

Don't Miss the "Tee Time" For Your Underground Storage Tank

By **BILL KEEGAN** and **DAVE BROWN**
SECOR International Incorporated

The United States Environmental Protection Agency (EPA) Underground Storage Tank (UST) "Tee Time" is set for December 22, 1998. Is this "tee time" scheduled for your golf course?

Does your golf course have a UST? Does your tank contain a petroleum product such as fuel oil or used oil? Is the tank larger than 110 gallons? If you answer "yes" to all these questions, the EPA "tee time" must be on your schedule!

In the late 1980s and early 1990s, the EPA set technical standards for owners and operators of USTs. These federal regulations included deadlines for implementation of UST release detection equipment by the early 1990s. Further, they set the December 22, 1998 deadline for the installation of basic tank and dispensing line upgrades. "Upgrades" are defined as:

- Spill Protection (catchment basins to contain spills)
- Overfill Protection (shutoff devices or overfill alarms)
- Corrosion Protection (the application of noncorrodible material to the tank of numerous other methods)

Compliance in all three aspects of upgrading are required by December, 1998.

According to statistics, only 26% of tanks are in compliance with the 1998 regulations nationwide. In 1995 the Minnesota Pollution Control Agency (MPCA) estimated that about 17,000 tanks in Minnesota were in need of upgrading or removal to meet the EPA regulations. A large percentage of those tanks will require attention within the next year to meet the 1998 compliance standards. This rush to comply with this deadline will likely keep registered tank contractors and consultants in Minnesota booked solid throughout the construction season. By waiting until next summer to address UST issues, you may have difficulty finding an available tank contractor in time to comply with EPA regulations. Therefore, it is imperative to schedule your UST removal or upgrade as soon as possible.

Tank owner/operators failing to meet the EPA UST deadline will be sent a Notice of Noncompliance (NON) encouraging them to comply with the existing regulations. A 90-day grace period will likely be granted for compliance before fines will be assessed. The fines for noncompliance may range from \$1 to \$10,000 and will be assessed by the MPCA on a case-by-case basis. In addition to these fines,

you could receive deductions of 10% or more on your Petrofund reimbursement should you have a future petroleum release from your UST system. (The Petrofund is a user-funded and state-operated environmental trust fund that reimburses costs for the investigation and remediation of impacted soil and/or groundwater at a rate of \$0.90 per \$1.00 spent.) In effect, the Petrofund is your environmental insurance policy, and compliance with UST regulations in 1998 establishes your full eligibility for that insurance.

To avoid fines and to maximize your Petrofund reimbursement, it is essential to be well aware of the proper procedures for the removal or upgrade of your UST.

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4463 White Bear Parkway, Suite 106
White Bear Lake, Minnesota 55110
(612) 653-9112 (612) 653-1751 FAX
Offices Nationwide