

Summary of UST Regulations Specific to Oklahoma

March 2017

The following document addresses regulations where Oklahoma may differ from other states or the Federal Government. It does not cover all OCC requirements for UST's.

Notifications

Use of the designated Petroleum Storage Tank Division Scheduling Form is required for the following:

- Installations/Repairs: PSTD must be given 24 hours notice.
- Removals: PSTD must be given 14 days notice.
- Tank and Line Tightness Testing, Line Leak Detector and CP Testing: All testing must be scheduled with the PSTD. Results of testing in which any part of the system does not pass must be reported to the OCC within 24 hours by the owner, operator, their employees or agents; and separately by the person or company performing the tests.
- Internal Lining Inspections: PSTD must be given 48 hours notice.
- Compatibility: 30 days prior to switching to regulated substances containing greater than 10 percent ethanol or 20 percent biodiesel.

Licensees

All installations, removals, and repairs of underground storage tank systems must be performed by individuals licensed by the OCC for work within the state of Oklahoma.

Red Tag Authority

EPA requires states to prevent delivery into fuel tanks that do not meet certain guidelines. PSTD uses a method called "Red Tag Authority" in order to comply with EPA Guidelines. If a facility violates one of the items listed in OAC 165:25-1-67 "Shutdown of Operations" an out of order tag may be placed on the dispenser or fuel tank to prevent the further sale or delivery of fuel.

Financial Responsibility

- Each tank owner must be able to demonstrate that they can meet a maximum \$5,000.00 co-pay; then financial responsibility is satisfied through the Indemnity Fund for most tank owners. Retail facilities have a maximum reimbursement of \$1.5 million dollars. Non-retail facilities have a maximum reimbursement of \$500,000.00 unless the facility has an average monthly throughput of 10,000 gallons or greater for the 12 months prior to the release. Some tank owners are not eligible to this fund. Please review the exclusions found in Chapter 25, 26, and 27 for a complete list.
- Eligibility for Indemnity Fund applicants is based on two critical factors, an eligible release and an eligible person. Indemnity Fund applicants must be in substantial compliance with all OCC regulations for the 12 months prior to the release report date. Fines are assessed for instances of non-compliance.
- Upon eligibility to the Indemnity Fund owners must pay a co-pay of 1%, paid in \$1,000.00 increments, of the clean up cost, up to a total owner contribution of \$5,000.00 per occurrence if the release was discovered on June 4, 2004 or after. If the release was discovered prior to that date the deductible is a flat lump sum amount of \$5,000.00.

Overfill

- A drop tube with overfill device is required on all tank systems installed after July 1, 2001. Tanks installed before July 1, 2001, must be upgraded to meet these standards before July 1, 2002, unless documentation can be provided at the time of inspection for compliance that proves the petroleum storage tank system is equipped with an operational ball float overfill device. Ball float devices cannot be repaired and must be replaced if they become defective. A ball float vent valve cannot be used on tanks with a suction type system.
- Staff may require an annual ball float functionality test. Drop tube flapper overfill devices must be inspected for proper operation every three years and certified as functional.
- Ball float valves that are inoperable cannot be repaired or replaced with another ball float valve.

Release Detection

- Vapor monitoring and groundwater monitoring rules provide specifics for well installation, number of wells required, instruments for vapor monitoring, reportable levels for vapor monitoring, and site assessments. An individual must be licensed by PSTD as a Monitor Well Technician to read groundwater or vapor wells for release detection purposes.
- Automatic Tank Gauges that cannot detect a 0.1 gallon per hour leak rate monthly are required to have monthly inventory reconciliation done in conjunction with a 0.2 gallon per hour or CSLD test.
- Statistical Inventory Reconciliation is only accepted as a release detection method for tanks.
- All tanks must be monitored for releases and have a passing result at least once every 30 days.

Corrosion Protection/Internal Lining

- A previously lined steel tank that fails precision tightness testing may not be repaired and must be removed.
- Tank lining may not be used as a method of repair for a leaking tank.
- UST owners must submit to the OCC a copy of the certificate of performance (Interior Lining Inspection Form) completed by the inspection provider attesting that the UST meets the performance requirements for both the UST and the lining material.
- Any UST failing to meet the specified performance requirements cannot be relined. Minor imperfections (see OCC guidance titled "Internal Tank Lining Requirements") may be repaired and the tank must be upgraded with a cathodic protection system within six months of the lining repair, or be removed. Suitability of the tanks for upgrade by adding cathodic protection must be determined prior to application.

Secondary Containment and Interstitial Monitoring

In order to comply with EPA requirements all newly installed tanks and/or lines must be secondarily contained. The interstitial space of tanks and lines installed after July 1, 2008 must be monitored for release detection purposes.

Tank Closure and Return to Service

- Tank tightness, line tightness, and line leak detector tests must be performed by a certified tester prior to returning to service if the system has been out of service for more than 12 months.
- Tanks and lines must be removed upon closure unless the Commission grants a variance that allows the tanks to be closed in place by filling (typically only granted when tank is buried completely or partially under a building).

Operator Training

- Oklahoma has an online operator training program that is provided free to Oklahoma tank owners.
- All facilities must have Oklahoma Operator Training Certificates posted.
- Refresher training is required every 3 years. Inspectors may require refresher training earlier if upon inspection a facility is non-compliant.
- All facilities must have certified Class A, B, and C Operators by July 1, 2011.

State Specific Requirements Affidavit

EPA requires that states develop training programs that are specific to their state. In an attempt to meet this requirement and still allow reciprocity, the OCC requires that those individuals desiring to become certified operators in Oklahoma, who received certification as Class A, B, or C operators in other states, read the attached summary so that they are aware of Oklahoma's state specific regulations. **After reviewing the summary, submit this affidavit along with proof of training to the address listed at the top of this document.** PSTD will contact you regarding the procedure to obtain an Oklahoma Certificate if the information submitted is sufficient.
All facilities must have Oklahoma Operator Certificates posted.

If training was received in another state please answer the following:

State in which training was received: _____
Date training received: _____
Level of Training Received (Class A, B, or C): _____
Name of Course Provider: _____

I certify that I have read and understand the attached summary that indicates the regulations specific to Oklahoma.

(Signature)

(Date)

Name: _____
Mailing Address: _____

Phone #: _____
Email Address: _____

Please provide the name, address and facility ID number for the facility you will be assigned to: