

Common Questions & Answers about the New PST Rules

Complying with the new PST rules
2019 Environmental Trade Fair

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New EPA PST Rules

- 2015 Federal UST Regulations
- 2018 Texas UST Regulations
- Texas adoption of new rules on May 31, 2018



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2015 UST Federal Regulations

- EPA updated the 1988 Regulations
- Published in Federal Register July 2015
 - Effective in states without SPA
- Texas has State Program Approval (SPA)
 - All states with SPA had 3 years to incorporate the federal rule changes



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PST Rulemaking Process

- Public Comment period was Dec. 1, 2017 to Jan. 9, 2018
- Proposed rules went to Commissioner's Agenda:
 - May 9, 2018
- Rules became effective on **May 31, 2018**



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Changes to Texas UST Regulations

- Walkthrough Inspections
- Periodic Testing
- Periodic Inspections
- Annual Testing
- Release Detection every 30 days
- Flow Restrictors
- Repairs
- Used Oil Tanks
- E10+ and B20+
- Operator Training



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Common Questions & Answers About the New PST Rules ???



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What equipment are you required to inspect in the
30-day walkthrough inspections?



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Answer

- 30-day walkthrough inspections required for release detection equipment
 - Ensure equipment is operating with no alarms or unusual conditions (erratic behavior, sudden product loss, water in tank)
 - Review release detection records including inventory control, if applicable



Answer (continued)

- 30-day walkthrough inspections required for spill prevention equipment
 - Includes any spill containment device located around fill risers (or remote fill risers)
- Rule support: 30 TAC 334.48(h)(1)(A)



What is the implementation date for
30-day walkthrough inspections?



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Answer

- First 30-day walkthrough inspections required by **January 1, 2021 for all facilities**
 - Can begin walkthrough inspections now
 - Currently, 60-day inspection requirements apply for spill prevention equipment
 - Keep records for 5 years
- Rule support: 334.42(i) and 334.48(h)



Are containment sumps included in the spill prevention equipment category? That is, must they be included in the 30-day walkthrough inspections?



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Answer

- No. Containment sumps do not require 30-day walkthrough inspections and are not typically included in the spill prevention equipment category.
 - Spill prevention equipment refers to spill buckets, catchment basins or other spill containment devices
- Rule Support: 30 TAC 334.48(h)



What inspection requirements apply to containment sumps?



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Answer

- Walkthrough inspections for sumps
 - **Required annually**
 - Sumps installed prior to January 1, 2009
 - Check for damage, releases, debris
 - Remove debris within 96 hours
 - Check cathodic protection (if applicable)



Answer (continued)

- Sumps installed on or after Jan. 1, 2009
 - Containment Sumps with Interstitial Monitoring (IM)
 - Remove liquid (sumps should be liquid tight)
 - Check for damage, releases, debris, liquid
 - Remove debris and liquid within 96 hours
 - Check cathodic protection (if applicable)
- Rule support: 334.42(i) and 334.45(d)(1)(E)(iv)



Do passing release detection results really
have to be obtained every 30 days?



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Answer

- Yes. Federal rules (40 CFR 281) require release detection to be conducted at least every 30 days.
 - Required to obtain State Program Approval
 - Texas rules must be equally or more stringent than the federal rules
- Inventory control must be reconciled at least every 30 days
- Rule support: 30 TAC 334.50(b)



How is statistical inventory reconciliation (SIR)
conducted with the new 30-day release
detection requirement?



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Answer

- Conduct SIR monitoring at least every 30 days
- Receive SIR report within 15 calendar days following the last 30-day monitoring period



Answer (continued)

- SIR provider must have Third Party Certification showing their method meets rule requirements
 - National Work Group on Leak Detection Evaluations
www.nwglde.org
- Report and investigate failing and inconclusive results according to suspected release reporting requirements



How is inventory control (IC) reconciliation conducted with the new 30-day release detection requirement?



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Answer

- Reconcile inventory control at least every 30 days
 - No longer monthly
- Use 30-day inventory control spreadsheets for non-blended and blended fuel systems
 - PST Compliance Resources Webpage
<https://www.tceq.texas.gov/assistance/industry/pst>



Compliance Resources

- EPA Guidance
- Access to New Rules and Email Updates
- New Rules Summary
- Updated Texas UST Compliance Notebook
- Updates to the PST Super Guide



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EPA Guidance

[Operating And Maintaining Underground Storage Tank Systems- Practical Help And Checklists](#) (EPA 510-K-16-001, 2/2016)

- Page 54: Sample Walkthrough Inspection Checklist
- Page 32: Checklist For Spill Buckets
- Page 33: Sample Recordkeeping Form For Liquid Tightness Tests For Spill Buckets And Containment Sumps (For Use By A Qualified Tester)
- Page 36: Checklist For Automatic Shutoff Devices
- Page 38: Checklist For Overfill Alarms
- Page 40: Checklist For Ball Float Valves
- Page 42: Sample Recordkeeping Form For Overfill Equipment Inspections (For Use By A Qualified Inspector)
- Page 10: Sample Annual Release Detection Testing Recordkeeping Form



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Access New Rules & Get Updates

- Rule changes with section by section edits at:
 - https://www.tceq.texas.gov/assets/public/legal/rules/rule_lib/adoptions/16019334_ado.pdf
- Sign Up for Email Updates:
 - <https://service.govdelivery.com/accounts/TXTCEQ/subscriber/new>



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Technical Assistance

- SBLGA Hotline: 800-447-2827
- Regional Compliance Assistance Specialists
 - https://www.tceq.texas.gov/assets/public/comm_exec/pubs/gi/gi-002a.pdf
- TexasEnviroHelp.org



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Thank You!

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