



# Spill Prevention and Containment Sump Guidelines

## BACKGROUND

The Underground Storage Tank (UST) federal regulations were revised and became effective October 13, 2015. Arkansas revised APC&EC Rule 12 to adopt the revisions and maintain state program approval. Those rules went into effect September 8, 2018. The Arkansas Department of Energy and Environment, Division of Environmental Quality (DEQ) gave a 3 year grace period, which ends October 13, 2021, for facilities with USTs to become compliant with the revisions. Revision requirements include periodic testing of spill prevention and containment sumps used for interstitial monitoring. All initial testing must be completed by October 13, 2021.

## GUIDANCE

This document outlines guidance for spill prevention equipment testers and what steps owners/operators and contractors should perform after a failed spill prevention or containment sump test.

## SPILL PREVENTION

The 2015 federal revisions state that spill prevention equipment must be tested for integrity at least every 3 years, or be double-walled and periodically monitored. Spill prevention equipment testing must demonstrate that the equipment is liquid-tight by using vacuum, pressure, or liquid (hydrostatic) testing, and must follow the testing procedures set forth by the equipment manufacturer or a code of practice/industry standard such as the Petroleum Equipment Institute (PEI) document RP1200, “Recommended Practices for the Testing and Verification of Spill, Overfill, Leak Detection and Secondary Containment Equipment at UST Facilities.”

## FAILED TEST RESULTS

If spill containment equipment fails an integrity test or a visual inspection of spill prevention equipment reveals a problem that could result in a failed test, the owner/operator is required to report a suspected Leaking Underground Storage Tank (LUST) to DEQ within 24 hours, and follow-up with a written notification within 3 business days of discovery.

Should you fail or miss a double-walled spill bucket monthly visual inspection, a passing spill bucket test will be required.

The facility has seven calendar days to confirm or deny that a release has occurred and should follow steps for release investigation and confirmation found in 40 CFR Subpart E. If an investigation cannot be performed within 7 days, the owner/operator must submit documentation to their DEQ inspector that one has been scheduled and include a rationale for the delay. The facility and/or their third party contractor shall provide evidence to support their claim to confirm or deny a release.

- When replacing a spill bucket, if there are no strong vapors or stained soils, this can be used as evidence to deny a release occurred.
- A groundwater monitoring well assessment also can be used to demonstrate no evidence of a release.

For further guidance on confirming or denying a suspected LUST, please reference 40 CFR 280.62 or contact your RST inspector.

If a release is confirmed, the facility must follow guidelines provided in 40 CFR Subpart F. The facility has 30 calendar days to make a repair or replace the spill prevention equipment. If a repair/replacement cannot be performed in 30 calendar days, the owner/operator must provide documentation to their DEQ inspector that replacement parts have been ordered and/or a repair has been scheduled with a licensed DEQ contractor.

The facility will have 30 days to test spill prevention equipment that has been repaired or replaced. Records of passing spill prevention equipment tests should be maintained for 3 years.

If there is no evidence of attempted compliance by the owner/operator, the UST system will be red tagged for delivery prohibition after the 30-day window, or until a passing test.

### **Failed Spill Bucket Test**

1. Report suspected LUST to DEQ within 24 hours.
2. Follow up with written notification within three (3) days.
3. Seven (7) days to confirm or deny release.
4. Thirty (30) days to repair/replace & retest spill bucket.\*\*
5. Keep records for three (3) years.

\*\*If there is no evidence of attempted compliance by the owner/operator, the UST system will be “red tagged” for delivery prohibition after the 30-day window until a passing test.

## **CONTAINMENT SUMP TESTING**

A failed containment sump test will not require an automatic notification to DEQ for a suspected LUST. Containment sumps used for interstitial monitoring should be kept dry and monitored using sump sensors or monitored visually at least every 30 calendar days. Periodic monitoring should allow time for owner/operators to find and address potential releases.

Periodic visually monitored sumps will need to be hydrostatically tested at least four inches above the lowest fitting. Hydrostatic containment sump testing documentation shall note whether a high-level or low-level test was conducted.

Product found in a containment sump should be investigated as an unusual operating condition. The facility is required to submit a 7-day notice for repairs and replacement of containment sumps.

## **UNUSUAL OPERATING CONDITIONS**

The following are unusual operating conditions that require the owner/operator (or a third-party contractor acting on their behalf) to notify DEQ within twenty-four hours. A suspected LUST case will be generated from this notification. Written notification is required to DEQ within three business days of verbal notification. Unusual operating conditions must be reported unless the condition qualifies for an exemption listed in 40 CFR 280.50. Owners and operators must immediately investigate and confirm or deny the suspected release within seven calendar days using the procedures listed in 40 CFR 280.52.

- Evidence of a release on-site or from off-site indicators (presence of free product or vapor in soils, basements, sewer and utility lines, and/or nearby surface water)
- Unexplained water of an inch or more in the tank
- Erratic behavior of dispensing equipment
- Sudden loss of product
- Liquid in dry interstice
- Statistical Inventory Reconciliation (SIR) failure/inconclusive results for one month
- Failed line tightness test, tank tightness test, or spill bucket test
- Unexplained alarms
- Interstitial alarms

## **LICENSING**

Spill prevention equipment (e.g., spill buckets and sumps) must be tested every three years. These tests shall be performed by a UST tester licensed in the State of Arkansas. Requirements for obtaining an Arkansas tester license are outlined in APC&EC Rule 12.6.

Sumps used for interstitial monitoring are required to be performed by a licensed tester.

Testing results of spill buckets should be recorded on the form provided by DEQ and signed by a licensed tester. The test method should be recorded and certified on the provided form. A manufacturer certificate will not be required for spill prevention equipment testing.