with manufacturer’s instructions. Ancillary equipment, as defined in the regulation, includes “piping, fittings, flanges, valves and pumps used to distribute, meter or control the flow of regulated substances from an UST.” Program staff researched the history of shear valve installation requirements and found that shear valves must:

1. **Be rigidly anchored to a structural support or concrete dispenser island;** and
2. **Be installed at a height, where the shear section of the valve is within a ½ inch of the top of the concrete island the dispenser is anchored to** (or other surface the dispenser is attached to).

It is important that owners and operators of UST systems are proactive in making sure these devices are installed correctly in order to protect customers and employees, as well as, comply with regulatory requirements:

1. **By being familiar with the device;**
2. **By hiring contractors and employees that are familiar with how these devices should be installed and maintained;** and
3. **By periodically checking the devices for issues with installation and to make sure they function properly.** The majority of violations associated with shear valves appear to be directly related to contractors or maintenance employees who are unfamiliar with shear valve installation and maintenance requirements.

An inspector normally requires the owner to repair shear valve anchoring within 30 days. Once this 30-day deadline has passed, a letter will be issued to the owner notifying them that they have an additional 15 days to complete repairs or delivery prohibition will be implemented. If repairs are not completed by the end of the 15-day period (45 days total from the date of inspection), the associated tank(s) will be tagged and deliveries cannot be received until all violations are resolved. If at any time an owner or operator has questions regarding the violations or needs other assistance, please contact DHEC at **(803) 898-0589**. Please keep in mind that program staff may request additional information prior to making a decision.



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The Use of AFVR to Remove Free Product

By Read S Miner, P.G.

When a leak occurs from an underground storage tank (UST) system, petroleum migrates downward until it hits the groundwater. The accumulation of liquid petroleum on the groundwater is commonly referred to as free product. Removing free product is the first step toward slowing down the migration of petroleum from UST systems, thus protecting water supply wells, streams, rivers, and man-made structures such as utilities.

Aggressive Fluid Vapor Recovery (AFVR) is one method commonly used to recover free product.

Simply stated, the method requires mobilizing a tanker equipped with high capacity pumps to a facility, and pulling fluids (water and petroleum) and petroleum vapors from the ground through recovery wells. The recovered wastewater is hauled to a permitted water treatment facility and petroleum vapors are commonly captured or treated by carbon filters, catalytic converters, or incinerators to reduce impact to air quality.

During 2013, DHEC made changes to the standards regarding how these AFVR events take place. Among many changes, the duration of AFVR events was increased from 8-hours up to 96-hours in duration. The longer duration increases the quantity of petroleum-impacted water recovered that, in turn, increases the gallons of recovered petroleum.

In fact, DHEC has documented increases in efficiency up to 48 times greater than a traditional 8-hour AFVR event. During the years 2014, 2015, and 2016, more than 1,542 AFVR events were completed in South Carolina and more than 77,861 gallons of petroleum was recovered.

While AFVR is not the best solution for every site, DHEC is continuing the use of this method at petroleum release sites where its use may provide an effective means to expedite cleanup.

Noteworthy Numbers: Confirmed Vs. Closed

By Lee Monts, Manager

As of September 30, 2017, DHEC has confirmed 10,101 releases from underground storage tank (UST) systems.

A confirmed release is one where levels of chemicals of concern are detected above laboratory detection levels. When these levels are above standardized risk-based screening levels, DHEC requires the Owner/Operator to conduct site rehabilitation activities in accordance with Subpart F of the SC Underground Storage Tank Control Regulations R. 61-92, Part 280 and the SUPERB Site Rehabilitation and Fund Access Regulations R. 61-98. Once all activities are completed to the satisfaction of DHEC, the release is closed and no further actions are necessary. Of the 10,101 confirmed releases, 7,843 or 77.6 percent, have been closed.

DHEC plans to provide frequent updates to the number of confirmed releases and closures in future issues of the newsletter so that you can see the progress that our staff and the site rehabilitation contractors are accomplishing.

Updates to the Certified Site Rehabilitation Contractor List

New Certified Site Rehabilitation Contractors		
Permit No.	Contractor	Date Certified
UCC-0460	Envirosmart, Inc.	02/27/2017
UCC-0461	Quality Environmental Solutions, Inc.	02/27/2017
UCC-0462	Pioneer Environmental Group, LLC	03/27/2017
UCC-0463	Atwell, LLC	06/28/2017
UCC-0464	GTA Environmental Services, Inc.	08/28/2017

Decertified Site Rehabilitation Contractors		
Permit No.	Contractor	Date Decertified
UCC-0414	J2 Engineering, Inc.	07/13/2016
UCC-0401	Simon & Associates, Inc.	08/11/2016
UCC-0314	O'Brien & Gere	10/12/2016
UCC-0311	IMS Environmental Services, Inc.	10/26/2016
UCC-0269	ECS-Carolinas, LLP - Greenville	12/19/2016
UCC-0365	Urban Environmental Solutions, LLC	03/09/2017
UCC-0450	Marion Environmental, Inc.	03/09/2017
UCC-0454	GeoEnviro Services, Inc.	03/09/2017
UCC-0390	Enviro Assessments, PLLC	04/27/2017
UCC-0400	Louis Berger Group, Inc.	04/27/2017
UCC-0168	CSRA Testing & Engineering	07/07/2017
UCC-0255	Chastain-Skillman, Inc.	07/07/2017
UCC-0382	GS2 Engineering & Env. Consultants	07/07/2017
UCC-0452	Apex Companies, LLC - Virginia	08/10/2017
UCC-0425	Cameron-Cole, LLC	08/10/2017
UCC-0431	Martin O. Klein, PA	08/10/2017
UCC-0437	Exotech, Inc.	09/07/2017
UCC-0378	Environmental International Corp.	09/07/2017