

Rule Adoption Notice

Toxics Cleanup Program

August 2012

Underground Storage Tank Regulations, Chapter 173-360 WAC

On August 8, 2012, the Department of Ecology (Ecology) adopted changes to Chapter 173-360 WAC, Underground Storage Tank (UST) Regulations. The changes will be published in the Washington State Register on September 5, 2012, and become effective on October 1, 2012.

What is Chapter 173-360 WAC?

Chapter 173-360 WAC regulates UST systems in Washington state containing petroleum and other hazardous substances. The regulations, including the adopted changes, are necessary to:

1. Reduce the number and severity of releases from UST systems, which can pollute the state's drinking water and pose serious threats to human health and the environment.
2. Comply with federal requirements, which is necessary to maintain approval and funding of the state's UST program.

Summary of the rule changes adopted on August 8, 2012

The adopted changes to Chapter 173-360 WAC:

1. Authorize Ecology to stop regulated substances from being delivered to UST systems that do not comply with regulatory requirements.
2. Establish an operator training program for individuals who operate and maintain UST systems. Current operators must be trained by December 31, 2012.
3. Require secondary containment of tanks and pipes installed or replaced after October 1, 2012.
4. Require containment under dispenser systems if the dispenser, dispenser system, or underground piping connected to the dispenser system is installed or replaced after October 1, 2012.

WHY IT MATTERS

The state's underground storage tank (UST) compliance program is intended to prevent the release of petroleum and other hazardous substances from UST systems. Such releases can pollute drinking water and pose serious threats to human health and the environment.

Ecology regulates more than 9,500 systems at more than 3,600 facilities. Each year, about 50 new releases are confirmed at those facilities.

The adopted rule changes are necessary to reduce the number and severity of those releases.

Important dates:

Secondary and under-dispenser containment requirements are effective October 1, 2012.

Operators must be trained by December 31, 2012.

Contact information:

Joe Hickey
360-407-7382
joe.hickey@ecy.wa.gov

Special accommodations:

If you need this document in a format for the visually impaired, call the Toxics Cleanup Program at 360-407-7170.

Persons with hearing loss, call 711 for Washington Relay Service. Persons with a speech disability, call 877-833-6341.

Response to comments

Ecology's response to comments received during the public comment period is now available. A copy of the Concise Explanatory Statement containing those responses can be downloaded from www.ecy.wa.gov/biblio/1209049.html.

Whom do the rule changes affect?

The rule changes affect the following persons:

- Persons who own or operate UST systems.
- Persons who provide services to owners and operators.
- Persons who deliver product to, or collect waste oil from, UST systems.
- Persons who train operators of UST systems.

More information

- For more information about the adopted changes to the UST rules, visit: www.ecy.wa.gov/programs/tcp/regs/ust/2012/rule-making.html.
- For more information about the UST program, visit: www.ecy.wa.gov/programs/tcp/ust-lust/tanks.html.
- To get updates about the UST program, including information about the adopted changes to the UST rules, sign up for the ECOLOGY-UST-RULE e-mail list at: listserv.wa.gov/cgi-bin/wa?A0=ECOLOGY-UST-RULE.
- To get updates on Ecology's rule-making activities, sign-up for the WACTrack e-mail list at listserv.wa.gov/cgi-bin/wa?A0=ECOLOGY-WAC-TRACK.

Appeal procedures

This adoption can be appealed under procedures described in the Administrative Procedure Act (RCW 34.05.330). For more information about appealing this rule adoption, please contact Bari Schreiner, Agency Rules Coordinator, at 360-407-6998 or bari.schreiner@ecy.wa.gov.

