



Maryland
Department of
the Environment

UST Regulations

Maryland-District of Columbia Utilities Association 2019
Environmental Conference

October 9, 2019

Presented by Michael Jester



Registered USTs

7,406 – Federally Regulated USTs

2,206 – State Regulated USTs

9,612 Total

112 - USTs Temporary Out-of-Use



Why Do We Need Regulations?





Background

- EPA publishes new regulations in the 7/15/15 Federal register
- Non-SPA States– Regulations effective 10/13/15
- SPA States have until 10/13/18 to re-apply for SPA status
- **MD & DC have SPA**



Federally Regulated USTs

- Motor Fuel
- Emergency generators
- Used Oil
- Bulk storage tank – (Heating oil)
- Hazardous Substance



New Proposals for MD

- **30-Day Walk Through Inspection**
- Spill Prevention
 - Visual check for damage
 - Remove liquid & Debris
 - Check for (and remove) obstructions in the fill pipe
 - Check fill cap
 - For DW buckets check interstice



New Proposals for MD

- **30-Day Walk Through Inspection**
- Release Detection Equipment
 - Check for proper operation
 - Check for alarms
 - Check for current records



New Proposals for MD

- **Annual Inspection**
 - Containment sumps
 - Visual check for damage
 - Check for evidence of a release inside of sump
 - Remove liquid & debris
 - For DW sump check interstice
- Maintain record of monthly and annual inspections onsite !!



New Proposals for MD

- **Containment Sump Testing**
- **Currently 5-year cycle**
- **Proposed 3-year cycle**



New Proposals for MD

- **Release Detection for Emergency Generator USTs**
- **Currently** not required for USTs installed prior to 3/1/08
- **Proposed** all USTs used to supply EG's will be required to maintain monthly release detection
- **Note:** USTs installed after 1/12/09 must have IM as primary or secondary RD method



New Proposals for MD

- **Overfill Protection**
- **Currently** - can install Ball Float Valves
- **Proposed** - BFV cannot be used on new installations or replaced after effective date of the regulations



New Proposals for MD

- **Dispenser Containment Sumps**
- Containment sump installation will be required for any new **dispenser system** installation
 - Dispenser & equipment needed to connect the dispenser to the UST system
 - Check valves
 - Shear valves
 - Unburied risers
 - Flex connect
 - Etc.



New Proposals for MD

- **Compatibility**
- Switching to > 10% Ethanol or >20% Biodiesel
- Demonstrate compatibility of the UST System
 - Tank
 - Piping
 - Containment Sumps
 - Pumping Equipment
 - RD Equipment
 - Spill Equipment
 - Overfill Equipment
 - Etc.



Regulation Game Plan

- A full repeal and replace of COMAR 26.10
- Major Components
 - UST regulations to meet federal updates
 - AST regulations for shop fabricated and field erected
 - AST registration
 - Residential HO reimbursement limits



Overview of Changes

- UST Regulations – Chpt. 2 through 12 & 16
 - Comply with federal UST regulations
 - Remove obsolete language and update current practices
- AST Regulations – Chpt. 17 & 18
 - AST requirements for construction, performance, inspections, and record keeping
 - Shop fabricated
 - Field erected



Overview of Changes, cont.

- Chapter 1 – Oil Pollution
 - Definitions for majority of COMAR 26.10
 - Oil Transfer License requirements
 - Oil Operation Permit requirements
 - Marinas
 - AST registration



Overview of Changes, cont.

- Chapter 14 – UST Site Cleanup Reimbursement
 - Remove obsolete language (commercial)
 - Place limits on residential reimbursements
- Chapter 15 – Management of Used Oil
 - Adopts federal regulations and adds requirements for spill reporting, permits, annual reports, closure and burning used oil



AST Regulation Status

- Comments from Ad Hoc work group in June and October 2018
- Largely in agreement
- Can do final check with work group prior to proposing



UST Regulation Status

- Returned draft to EPA in August
 - Final comments received
- Provide to Ad Hoc Work Group next
 - We want stakeholder input prior to publishing draft regulations
 - We intend to give Work Group time it needs to provide meaningful comments
 - Meet to go over the draft with group (9/2019)



Regulation Proposal Process

- Annotated Code of Maryland, State Government Article
 - § § 10-101 through 118
- Best Case Scenario
 - About a 4 month process



Regulation Timeframes

- HO Regulations are planned to go first
 - Hopefully in place for 1/1/20 effective date
- UST / AST Regulations
 - Possibly begin formal proposal process this fall
 - Likely not effective until spring
- Will have a lot of outreach once become effective



EPA Report Card





SOC Rates for Motor Fuel USTs

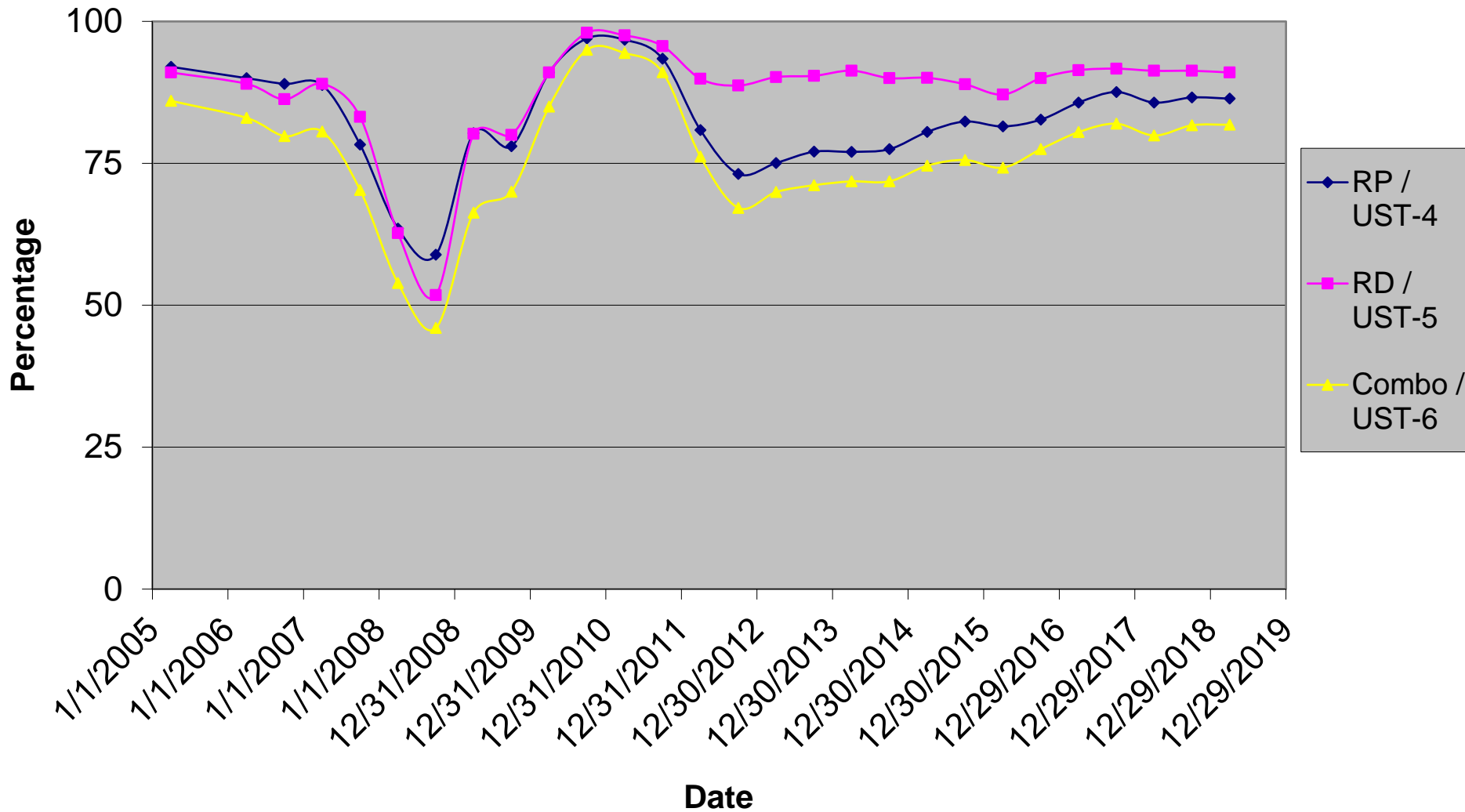
EPA 2019 Mid of Year Performance Measure

91% - SOC for Release Detection (RD)

86% - SOC for Release Prevention (RP)

82% - SOC for combined RD and RP

MD SOC Compliance Rates - 2005 to Present





UST Removals

812 = 7/1/05 to 6/30/06

818 = 7/1/06 to 6/30/07

766 = 7/1/07 to 6/30/08

727 = 7/1/08 to 6/30/09

696 = 7/1/09 to 6/30/10

626 = 7/1/10 to 6/30/11

559 = 7/1/11 to 6/30/12

584 = 7/1/12 to 6/30/13

567 = 7/1/13 to 6/30/14

492 = 7/1/14 to 6/30/15

527 = 7/1/15 to 6/30/16

555 = 7/1/16 to 6/30/17

495 = 7/1/17 to 6/30/18

444 = 7/1/18 to 6/30/19



Important MDE Contacts

- Michael Jester
 - 410-537-3024
- Business hours spill line
 - 410-537-3442
- After hours spill line
 - 1-866-633-4686