

## New National Energy Plan Includes Changes to UST Program

President Bush recently signed into law a National Energy Plan. This plan reforms outdated policies and is meant to encourage energy efficiency relating to the oil and gas, electric, nuclear, coal and renewable energy sectors. Most stipulations contained in the bill have been widely reported, but a key subcomponent, the UST Compliance Act, specifies the reformation of the underground storage tank (UST) program. This is the first major refurbishment of the federal UST rules in the last 20 years. It contains many new federal requirements that will affect owners and operators of underground storage tanks.

### **New Requirements for USTs Include:**

- > All USTs must be inspected at least every three years.
- > Government agencies (federal, state, and local) must submit a public report stating the compliance status and history, which includes any violations and a strategy for ensuring full compliance, for each tank.
- > Operators, managers, and employees involved in the functioning of UST systems must be properly trained relating to the individual's daily responsibilities.
- > All states must implement a red tag program (closure of non-compliant USTs and liability risks to owners/operators who knowingly allow delivery personnel to deposit petroleum products into a non-compliant UST).
- > States must EITHER mandate secondary containment of all new UST systems within 1,000 feet of any existing community water system or potable drinking

water well, OR require contractor certification plus evidence of financial responsibility of UST installers and manufacturers (installers, tank/piping manufacturers would not have to provide evidence of financial responsibility if they own a tank already covered under the financial responsibility section of the existing UST Act).

### **How We Can Help you Prepare:**

Environmental Compliance Services, Inc. (ECS) is a trusted environmental consulting firm working for storage tank owners/operators by bringing together experienced tank and environmental professionals, cutting-edge tools and a dedication to helping the regulated tank community. ECS understands there is no such thing as a "one size fits all" solution to compliance challenges. We are committed to providing the most flexible, comprehensive suite of compliance services available in the industry. Permitting/Testing Management, Notice of Violation (NOV) Resolution, Leak Detection Management, and Regulatory Assistance are a few of the services that ECS provides to help you achieve and maintain compliance.

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