

**§§ 282.103–282.105**

the approved underground storage tank program under subtitle I of RCRA, 42 U.S.C. 6991 *et seq.*

(5) *Memorandum of Agreement.* The Memorandum of Agreement between EPA Region 2 and the Puerto Rico Environmental Quality Board, signed by an authorized representative of the Environmental Quality Board on March 7, 1997 and subsequently by an authorized representative of EPA, though not incorporated by reference, is referenced as part of the approved underground storage tank program under subtitle I of RCRA, 42 U.S.C. 6991 *et seq.*

[63 FR 4593, Jan. 30, 1998]

**§§ 282.103–282.105 [Reserved]**

**APPENDIX A TO PART 282—STATE REQUIREMENTS INCORPORATED BY REFERENCE IN PART 282 OF THE CODE OF FEDERAL REGULATIONS**

The following is an informational listing of the state requirements incorporated by reference in part 282 of the Code of Federal Regulations:

*Alabama*

(a) The statutory provisions include Code of Alabama 1975, Title 22, Chapter 36, Underground Tank and Wellhead Protection Act:

- Section 1 Short title.
- Section 2 Definitions.
- Section 3 Rules and regulations governing underground storage tanks.
- Section 4 Information to be furnished by owner upon request of department; owner to permit access to records and entry and inspection of facilities.
- Section 6 Expenditure of funds from leaking underground storage tank trust fund; investigative and corrective powers in regard to administration of funds; liability of owner or operator for costs.
- Section 8 Availability to public of records, reports, or information obtained under chapter.
- Section 10 Rules and regulations.

(b) The regulatory provisions include Alabama Department of Environmental Management, Administrative Code, Division 6, Water Quality Program, Volume II, revised effective: June 1, 1994, Chapter 335-6-15: Technical Standards, Corrective Action Requirements and Financial Responsibility for Owners and Operators of Underground Storage Tanks.

- Section .01 Purpose.
- Section .02 Definitions.

**40 CFR Ch. I (7–1–19 Edition)**

- Section .03 Applicability.
- Section .04 Interim Prohibition for Deferred UST Systems.
- Section .05 Notification, except those USTs taken out of operation on or before January 1, 1974.
- Section .06 Performance Standards for New UST Systems.
- Section .07 Upgrading of Existing UST Systems.
- Section .08 Plans and Specifications.
- Section .09 Spill and Overfill Control.
- Section .10 Operation and Maintenance of Corrosion Protection.
- Section .11 Compatibility.
- Section .12 Repairs Allowed.
- Section .13 Reporting and Recordkeeping.
- Section .14 General Release Detection Systems for all UST Systems.
- Section .15 Release Detection Requirements for Petroleum UST Systems.
- Section .16 Release Detection Requirements for Hazardous Substance UST Systems.
- Section .17 Methods of Release Detection for Tanks.
- Section .18 Methods of Release Detection for Pipes.
- Section .19 Release Detection Recordkeeping.
- Section .20 Reporting of Suspected Releases.
- Section .21 Investigation Due to Environmental Impact.
- Section .22 Release Investigation and Confirmation Steps.
- Section .23 Reporting and Clean-up of Spills and Overfills.
- Section .24 Initial Release Response.
- Section .25 Initial Abatement Measures and Preliminary Investigation.
- Section .26 Preliminary Investigation Requirements.
- Section .27 Free Product Removal.
- Section .28 Secondary Investigation Requirements.
- Section .29 Corrective Action Plan.
- Section .30 Corrective Action Limits for Soils.
- Section .31 Corrective Action Limits for Ground Water.
- Section .32 Alternative Corrective Action Limits.
- Section .33 Risk Assessment.
- Section .34 Public Participation.
- Section .35 Analytical Requirements.
- Section .36 Temporary Closure.
- Section .37 Permanent Closure.
- Section .38 Site Closure or Change-in-Service Assessments.
- Section .39 Applicability to Previously Closed UST Systems.
- Section .40 Closure Records.
- Section .41 Alternate or Temporary Drinking Water Source.
- Section .42 Availability to Public of Records, Reports or information.

## Environmental Protection Agency

## Pt. 282, App. A

- Section .43 Access to Records.
- Section .44 Entry and Inspection of Facilities.
- Section .46 Financial Responsibility for Petroleum UST Owners and Operators.
- Section .48 Severability.

### Arkansas

- (a) The statutory provisions include:
  1. *Arkansas Code Annotated, Title 8, Chapter 7, Subchapter 8—Regulated Substance Storage Tanks:*
    - Section 8-7-801 Definitions and exceptions
    - Section 8-7-803 Regulations generally
    - Section 8-7-804 Procedures of department generally
    - Section 8-7-807 Responsibility and liability of owner
    - Section 8-7-808 Regulated Substance Storage Tank Program Fund
    - Section 8-7-810 Insurance pools
    - Section 8-7-811 Trade secrets
    - Section 8-7-812 Subchapter controlling over other laws
    - Section 8-7-813 Registration
  2. *Arkansas Code Annotated, Title 8, Chapter 7, Subchapter 9—Petroleum Storage Tank Trust Fund Act:*
    - Section 8-7-901 Title
    - Section 8-7-902 Definitions
    - Section 8-7-903 Rules and Regulations—Powers of department [Except (c), which addresses aboveground storage tanks.]
    - Section 8-7-904 Advisory committee
    - Section 8-7-905 Petroleum Storage Tank Trust Fund
    - Section 8-7-906 Petroleum environmental assurance fee
    - Section 8-7-907 Payments for corrective action
    - Section 8-7-908 Third-party claims
    - Section 8-7-909 Confidential treatment of information
- (b) The regulatory provisions include:
  1. *Arkansas Department of Pollution Control and Ecology Regulation Number 12—Storage Tank Regulation:*
    - a. Chapter 1: General Provisions
      - Section 1: Purpose
      - Section 2: Authority
      - Section 3: Short Title
    - b. Chapter 2: Regulations Promulgated Under Acts 172 and 173 of 1989 and Act 65 of the Third Extraordinary Session of 1989 for Administration of the State Regulated Storage Tank Program
      - Section 1: Incorporation of Federal Regulations
      - Section 2: Arkansas Petroleum Storage Tank Trust Fund Act
      - Section 3: Definitions
    - c. Chapter 3: Fees
      - Section 1: Underground and Aboveground Storage Tank Registration Fees [Except insofar as it applies to aboveground storage tanks.]

- Section 2: Underground Storage Tank Licensing Fees
- Section 3: Late Payment Penalties
- Section 4: Refusal or Failure to Pay Fees
- d. Chapter 4: Petroleum Storage Tank Trust Fund Release Reimbursement
  - Section 1: Purpose
  - Section 2: Amount of Reimbursement
  - Section 3: Initial Fund Eligibility
  - Section 4: Loss and Restoration of Initial Fund Eligibility
  - Section 5: Corrective Action Reimbursement Procedure
  - Section 6: Reimbursement Application Review
  - Section 7: Allowable Costs
  - Section 8: Reasonable Costs
  - Section 9: Audits
  - Section 10: Deductible
  - Section 11: Third Party Claim Reimbursement Procedure
  - Section 12: Compliance
  - Section 13: Fund Availability
  - Section 14: Cost Recovery
- e. Chapter 7: Confidentiality
  - Section 1: Confidentiality Requests
  - Section 2: Responsibility
  - Section 3: Submission Procedure
  - Section 4: Requirements for Protection
  - Section 5: Acceptability of Information
  - Section 6: Security
- f. Chapter 9: Severability
- g. Chapter 10: Effective Date

### Connecticut

- (a) The statutory provisions include Connecticut's General Statutes, Chapter 446k, Section 22a-449(d), Duties and Powers of Commissioner, January 1, 1995.
- (b) The regulatory provisions include Regulations of Connecticut State Agencies ("R.C.S.A.") Sections 22a-449(d)-101 through 113, Underground Storage Tank System Management, July 28, 1994:
  - Section 22a-449(d)-101 Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks—Program Scope and Interim Prohibition
    - (a) Applicability of Sections 22a-449(d)-101 through 22a-449(d)-113.
    - (b) Interim Prohibition for deferred UST systems.
    - (c) General.
    - (d) Definition.
  - Section 22a-449(d)-102 UST Systems: Design, Construction, Installation, and Notification
    - (a) Performance standards for new UST systems.
    - (b) Notification Requirements.
  - Section 22a-449(d)-103 General Operating Requirements
    - (a) Spill and overflow control.
    - (b) Operating and maintenance of corrosion protection.
    - (c) Compatibility.

- (d) Repairs allowed.
  - (e) Reporting and recordkeeping.
- Section 22a-449(d)-104 Release Detection
- (a) General requirements for all UST systems.
  - (b) Additional requirements.
  - (c) Requirements for petroleum UST systems.
  - (d) Requirements for hazardous substance UST systems.
  - (e) Methods of release detection for tanks.
  - (f) Methods of release detection for piping.
  - (g) Release detection recordkeeping.
- Section 22a-449(d)-105 Release Reporting, Investigation, and Confirmation
- (a) Reporting of suspected releases.
  - (b) Investigation due to off-site impacts.
  - (c) Release investigation and confirmation steps.
  - (d) Reporting and cleanup of spills and overfills.
- Section 22a-449(d)-106 Release Response and Corrective Action for UST Systems Containing Petroleum or Hazardous Substances
- (a) General.
  - (b) Additional requirements.
  - (c) Initial response.
  - (d) Initial abatement measures and site check.
  - (e) Initial site characterization.
  - (f) Free product removal.
  - (g) Investigations for soil and groundwater cleanup.
  - (h) Corrective action plan.
  - (i) Public participation.
- Section 22a-449(d)-107 Out-of-service UST Systems and Closure
- (a) Temporary closure.
  - (b) Permanent closure.
  - (c) Assessing the site at closure.
  - (d) Applicability to previously closed UST systems.
  - (e) Closure records.
- Section 22a-449(d)-108 Reserved
- Section 22a-449(d)-109 Financial Responsibility
- (a) Applicability.
  - (b) Compliance dates.
  - (c) Definition of terms.
  - (d) Amount and scope of required financial responsibility.
  - (e) Allowable mechanisms and combinations of mechanisms.
  - (f) Financial test of self-insurance.
  - (g) Guarantee.
  - (h) Insurance risk retention group coverage.
  - (i) Surety bond.
  - (j) Letter of credit.
  - (k) Use of state-required mechanism.
  - (l) State fund and other state assurance.
  - (m) Trust fund.
  - (n) Standby trust fund.
  - (o) Substitution of financial assurance mechanisms by owner or operator.
  - (p) Cancellation or non-renewal by a provider of financial assurance.
  - (q) Reporting by owner or operator.
  - (r) Record keeping.
  - (s) Drawing of financial assurance mechanisms.
  - (t) Release from the requirements.
  - (u) Bankruptcy or other incapacity of owner or operator or provider of financial assurance.
  - (v) Replenishment of guarantees, letters of credit, or, surety bonds.
  - (w) Suspension of enforcement. [Reserved]
  - (x) 40 CFR Part 280 Appendix I is incorporated by reference, in its entirety.
  - (y) Appendix II to 40 CFR Part 280—List of Agencies Designed to Receive Notification.
  - (z) Appendix III to 40 CFR Part 280—Statement for Shipping Tickets and Invoices.
- Section 22a-449(d)-110 UST system upgrading, abandonment and removal date
- (a) Petroleum UST system of which construction or installation began prior to November 1, 1985.
  - (b) Hazardous substance UST system of which construction or installation began prior to December 22, 1988.
  - (c) UST systems which comply with the standards specified in subsection 22a-449(d)-102(a) of these regulations.
- Section 22a-449(d)-111 Life Expectancy
- (a) How life expectancy determinations shall be conducted
  - (b) Life expectancy shall be as follows:
  - (c) The life expectancy of an UST system component.
- Section 22a-449(d)-112 UST System Location Transfer
- Section 22a-449(d)-113 Transfer of UST System Ownership, Possession, or Control
- (a) Disclosure to transferee.
  - (b) Information submitted to the commissioner pursuant to section 22a-449(d)-102 of these regulations.
- Georgia*
- (a) The statutory provisions include the Georgia Underground Storage Tank Act (GUSTA) (O.C.G.A. Section 12-13-1, *et seq.*):
    - Section 12-13-2—Public policy.
    - Section 12-13-3—Definitions.
    - Section 12-13-4—Exceptions to chapter.
    - Section 12-13-5—Rules and regulations; enforcement powers.
    - Section 12-13-6—Powers and duties of director.
    - Section 12-13-7—Performance standards applicable until rules and regulations effective.
    - Section 12-13-8—Investigations.
    - Section 12-13-9—Establishing financial responsibility; claims against guarantor; Underground storage Trust Fund.
    - Section 12-13-10—Environmental assurance fees.

## Environmental Protection Agency

## Pt. 282, App. A

Section 12-13-11—Corrective action for release of petroleum product into environment.

Section 12-13-12—Recovery in event of discharge or threat of discharge of regulated substance.

Section 12-13-13—Notice by owner of underground storage tank.

Section 12-13-14—Corrective action for violations of chapter, rules, etc., and for release of regulated substance into environment.

Section 12-13-15—Injunctions and restraining orders.

Section 12-13-16—Hearings and review.

Section 12-13-17—Judgement by superior court.

Section 12-13-18—Required compliance with chapter; proof that petroleum subjected to environmental fee.

Section 12-13-19—Violations; imposition of penalties.

Section 12-13-20—Action in emergencies.

Section 12-13-21—Public access to records.

Section 12-13-22—Representation by Attorney General.

(b) The regulatory provisions include the Rules of Georgia Department of Natural Resources, Environmental Protection Division, Underground Storage Tank Management:

Section 391-3-15-.01—General provisions. Amended.

Section 391-3-15-.02—Definitions, UST Exclusions, and UST Deferrals. Amended.

Section 391-3-15-.03—Confidentiality of Information. Amended.

Section 391-3-15-.04—Interim Prohibition for Deferred UST Systems. Amended.

Section 391-3-15-.05—UST Systems: Design, Construction, Installation and Notification. Amended.

Section 391-3-15-.06—General Operating Requirements. Amended.

Section 391-3-15-.07—Release Detection. Amended.

Section 391-3-15-.08—Release Reporting, Investigation, and Confirmation. Amended.

Section 391-3-15-.09—Release Response and Corrective Action for UST Systems Containing Petroleum. Amended.

Section 391-3-15-.10—Release Response and Corrective Action for UST Systems Containing Hazardous Substances. Amended.

Section 391-3-15-.11—Out-of-Service UST Systems and Closure. Amended.

Section 391-3-15-.12—UST Systems Containing Petroleum; Financial Responsibility Requirements. Amended.

Section 391-3-15-.13—Georgia Underground Storage Tank (GUST) Trust Fund. Amended.

Section 391-3-15-.14—Enforcement.

Section 391-3-15-.15—Variances.

### Hawaii

(a) The statutory provisions include:

(1) Hawaii Revised Statutes, Chapter 342L, Underground Storage Tanks.

Section 342L-1 Definitions (except “complaint” insofar as it sets forth enforcement authorities; “owner” insofar as it includes persons who hold indicia of ownership to protect an interest in a tank system; “permit” insofar as it sets forth a permitting program; and “regulated substance” insofar as it includes other substances as designated by the Department)

Section 342L-7.5 Record maintenance

Section 342L-30 Notification requirements (except paragraph (i) of this section insofar as it grants the Department authority to assess penalties for non-compliance)

Section 342L-32 Standards for tanks and tank systems

Section 342L-33 Release detection

Section 342L-34 Reporting of releases

Section 342L-35 Response to suspected or confirmed releases

Section 342L-36 Financial responsibility

Section 342L-37 Underground storage tank and tank system change in service and closure requirements

Section 342L-50 Definitions (except “owner” insofar as it defines lenders as operators and subjects such lenders to requirements other than the corrective action requirements)

(2) Hawaii Revised Statutes, Chapter 342D, Water Pollution.

Section 342D-1 Definitions

Section 342D-4 Duties; rules

Section 342D-7 Variances (Insofar as paragraph (a) of this appendix is applicable to the underground storage tank program)

Section 342D-38 Hazardous substance defined

Section 342D-50 Prohibition

Section 342D-51 Affirmative duty to report discharges

(3) Hawaii Revised Statutes, Chapter 342E, Nonpoint Source Pollution Management and Control.

Section 342E-1 Definitions

Section 342E-2 Nonpoint source pollution management and control program

(b) The regulatory provisions include:

(1) Hawaii Administrative Rules, Chapter 11-281, Underground Storage Tanks

Section 11-281-01 Applicability

Section 11-281-02 Prohibition for deferred underground storage tanks or tank systems

Section 11-281-03 Definitions (except “complaint” insofar as it sets forth enforcement authorities; “farm tank” insofar as it regulates tanks on farms that are not used for farm or commercial purposes; “field citation” and “force majeure” insofar as they relate to the Department’s enforcement authorities;

- “regulated substance” insofar as the Department can designate other substances; “reportable quantity” insofar as it sets forth a reporting threshold of 10 lbs. for trichloropropane; and “underground storage tank” insofar as its designation of farm tanks exceeds the scope of the federal regulations)
- Section 11–281–11 Performance standards for underground storage tanks and tank systems
- Section 11–281–12 Tank requirements
- Section 11–281–13 Piping requirements
- Section 11–281–14 Spill and overflow prevention equipment
- Section 11–281–15 Installation
- Section 11–281–16 Certification of installation
- Section 11–281–17 Secondary containment
- Section 11–281–18 Upgrading of existing underground storage tanks and tank systems
- Section 11–281–21 Notification requirements for tanks brought into use before the effective date of these rules
- Section 11–281–22 Notification requirements for tanks brought into use on or after the effective date of these rules
- Section 11–281–24 Application for a permit (except insofar as paragraphs (a), (b), (c)(3), and (c)(4) of this section relate to the permitting program)
- Section 11–281–25 Permit (except insofar as paragraphs (a) and (b) of this section relate to the permitting program)
- Section 11–281–41 Spill and overflow control
- Section 11–281–42 Operation and maintenance of corrosion protection systems
- Section 11–281–43 Compatibility
- Section 11–281–44 Repairs
- Section 11–281–45 Reporting and record-keeping (except paragraph (b)(3) of this section insofar as it addresses posting of signs; and paragraph (c)(6) insofar as it requires maintenance of permit records)
- Section 11–281–51 General requirements for all underground storage tanks or tank systems
- Section 11–281–52 Methods of release detection for tanks
- Section 11–281–53 Methods of release detection for piping
- Section 11–281–54 Release detection recordkeeping
- Section 11–281–61 Reporting of suspected releases
- Section 11–281–62 Investigation of off-site impacts
- Section 11–281–63 Release investigation and confirmation steps
- Section 11–281–64 Reporting and cleanup of spills and overfills
- Section 11–281–71 General
- Section 11–281–72 Immediate response actions
- Section 11–281–74 Initial abatement measures and site assessment
- Section 11–281–75 Initial site characterization
- Section 11–281–76 Free product removal
- Section 11–281–77 Investigation of soil and ground water contamination
- Section 11–281–78 Site cleanup criteria
- Section 11–281–78.1 Notification of confirmed releases
- Section 11–281–79 Corrective action plan
- Section 11–281–80 Public participation for corrective action plans [except paragraph (j) insofar as it sets forth enforcement authorities]
- Section 11–281–80.1 Reporting and record-keeping
- Section 11–281–81 Temporary closure
- Section 11–281–82 Permanent closure and change-in-service
- Section 11–281–83 Site assessment
- Section 11–281–84 Previously closed underground storage tanks or tank systems
- Section 11–281–85 Closure records
- Section 11–281–91 Applicability
- Section 11–281–93 Definition of terms
- Section 11–281–94 Amount and scope of required financial responsibility
- Section 11–281–95 Allowable mechanisms and combinations of mechanisms
- Section 11–281–96 Financial test of self-insurance
- Section 11–281–97 Guarantee
- Section 11–281–98 Insurance and risk retention group
- Section 11–281–99 Surety bond
- Section 11–281–100 Letter of credit
- Section 11–281–101 Trust fund
- Section 11–281–102 Standby trust fund
- Section 11–281–103 Local government bond rating test
- Section 11–281–104 Local government financial test
- Section 11–281–106 Local government guarantee
- Section 11–281–107 Local government fund
- Section 11–281–108 Substitution of financial assurance mechanisms by owner or operator
- Section 11–281–109 Cancellation or non-renewal by a provider of financial assurance
- Section 11–281–110 Reporting by owner or operator
- Section 11–281–111 Recordkeeping
- Section 11–281–112 Drawing on financial assurance mechanisms
- Section 11–281–113 Release from financial responsibility
- Section 11–281–114 Bankruptcy or other incapacity of owner or operator or provider of financial assurance
- Section 11–281–115 Replenishment of guarantees, letters of credit, or surety bonds
- Section 11–281–131 Appendices I and III (Notification for Underground Storage Tanks, June 1999 and Certification of Underground Storage Tank Installation, June 1999)

## Environmental Protection Agency

## Pt. 282, App. A

(2) Hawaii Administrative Rules, Chapter 11-264, Hazardous Waste Management: Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities, Subpart J, Tank Systems.

- Section 11-264-190 Applicability
- Section 11-264-191 Assessment of existing tank system's integrity
- Section 11-264-192 Design and installation of new tank systems or components
- Section 11-264-193 Containment and detection of releases
- Section 11-264-194 General operating requirements
- Section 11-264-195 Inspections
- Section 11-264-196 Response to leaks or spills and disposition of leaking or unfit-for use tank systems
- Section 11-264-197 Closure and post-closure care
- Section 11-264-198 Special requirements for ignitable or reactive wastes
- Section 11-264-199 Special requirements for incompatible wastes
- Section 11-264-200 Air emission standards

### Iowa

(a) The statutory provisions include Code of Iowa, 1993; Chapter 455B, Jurisdiction of Department:

- Section 101—Definitions
- Section 103—Director's duties, except for 455B.103(4)
- Section 105—Powers and duties of the commission, except for 105(5), 105(11)a(3) and 105(11)b
- Section 471—Definitions
- Section 472—Declaration of policy
- Section 473—Report of existing and new tanks—fee
- Section 473A—Petroleum underground storage tank registration amnesty program
- Section 474—Duties of Commission—rules
- Section 479—Storage tank management fee, except for the 2nd and 3rd sentences

(b) The regulatory provisions include Iowa Administrative Code, 1993, Rule 567, Environmental Protection Commission:

- Chapter 131.1—Definitions
- Chapter 131.2—Report of Hazardous Conditions
- Chapter 133.1—Scope
- Chapter 133.2—Definitions
- Chapter 133.3—Documentation of contamination and source
- Chapter 133.4—Response to contamination
- Chapter 133.5—Report to commission
- Chapter 135.1—Authority, purpose and applicability
- Chapter 135.2—Definitions
- Chapter 135.3—UST systems—design, construction, installation, and notification, except for 135.3(4)a, 3(4)b and 3(4)c
- Chapter 135.4—General operating requirements
- Chapter 135.5—Release detection

- Chapter 135.6—Release reporting, investigation, and confirmation
- Chapter 135.7—Release response and corrective action for UST systems containing petroleum or hazardous substances
- Chapter 135.8—Site cleanup report
- Chapter 135.9—Out-of-service UST systems and closure
- Chapter 135.10—Laboratory analytical methods for petroleum contamination of soil and groundwater
- Chapter 135.11—Evaluation of ability to pay
- Chapter 136.1—Applicability
- Chapter 136.2—Compliance dates
- Chapter 136.3—Definition of terms
- Chapter 136.4—Amount and scope of required financial responsibility
- Chapter 136.5—Allowable mechanisms and combinations of mechanisms
- Chapter 136.6—Financial test of self-insurance
- Chapter 136.7—Guarantee
- Chapter 136.8—Insurance and risk retention group coverage
- Chapter 136.9—Surety bond
- Chapter 136.10—Letter of credit
- Chapter 136.11—Trust fund
- Chapter 136.12—Standby trust fund
- Chapter 136.13—Local government bond rating test
- Chapter 136.14—Local government financial test
- Chapter 136.15—Local government guarantee
- Chapter 136.16—Local government fund
- Chapter 136.17—Substitution of financial assurance mechanisms by owner or operator
- Chapter 136.18—Cancellation or nonrenewal by a provider of financial assurance
- Chapter 136.19—Reporting by owner or operator
- Chapter 136.20—Record keeping
- Chapter 136.21—Drawing on financial assurance mechanisms
- Chapter 136.22—Release from the requirements
- Chapter 136.23—Bankruptcy or other incapacity of owner or operator or provider of financial assurance
- Chapter 136.24—Replenishment of guarantees, letters of credit, or surety bonds.

### Kansas

(a) The statutory provisions include Kansas Statutes Annotated, 1992; Chapter 65, Public Health; Article 34, Kansas Storage Tank Act:

- Section 100 Statement of legislative findings
- Section 101 Citation of Act
- Section 102 Definitions
- Section 103 Exceptions to application of Act
- Section 104 Notification

- Section 105 Rules and regulations, except for 65–34, 105 (a)(2), (a)(8), (a)(11), (a)(12) and the following words in (a)(13), “and aboveground storage tanks in existence on July 1, 1992” and “and aboveground storage tanks placed in service prior to July 1, 1992”
- Section 106 Permits to construct, install, modify, or operate storage tank, except for the following words in 65–34, 106(a), “and any aboveground storage tank registered with the department on July 1, 1992”
- Section 107 Evidence of financial responsibility required; limitation of liability
- Section 115 Liability for costs of corrective action
- Section 118 Corrective action; duties of owners and operators; duties of Secretary; consent agreement; contents, except for the following words in 65–34, 118(b), “or from the aboveground fund if the release was from an aboveground petroleum storage tank.” and “or from the aboveground fund, if the release was from an aboveground petroleum storage tank.”
- (b) The regulatory provisions include Kansas Administrative Regulations, 1992; Chapter 28, Department of Health and Environment; Article 44, Petroleum Products Storage Tanks:
- Section 12 General provisions
- Section 13 Program scope and interim prohibition
- Section 14 Definitions
- Section 15 Application for installation or modification of an underground storage tank
- Section 16 Underground storage tank systems: design, construction, installation and notification
- Section 17 Underground storage tank operating permit
- Section 19 General operating requirements
- Section 23 Release detection, except for 28–44–23(b)(5)
- Section 24 Release reporting, investigation, and confirmation
- Section 25 Release response and corrective action for underground storage tank systems containing petroleum or hazardous substances
- Section 26 Out-of-service underground storage tank systems and closure
- Section 27 Financial responsibility
- Louisiana*
- (a) The statutory provisions include:
1. *Louisiana Environmental Quality Act, Louisiana Revised Statutes Title 30*
    - Section 2194 Underground Storage Tanks; Registration
    - Section 2195 Underground Storage Tank Trust Fund
  - Section 2195.1 Underground Motor Fuel Storage Tank Remediation Agreements
  - Section 2195.2 Uses of the Trust
  - Section 2195.3 Source of Funding; Limitations on Disbursements from the Trust; Limit on Amount in Trust
  - Section 2195.4 Procedures for Disbursements from the Fund Trust
  - Section 2195.5 Audits
  - Section 2195.6 Ownership of Trust
  - Section 2195.7 No Inference of Liability on the Part of the State
  - Section 2195.8 Advisory Board
  - Section 2195.9 Financial Responsibility
  - Section 2195.10 Voluntary Cleanup, Private Contracts; Exemptions

(b) The regulatory provisions include:

    1. *Louisiana Environmental Regulatory Code, Part XI: Underground Storage Tanks, Chapter 1—Program Applicability and Definitions*
      - Section 101 Applicability
      - Section 103 Definitions
    2. *Chapter 3—Registration Requirements, Standards, and Fee Schedule*
      - Section 301 Registration Requirements
      - Section 303 Standards for UST Systems
      - Section 305 Interim Prohibitions for Deferred UST Systems
      - Section 307 Fee Schedule
    3. *Chapter 5—General Operating Requirements*
      - Section 501 Spill and Overfill Control
      - Section 503 Operation and Maintenance of Corrosion Protection
      - Section 505 Compatibility
      - Section 507 Repairs Allowed
      - Section 509 Reporting and Recordkeeping
    4. *Chapter 7—Methods of Release Detection and Release Reporting, Investigation, Confirmation, and Response*
      - Section 701 Methods of Release Detection
      - Section 703 Requirements for Use of Release Detection Methods
      - Section 705 Release Detection Recordkeeping
      - Section 707 Reporting of Suspected Releases
      - Section 709 Investigation due to Off-site Impacts
      - Section 711 Release Investigation and Confirmation Steps
      - Section 713 Reporting and Cleanup of Spills and Overfills
      - Section 715 Release Response and Corrective Action for UST Systems Containing Petroleum or Hazardous Substances
    5. *Chapter 9—Out-of-Service UST Systems and Closure*
      - Section 901 Applicability to Previously Closed UST Systems
      - Section 903 Temporary Closure
      - Section 905 Permanent Closure and Changes-in-Service
      - Section 907 Assessing the Site at Closure or Changes-in-Service
    6. *Chapter 11—Financial Responsibility*
      - Section 1101 Applicability
      - Section 1103 Compliance Dates

## Environmental Protection Agency

## Pt. 282, App. A

Section 1105 Definition of Terms  
Section 1107 Amount and Scope of Required Financial Responsibility  
Section 1109 Allowable Mechanisms and Combinations of Mechanisms  
Section 1111 Financial Test of Self-Insurance  
Section 1113 Guarantee  
Section 1115 Insurance and Risk Retention Group Coverage  
Section 1117 Surety Bond  
Section 1119 Letter of Credit  
Section 1121 Use of the Underground Motor Fuel Storage Tank Trust  
Section 1123 Trust Fund  
Section 1125 Standby Trust Fund  
Section 1127 Substitution of Financial Assurance Mechanisms by Owner or Operator  
Section 1129 Cancellation or Nonrenewal by a Provider of Financial Assurance  
Section 1131 Reporting by Owner or Operator  
Section 1133 Recordkeeping  
Section 1135 Drawing on Financial Assurance Mechanisms  
Section 1137 Release from the Requirements  
Section 1139 Bankruptcy or Other Incapacity of Owner or Operator or Provider of Financial Assurance  
Section 1141 Replenishment of Guarantees, Letters of Credit, or Surety Bonds

### Maine

The following is an informational listing of the state requirements incorporated by reference in part 282 of the Code of Federal Regulations:

(a) The statutory provisions include: Maine Revised Statutes Annotated, 1990, Title 38, Subchapter 11-B Underground Oil Storage Facilities and Groundwater Protection.  
Section 561—Findings; Purpose  
Section 562-A—Definitions  
Section 563—Registration of underground oil storage tanks  
Section 563-A—Prohibition of nonconforming underground oil storage facilities and tanks  
Section 563-B—Regulatory powers of department  
Section 564—Regulation of underground oil storage facilities  
Section 566-A—Abandonment of underground oil storage facilities and tanks  
Section 567—Certification of underground tank installers  
Section 568—Cleanup and removal of prohibited discharges  
Section 568-A—Fund coverage requirements  
Section 568-B—Fund Insurance Review Board  
Section 569-A—Ground water Oil Clean-up Fund  
Section 570—Liability  
(b) The regulatory provisions include State of Maine, Department of Environmental Protection,

Regulation for Registration, Installation, Operation and Closure of Underground Storage Facilities Chapter 691, September 16, 1991:

Section 1. Legal Authority  
Section 2. Preamble  
Section 3. Definitions  
Section 4. Registration of Underground Oil Storage Tanks  
Section 5. Regulation of Motor Fuel, Marketing & Distribution Facilities  
A. Applicability  
B. Design and Installation Standards for New and Replacement Facilities  
C. Retrofitting Requirements for Existing Facilities  
D. Monitoring, Maintenance, & Operating Procedures for Existing, New & Replacement Facilities & Tanks  
E. Facility Closure and Abandonment  
Section 7. Regulation of Facilities for the Underground Storage of Waste Oil  
A. Applicability  
B. Design and Installation Standards  
C. Operation, Maintenance, Testing, Requirements for Existing, New and Replacement Facilities  
D. Closure & Abandonment of Waste Oil Facilities  
Section 8. Regulation of Field Constructed Underground Oil Storage Tanks  
Section 10. Regulation of Pressurized Airport Hydrant Piping Systems  
Section 11. Regulations for Closure of Underground Oil Storage Facilities  
A. Facility Closure Requirements  
B. Temporarily Out of Service Facilities and Tanks  
C. Abandonment by Removal  
D. Abandonment by Filling in Place  
E. Notification Requirements  
Section 12. Discharge and Leak Investigation, Response and Corrective Action Requirements  
Section 13. Severability  
Appendix A: Cathodic Protection Monitoring  
Appendix B: Hydrostatic Piping Line Tightness Tests  
Appendix C: Requirements for Pneumatic Testing  
Appendix D: Installation of Underground Tanks  
Appendix E: Installation for Underground Piping  
Appendix F: Specification for Ground Water Vertical Monitoring Wells  
Appendix H: Monitoring and Obtaining Samples for Laboratory Analysis  
Appendix J: Requirements for Abandonment by Removal  
Appendix K: Requirements for Abandonment in Place

### Massachusetts

(a) The statutory provisions include: General Laws of Massachusetts, Chapter 148, Section 38, 38A, B, C, and E:

## Chapter 148

## Section 38—Rules and Regulations

## Section 38A—Prohibition of Removal of Certain Gasoline Tanks without Permit

## Section 38B—Underground Storage Tanks; Definitions

## Section 38C—Notification of Department of Public Health by Owners of Underground Storage Tanks

## Section 38E—Regulations Governing Underground Storage Tanks

Massachusetts General Law, Chapter 21E, The Massachusetts Oil and Hazardous Materials Release Prevention and Response Act, July 1, 1992.

## Section 1—Title of Chapter

## Section 2—Definitions

## Section 3—Securing of benefits of FWPCA, CERCLA, etc. Massachusetts Contingency

Plan; promulgation of necessary regulations

## Section 4—Response actions to release or threatened release of oil or hazardous material; assessment, containment, and removal actions in accordance with Massachusetts contingency plan

## Section 5—Liability of release or threat of release of oil or hazardous material; apportionment of costs; treble damages; nullification of indemnification, hold harmless, or similar agreements

## Section 6—Prevention of control of release of hazardous materials; regulations of department; contingency plans; monitoring equipment

## Section 7—Notice of requirements; release or threat of release of oil or hazardous material; exceptions

(b) The regulatory provisions include: State of Massachusetts, Board of Fire Prevention Regulations, 527 CMR 9.00-9.02 and 9.05, 9.06(C)-(E), and 9.07(A)-(I) and (K)-(L) (effective July 3, 1993); and Massachusetts Environmental Protection Rules, 310 CMR 40.0000 Subparts A-O insofar as they pertain to underground storage tanks and are not broader in scope than the federal requirements, as set forth below:

(1) State of Massachusetts, Board of Fire Prevention Regulations, 527 CMR 9.00: Tanks and Containers, (effective July 3, 1993):

## Section 9.01—Purpose and Scope

## Section 9.02—Definitions

## Section 9.05—Underground Storage Tanks

## Section 9.05(A)(1)-(3) and (5)-(8)—Design and Construction of New or Replacement Underground Tanks

## Section 9.05(B)—Underground Piping

## Section 9.05(C)—Underground Tank Installation

## Section 9.05(D)—Leak Detection Equipment, Testing and/or Inventory Requirements for Underground Tanks

## Section 9.05(E)—Inventory Methods for Underground Tanks

## Section 9.05(F)—Testing for Tightness of Underground Storage Facilities

## Section 9.05(G)—Upgrading of Existing Underground Storage Tank Systems

## Section 9.06(C)—Upgrade of Existing Underground Waste Oil Storage Tank Systems

## Section 9.06(D)—Product Transfer

## Section 9.06(E)—Non-Flammable Hazardous Substances

## Section 9.07—General Provisions

## Section 9.07(A)—Material and Construction of All Tanks and Containers

## Section 9.07(B)—Fill and Vent Pipes for All Tanks and Containers

## Section 9.07(C)—Piping for All Tanks

## Section 9.07(D)—Pumping System

## Section 9.07(E)—Pressure Vessels

## Section 9.07(F)—Response to Leaks

## Section 9.07(G)—Tank Repair and Relining

## Section 9.07(H)—Tanks Abandoned and Temporarily Out of Service

## Section 9.07(I)—Tank Removal

## Section 9.07(K)—Permits

## Section 9.07(L)—Financial Responsibility Requirements

(2) Massachusetts Environmental Protection Rules, 310 CMR, Section 40.000, Massachusetts Contingency Plan, (effective October 1, 1993) only insofar as they pertain to the regulation of underground storage tanks in Massachusetts and only insofar as they are incorporated by reference and are not broader in scope than the federal requirements. Note that reserved sections of 310 CMR 40.0000 *et seq.* are not incorporated by reference:

## Subpart A—General Provisions

## Subpart B—Organization and Responsibility

## Subpart C—Notification of Releases and Threats of Release of Oil and Hazardous Material; Identification and Listing of Oil and Hazardous Materials

## Subpart D—Preliminary Response Action and Risk Reduction Measures

## Subpart E—Tier Classification and Response Action Deadlines

## Subpart F—Transition Provisions

## Subpart G—Tier I Permits

## Subpart H—Comprehensive Response Action

## Subpart I—Risk Characterization

## Subpart J—Response Action Outcomes

## Subpart K—Audits and Compliance Assistance

## Subpart L—Cost Recovery, Lien Hearings and Petitions for Reimbursement of Incurred Costs

## Subpart M—Administrative Record

## Subpart N—Public Involvement and Technical Grants

## Subpart O—Numerical Ranking System and Scoring Instructions

*Minnesota*

(a) The statutory provisions include:

## Environmental Protection Agency

## Pt. 282, App. A

(1) *Minnesota Statutes, Chapter 13, Government Data Practices*

- M. S. 13.01 Government Data
- M. S. 13.02 Collection, security, and dissemination of records; definitions
- M. S. 13.03 Access to government data
- M. S. 13.04 Rights of subjects of data
- M. S. 13.05 Duties of responsible authority
- M. S. 13.06 Temporary classification
- M. S. 13.07 Duties of the commissioner
- M. S. 13.3806 Public health data coded elsewhere; subd. 1-3, 6, 10, 20; Scope; Certain epidemiologic studies; Public health studies; Health records; Health threat procedures; Hazardous substance exposure
- M. S. 13.741 Pollution control; environmental quality data
- M. S. 13.7411 Pollution control and environmental quality data coded elsewhere; subd. 1-3, 5-7; Scope; Environmental audits, performance schedules; Office of environmental assistance; Environmental response and liability; Petroleum tank release; Toxic pollution prevention plans

(2) *Minnesota Statutes, Chapter 115, Water Pollution Control; Sanitary Districts*

- M. S. 115.01 Definitions
- M. S. 115.061 Duty to notify and avoid water pollution
- (3) *Minnesota Statutes, Chapter 115B, Environmental Response and Liability*
- M. S. 115B.17 State Response to Releases; subd. 1-3, 12-14; Removal and remedial action; Other actions; Cleanup standards; Public notice of proposed response actions; Duty to provide information; Authorization of certain response actions; Priorities; rules; Requests for review, investigation, and oversight

(4) *Minnesota Statutes, Chapter 115C, Petroleum Tank Release Cleanup*

- M. S. 115C.01 Citation
- M. S. 115C.02 Definitions
- M. S. 115C.021 Responsible person
- M. S. 115C.03 Response to releases [except subd. 10 insofar as it applies to contractors and consultants, who are not regulated under the federal program.]
- M. S. 115C.06 Effect on other law
- M. S. 115C.07 Petroleum tank release compensation board
- M. S. 115C.08 Petroleum tank fund [except subd. 3, which imposes a petroleum tank release cleanup fee on petroleum distributors]
- M. S. 115C.09 Reimbursement [except subd. 5(b) and 6, which set forth enforcement authorities]
- M. S. 115C.092 Tank Removals; Payment for pre-removal site assessment

(5) *Minnesota Statutes, Chapter 115E, Oil and Hazardous Substance Discharge Preparedness*

- M. S. 115E.01 Definitions
- M. S. 115E.02 Duty to prevent discharges

(6) *Minnesota Statutes, Chapter 116, Pollution Control Agency*

- M. S. 116.06 Definitions

M. S. 116.46 Definitions [except subd. 8, insofar as it includes vessels, enclosures, or structures—which are exempt from the federal program—in the definition of UST.]

M. S. 116.47 Exemptions [except insofar as paragraph (2) does not exclude from regulation tanks of 1,100 gallon capacity or more used to store heating oil for consumptive purposes]

M. S. 116.48 Notification requirements [except subd. 1(b), insofar as it requires owners of aboveground storage tanks (ASTs) to notify the agency of the tank's status; subd. 2 and 6, insofar as they impose requirements on owners of ASTs; subd. 3, insofar as it imposes notification requirements on owners of ASTs removing a tank from service or changing the tank's service; subd. 4, insofar as it places notification requirements on persons transferring the title to regulated substances to be placed directly into an UST; and subd. 5, insofar as it imposes notification requirements on sellers of ASTs.]

M. S. 116.49 Environmental protection requirements

(7) *Minnesota Statutes, Chapter 299F, Fire Marshal*

M. S. 299F.011 Uniform Fire Code; adoption; subd. 1, 3, 4; Authority; Rules for code administration and enforcement; Applicability; local authority

M. S. 299F.19 Flammable liquids and explosives; subd. 1: Rules

(b) The regulatory provisions include:

(1) *Minnesota Rules, Chapter 2890, Petroleum Tank Releases*

- 2890.0010 Definitions
- 2890.0060 Reimbursement of Costs
- 2890.0065 Reduction of Reimbursement Amount
- 2890.0070 Eligible Costs
- 2890.0071 Ineligible Costs
- 2890.0072 Overview of Rules Governing Reasonableness of Costs for Consultant Services
- 2890.0073 Definitions Related to Consultant Services
- 2890.0074 Written Proposal and Invoice Required for Consultant Services
- 2890.0075 Reasonableness of Work Performed; Standard Tasks for Each Step of Consultant Services
- 2890.0076 Maximum Costs for Consultant Services
- 2890.0077 Competitive Bidding Requirements for Consultant Services Proposals
- 2890.0078 Deviations from Standard Tasks and Maximum Costs for Consultant Services
- 2890.0079 Reasonable, Necessary, and Actual Consultant Services Costs
- 2890.0080 Overview of Rules Governing Reasonableness of Costs for Contractor Services
- 2890.0081 Definitions Related to Contractor Services

- 2890.0082 Maximum Costs for Contractor Services
- 2890.0083 Competitive Bidding Requirements for Contractor Services
- 2890.0084 Deviations from Maximum Costs for Contractor Services
- 2890.0085 Reasonable, Necessary, and Actual Costs
- 2890.0086 Invoice
- 2890.0089 Exemptions from Competitive Bidding
- 2890.0090 Application Process
- 2890.0120 Funding of MPCA Actions
- (2) *Minnesota Rules, Chapter 7045—Minnesota Pollution Control Agency, Hazardous Waste Division, Hazardous Waste*
- 7045.0275 Management of Hazardous Waste Spills
- (3) *Minnesota Rules, Chapter 7060—Minnesota Pollution Control Agency, Water Quality Division, Underground Waters*
- 7060.0300 Definitions
- 7060.0500 Nondegradation Policy
- 7060.0600 Standards; subp. 2, 3, 4: Prohibition against discharge into unsaturated zone; Control measures; Toxic pollutants
- 7060.0800 Determination of Compliance
- (4) *Minnesota Rules, Chapter 7105—Minnesota Pollution Control Agency, Water Quality Division, Underground Storage Tanks: Training*
- 7105.0010 Definitions [except subp. 25, insofar as it includes vessels, enclosures, and structures—which are exempt from the federal program—in the definition of UST.]
- 7105.0020 Purpose
- 7105.0030 General Provisions; subp. 3: Tank owner or operator requirements
- 7105.0040 Exclusions [except insofar as it does not exclude from regulation heating oil storage tanks with a storage capacity of greater than 1,100 gallons.]
- (5) *Minnesota Rules, Chapter 7150—Minnesota Pollution Control Agency, Water Quality Division, Underground Storage Tanks Program*
- 7150.0010 Applicability [except subp. 2, insofar as it does not exclude from regulation liquid traps or associated gathering lines directly related to oil or gas production or gas production and gathering operations; subp. 2(H), insofar as it does not exclude from regulation tanks of 1,100 gallons or more used exclusively for storing heating oil for consumptive use; and subp. 5, insofar as it does not exclude owners and operators of heating oil storage tanks with a storage capacity of greater than 1,100 gallons from notification requirements.]
- 7150.0020 Interim Standards for Deferred Underground Storage Tank Systems
- 7150.0030 Definitions [except subp. 51, insofar as it includes vessels, enclosures, and structures—which are exempt from the federal program—in the definition of underground storage tanks]
- 7150.0100 Performance Standards for New Underground Storage Tank Systems
- 7150.0110 Upgrading of Existing Underground Storage Tank Systems
- 7150.0120 Notification Requirements
- 7150.0200 Spill and Overfill Control
- 7150.0210 Operation and Maintenance of Corrosion Protection
- 7150.0220 Compatibility
- 7150.0230 Repairs Allowed
- 7150.0240 Reporting and Recordkeeping
- 7150.0300 General Requirements for All Underground Storage Tank Systems [except subp. 3, insofar as it imposes release detection schedule requirements on hazardous material tanks not regulated under the federal program]
- 7150.0310 Requirements for Petroleum Underground Storage Tank Systems
- 7150.0320 Requirements for Hazardous Material Underground Storage Tank Systems
- 7150.0330 Methods of Release Detection for Tanks
- 7150.0340 Methods of Release Detection for Piping
- 7150.0350 Release Detection Recordkeeping
- 7150.0400 Temporary Closure
- 7150.0410 Permanent Closure and Changes-in-Service to Storage of Nonregulated Substances
- 7150.0420 Assessing the Site at Closure or Change in Service
- 7150.0430 Applicability to Previously Closed Underground Storage Tank Systems
- 7150.0440 Closure Records
- (6) *Minnesota Rules, Chapter 7510—Department of Public Safety, Fire Marshal Division, Fire Safety*
- 7510.3670 Liquefied Petroleum Gases; Section 8203: Installation of containers [except insofar as it regulates ASTs]

*Mississippi*

- (a) The statutory provisions include:
1. Mississippi Code of 1972, Title 49, Sections 49–17–401 through 49–17–435, Underground Storage Tank Act of 1988, as amended.
    - 49–17–401 Short title
    - 49–17–403 Definitions
    - 49–17–405 Groundwater protection fund; duties of executive director; liability of tank owners; limitation on provisions of chapter and section
    - 49–17–407 Environmental protection fee on motor fuels; deposit of fees; limits on use of fund; third party claims
    - 49–17–409 Reports of contamination incidents; no recourse against tank owner; exceptions
    - 49–17–411 Compliance with regulations
    - 49–17–413 Rules and Regulations
    - 49–17–417 Groundwater protection advisory committee
    - 49–17–419 Authority of commission to take timely and effective corrective action; use of funds from pollution emergency fund
    - 49–17–421 Tank regulatory fee

## Environmental Protection Agency

## Pt. 282, App. A

- 49-17-423 Commission to administer funds from Leaking Underground Storage Tank Trust Fund
- 49-17-425 Disclosure of records, reports, and information
- 49-17-433 Savings clause
- 49-17-435 Annual report on status of underground storage tank program
- (b) The regulatory provisions include:
  1. Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks.
    - Subpart A—Program Scope and Interim Prohibition
      - 280.10 Applicability
      - 280.11 Interim Prohibition for deferred UST systems
      - 280.12 Definitions
    - Subpart B—UST Systems: Design, Construction, Installation, and Notification
      - 280.20 Performance standards for new UST systems
      - 280.21 Upgrading of existing UST systems
      - 280.22 Notification requirements
    - Subpart C—General Operating Requirements
      - 280.30 Spill and overfill control
      - 280.31 Operation and maintenance of corrosion protection
      - 280.32 Compatibility
      - 280.33 Repairs allowed
      - 280.34 Reporting and recordkeeping
    - Subpart D—Release Detection
      - 280.40 General requirements for all UST systems
      - 280.41 Requirements for petroleum UST systems
      - 280.42 Requirements for hazardous substance UST systems
      - 280.43 Methods of release detection for tanks
      - 280.43 Methods of release detection for piping
      - 280.44 Release detection recordkeeping
    - Subpart E—Release Reporting, Investigation, and Confirmation
      - 280.50 Reporting of suspected releases
      - 280.51 Investigation due to off-site impacts
      - 280.52 Release investigation and confirmation steps
      - 280.53 Reporting and cleanup of spills and overfills
    - Subpart F—Release Response and Corrective Action for UST Systems Containing Petroleum or Hazardous Substances
      - 280.60 General
      - 280.61 Initial response
      - 280.62 Initial abatement measures and site check
      - 280.63 Initial site characterization
      - 280.64 Free product removal
      - 280.65 Investigations for soil and groundwater cleanup
      - 280.66 Corrective action plan
      - 280.67 Public participation
    - Subpart G—Out-of-Service UST Systems and Closure
      - 280.70 Temporary closure
      - 280.71 Permanent closure and changes-in-service
      - 280.72 Assessing the site at closure or change-in-service
      - 280.73 Applicability to previously closed UST systems
      - 280.74 Closure records
- 2. Financial Responsibility Requirements for Underground Storage Tanks Containing Petroleum.
  - 280.90 Applicability
  - 280.91 Compliance dates
  - 280.92 Definition of terms
  - 280.93 Amount and scope of required financial responsibility
  - 280.94 Allowable mechanisms and combinations of mechanisms
  - 280.95 Financial test of self-insurance
  - 280.96 Guarantee
  - 280.97 Insurance and risk retention group coverage
  - 280.98 Surety bond
  - 280.99 Letter of credit
  - 280.100 Use of state-required mechanism
  - 280.101 State fund or other state assurance
    - 280.102 Trust fund
    - 280.103 Standby trust fund
    - 280.104 Substitution of financial assurance mechanisms by owner or operator
    - 280.105 Cancellation or nonrenewal by a provider of financial assurance
    - 280.106 Reporting by owner or operator
    - 280.107 Recordkeeping
    - 280.108 Drawing on financial assurance mechanisms
    - 280.109 Release from the requirements
    - 280.110 Bankruptcy or other incapacity of owner or operator or provider of financial assurance
    - 280.111 Replenishment of guarantees, letters of credit, or surety bonds
- 3. Mississippi Groundwater Protection Trust Fund Regulations.
  - Section I General Intent
  - Section II Legal Authority
  - Section III Definitions
  - Section XIV Eligibility for Reimbursement from the Mississippi Groundwater Protection Trust Fund
  - Section XV Reimbursable Costs
  - Section XVI Funds Disbursement
  - Section XVII Third Party Claims
  - Section XVIII Denial of Claims
  - Section XIX Tank Regulatory Fees
  - Section XXI Property Rights
    - Nevada*
    - (a) The statutory provisions include:
      - (1) Nevada Revised Statute Chapter 459, Underground Storage Tank Program (1992), Nevada Revised Statute 590, Petroleum Fund (1991).
      - (2) Nevada Revised Statute Chapter 459, Underground Storage Tank Program (1992): Section 459.810 "Operator" defined.

**Pt. 282, App. A**

**40 CFR Ch. I (7-1-19 Edition)**

Section 459.814 "Person" defined.  
Section 459.816 "Regulated Substance" defined.  
Section 459.818 "Release" defined.  
Section 459.820 "Storage Tanks" defined.  
Section 459.822 Department designated as state agency for regulation of storage tanks.  
Section 459.828 Owner or operator of storage tank to provide department with certain information.  
Section 459.833 Fund for the management of storage tanks: Creation: Sources: Claims.  
Section 459.840 Fund for the management of storage tanks: Use; reimbursement; recovery by attorney general.  
(3) Nevada Revised Statute 590, Petroleum Fund (1991):  
Section 590.700 Definitions.  
Section 590.710 "Board" defined.  
Section 590.720 "Department" defined.  
Section 590.725 "Diesel fuel of grade number 1" defined.  
Section 590.726 "Diesel fuel of grade number 2" defined.  
Section 590.730 "Discharge" defined.  
Section 590.740 "Division" defined.  
Section 590.750 "Fund" defined.  
Section 590.760 "Heating oil" defined.  
Section 590.765 "Motor vehicle fuel" defined.  
Section 590.770 "Operator" defined.  
Section 590.780 "Person" defined.  
Section 590.790 "Petroleum" defined.  
Section 590.800 "Storage tank" defined.  
Section 590.810 Legislative findings.  
Section 590.820 Board to review claims: Creation; members; chairman; administrative Assistance; compensation of members.  
Section 590.830 Fund for cleaning up discharges of petroleum: Creation; administration by division; claims; interest.  
Section 590.840 Collection of fee for certain fuels and heating oil; exempt products; payment of expenses of department.  
Section 590.850 Registration of storage tanks: Collection of annual fee; exempt tanks; liability for noncompliance.  
Section 590.860 Balance in fund to determine collection of fees by department.  
Section 590.870 Report of discharge from tank required; division to clean up discharge; expectation; test of tank required for coverage.  
Section 590.880 Allocation of costs resulting from discharge from certain storage tanks for heating oil.  
Section 590.890 Allocation of costs resulting from discharge from other storage tanks.  
Section 590.900 Liability for costs to clean up discharge caused by willful or wanton misconduct, gross negligence or violation of statute or regulation.

Section 590.910 Pro rata reduction required, if balance in fund insufficient for full payment.  
Section 590.920 Tanks exempted from provisions of Sections 590.850 to 590.910 inclusive; optional coverage of exempted tank.  
(4) Nevada Civil Procedure, Rule 24 (1971): Nevada Civil Procedure, Rule 24 .  
(b) The regulatory provisions includes:  
(1) Nevada Administrative Code 459, UST Program (1990):  
Section 459.9929 "Storage Tank" defined.  
Section 459.993 Compliance with federal regulations.  
Section 459.995 Financial responsibility of owners and operators.  
Section 459.996 Releases: Reporting.  
(2) Nevada Administrative Code 590, Petroleum Fund (1991):  
Section 590.720 Adoption by reference of provisions of Code of Federal Regulations.  
(3) Nevada Administrative Code, Reportable Quantities (1989):  
Section 445.240 Notice required.

*New Hampshire*

(a) The statutory provisions include New Hampshire Revised Statutes Annotated 1955, 1990 Replacement Edition, and 1992 Cumulative Supplement, Chapter 146-C, Underground Storage Facilities:  
Section 146-C:1 Definitions, except for the following words in 146-C:1. XII, "heating or."  
Section 146-C:2 Discharges Prohibited.  
Section 146-C:3 Registration of Underground Storage Facilities.  
Section 146-C:4 Underground Storage Facility Permit Required.  
Section 146-C:5 Records Required; Inspections.  
Section 146-C:6 Transfer of Ownership.  
Section 146-C:6-a Exemption.  
Section 146-C:7 New Facilities.  
Section 146-C:8 Prohibition Against Reusing Tanks.  
Section 146-C:9 Rulemaking.  
Section 146-C:11 Liability for Cleanup Costs; Municipal Regulations.  
Section 146-C:12 Federal Assistance and Private Funds.  
(b) The regulatory provisions include:  
(1) New Hampshire Code of Administrative Rules (November 1990) Part Env-Ws 411, Control of Underground Storage Facilities:  
Section 411.01 Purpose, except for the following words, "heating oils."  
Section 411.02 Applicability, except for 411.02(d).  
Section 411.03 Definitions.  
Section 411.04 Registration.  
Section 411.05 Change in Use.  
Section 411.06 Information Required for Registration.  
Section 411.07 Permit to Operate.

## Environmental Protection Agency

## Pt. 282, App. A

Section 411.08 Transfer of Facility Ownership.

Section 411.10 Financial Responsibility.

Section 411.11 Inventory Monitoring.

Section 411.12 Regulated Substance Transfers.

Section 411.13 Tightness Testing.

Section 411.14 Certification of Technicians Performing Tightness Tests.

Section 411.15 Tightness Test Failures.

Section 411.16 Unusual Operating Conditions.

Section 411.17 Temporary Closure.

Section 411.18 Permanent Closure.

Section 411.19 Prohibition Against Reusing Tanks.

Section 411.20 Requirements for Approval of Underground Storage Systems.

Section 411.21 Tank Standards for New Underground Storage Systems.

Section 411.22 Piping Standards for New Underground Storage Systems.

Section 411.23 Secondary Containment for New Tanks.

Section 411.24 Secondary Containment for New Pressurized Piping.

Section 411.25 Spill Containment and Overfill Protection.

Section 411.26 Leak Monitoring for New Tanks.

Section 411.27 Leak Monitoring for New Underground Piping Systems.

Section 411.28 Installation of New Underground Storage Systems.

Section 411.29 Release Detection for Tanks Without Secondary Containment and Leak Monitoring, except for the following words in 411.29(a), "With the exception of on premise use heating oil systems."

Section 411.30 Release Detection for Piping.

Section 411.31 Operation of Leak Monitoring Equipment.

Section 411.32 Corrosion Protection for Steel Tanks.

Section 411.33 Corrosion Protection for Piping.

Section 411.34 Submission of Corrosion Protection Plan.

Section 411.35 Relining Steel Tanks.

Section 411.36 Repair of Fiberglass-Reinforced Plastic Tanks.

Section 411.37 Repair and Replacement of Piping Systems.

Section 411.38 Field Fabricated Tanks.

Section 411.39 Secondary Containment for Hazardous Substance Systems.

Section 411.40 Waivers.

(2) New Hampshire Code of Administrative Rules (November 1990) Part Env-Ws 412, Reporting and Remediation of Oil Discharges:

Section 412.01 Purpose.

Section 412.02 Applicability.

Section 412.03 Definitions.

Section 412.04 Notification.

Section 412.05 Initial Response Action.

Section 412.06 Abatement Measures.

Section 412.07 Free Product Removal.

Section 412.08 Initial Site Characterization.

Section 412.09 Investigation Due to Discovery of Discharges from Unknown Sources.

Section 412.10 Site Investigation.

Section 412.11 Site Investigation Report.

Section 412.12 Remedial Action Plan.

Section 412.13 Public Notification.

Section 412.14 Waivers.

### *New Mexico*

- (a) The statutory provisions include:
1. New Mexico Statutes 1978 Annotated, Chapter 74, Environmental Improvement (1993 Replacement Pamphlet and 1994 Supplement)
    - a. Article 4: Hazardous Wastes
      - 74-4-1 Short Title
      - 74-4-2 Purpose
      - 74-4-3 Definitions
        - 74-4-3.1 Application of Act
        - 74-4-3.3 Hazardous Wastes of Other States
        - 74-4-4 Duties and Powers of the Board
          - 74-4-4.1 Hazardous Agricultural Waste; Duties and Responsibilities of the Department of Agriculture
          - 74-4-4.4 Underground Storage Tanks; Registration; Installer Certification; Fees [Except insofar as it applies to individuals other than UST owners and operators.]
          - 74-4-4.5 Hazardous Waste Fund Created; Appropriation
          - 74-4-4.7 Permit Applicant Disclosure
          - 74-4-4.8 Underground Storage Tank Fund Created; Appropriation
          - 74-4-5 Adoption of Regulations; Notice and Hearing
          - 74-4-7 Containment and Cleanup of Hazardous Substance Incidents; Division Powers
          - 74-4-8 Emergency Fund
          - 74-4-9 Existing Hazardous Waste Facilities; Interim Status
            - 74-4-10.1 Hazardous Waste Monitoring; Analysis and Testing
        - b. Article 6: Water Quality
          - 74-6-1 Short Title
          - 74-6-2 Definitions
          - 74-6-3 Water Quality Control Commission Created
            - 74-6-3.1 Legal Advice
            - 74-6-4 Duties and Powers of Commission
            - 74-6-5 Permits; Certification; Appeals to Commission
              - 74-6-5.1 Disclosure Statements
              - 74-6-5.2 Water Quality Management Fund Created
            - 74-6-6 Adoption of Regulations and Standards; Notice and Hearing
            - 74-6-8 Duties of Constituent Agencies
            - 74-6-9 Powers of Constituent Agencies
            - 74-6-12 Limitations
            - 74-6-13 Construction

**Pt. 282, App. A**

**40 CFR Ch. I (7-1-19 Edition)**

- 74-6-14 Recompiled
- 74-6-15 Confidential Information; Penalties
- 74-6-16 Effect and Enforcement of Water Quality Act During Transition
- 74-6-17 Termination of Agency Life; Delayed Repeal
- c. Article 6B: Ground Water Protection
  - 74-6B-1 Short Title
  - 74-6B-2 Findings; Purpose of Act
  - 74-6B-3 Definitions
  - 74-6B-4 Underground Storage Tank Committee; Creation; Terms; Powers and Duties
  - 74-6B-6 Civil Liability for Damage to Property from Leaking Underground Storage Tank
  - 74-6B-7 Corrective Action Fund Created; Authorization for Expenditures
  - 74-6B-8 Liability; Cost Recovery
  - 74-6B-9 Underground Storage Tank Fee; Deposit in Underground Storage Tank Fund
  - 74-6B-10 Act Does not Create Insurance Company or Fund
  - 74-6B-12 Early Response Team Created
  - 74-6B-13 Payment Program
  - 74-6B-14 State Liability; Insufficient Balance in the Fund
  - (b) The regulatory provisions include:
    - 1. State of New Mexico Environmental Improvement Board Underground Storage Tank Regulations
      - a. Part I: General Provisions
        - Section 100 Purpose
        - Section 101 Legal Authority
        - Section 102 Definitions
        - Section 103 Applicability
      - b. Part II: Registration of Tanks
        - Section 200 Existing Tanks
        - Section 201 Transfer of Ownership
        - Section 202 New UST System
        - Section 203 Substantially Modified UST Systems
        - Section 204 Notification of Spill or Release
        - Section 205 Emergency Repairs and Tank Replacement
        - Section 206 Application Forms
        - Section 207 Registration Certificate
      - c. Part III: Annual Fee
        - Section 300 Payment of Fee
        - Section 301 Amount of Fee
        - Section 302 Late Payment Penalties
      - d. Part IV: New and Upgraded UST Systems: Design, Construction, and Installation
        - Section 400 Performance Standards for New UST Systems
        - Section 401 Upgrading of Existing UST Systems
        - Section 402 Certificate of Compliance; Notification Requirements
      - e. Part V: General Operating Requirements
        - Section 500 Spill and Overfill Control
        - Section 501 Operation and Maintenance of Corrosion Protection
        - Section 502 Compatibility
        - Section 503 Repairs Allowed
        - Section 504 Reporting and Recordkeeping
        - Section 505 Inspections, Monitoring and Testing
  - f. Part VI: Release Detection
    - Section 600 General Requirements for All UST Systems
    - Section 601 Requirements for Petroleum UST Systems
    - Section 602 Requirements for Hazardous Substance UST Systems
    - Section 603 Methods of Release Detection for Tanks
    - Section 604 Methods of Release Detection for Piping
    - Section 605 Release Detection Recordkeeping
  - g. Part VII: Release Reporting, Investigation, and Confirmation
    - Section 700 Reporting of Suspected Releases
    - Section 701 Investigation Due to Off-Site Impacts
    - Section 702 Release Investigation and Confirmation Steps
    - Section 703 Reporting and Cleanup of Spills and Overfills
  - h. Part VIII: Out-of-Service Systems and Closure
    - Section 800 Temporary Closure
    - Section 801 Permanent Closure and Changes-in-Service
    - Section 802 Assessing the Site at Closure or Change-in-Service
    - Section 803 Applicability to Previously Closed UST Systems
    - Section 804 Closure Records
  - i. Part IX: Financial Responsibility
    - Section 900 Applicability
    - Section 901 Compliance Dates
    - Section 902 Definition of Terms
    - Section 903 Amount and Scope of Required Financial Responsibility
    - Section 904 Allowable Mechanisms and Combinations of Mechanisms
    - Section 905 Financial Test of Self-Insurance
    - Section 906 Guarantee
    - Section 907 Insurance and Risk Retention Group Coverage
    - Section 908 Surety Bond
    - Section 909 Letter of Credit
    - Section 910 Use of State-Required Mechanism
    - Section 911 State Fund or Other State Assurance
    - Section 912 Trust Fund
    - Section 913 Standby Trust Fund
    - Section 914 Substitution of Financial Assurance Mechanisms by Owner or Operator
    - Section 915 Cancellation or Nonrenewal by a Provider of Financial Assurance
    - Section 916 Reporting by Owner or Operator
    - Section 917 Recordkeeping

## Environmental Protection Agency

## Pt. 282, App. A

- Section 918 Drawing on Financial Assurance Mechanisms
- Section 919 Release from the Requirements
- Section 920 Bankruptcy or Other Incapacity of Owner or Operator or Provider of Financial Assurance
- Section 921 Replenishment of Guarantees, Letters of Credit, or Surety Bonds
- Section 922 Suspension of Enforcement [Reserved]
- j. Part XI: Miscellaneous
  - Section 1100 Compliance with Other Regulations
  - Section 1101 Construction
  - Section 1102 Severability
- k. Part XII: Corrective Action for UST Systems Containing Petroleum
  - Section 1200 General
  - Section 1201 Definitions
  - Section 1202 Initial Response
  - Section 1203 Initial Abatement
  - Section 1204 72 Hour and 7 Day Reporting Requirements
  - Section 1205 On-Site Investigation
  - Section 1206 Report on the On-Site Investigation
  - Section 1207 Split Samples and Sampling Procedures
  - Section 1208 Free Product Removal
  - Section 1209 Treatment of Highly Contaminated Soils
  - Section 1210 Hydrogeologic Investigation
  - Section 1211 Review and Approval of Hydrogeologic Investigation
  - Section 1212 Reclamation Proposal
  - Section 1213 Public Notice of Reclamation Proposal
  - Section 1214 Review and Approval of Reclamation Proposal
  - Section 1215 Implementation of Reclamation Proposal
  - Section 1216 Quarterly Reports
  - Section 1217 Evaluation of Corrective Action System
  - Section 1218 Modification of Reclamation Proposal
  - Section 1219 Termination of Reclamation
  - Section 1220 Technical Infeasibility for Completion of Reclamation
  - Section 1221 Request for Extension of Time
  - Section 1222 Request for Variance
- l. Part XIII: Corrective Action for UST Systems Containing Other Regulated Substances
  - Section 1300 General
  - Section 1301 Definitions
  - Section 1302 Initial Response
  - Section 1303 Initial Abatement
  - Section 1304 72 Hour and 7 Day Reporting Requirements
  - Section 1305 On-Site Investigation
  - Section 1306 Report on the On-Site Investigation
  - Section 1307 Split Samples and Sampling Procedures
  - Section 1308 Hydrogeologic Investigation
  - Section 1309 Review and Approval of Hydrogeologic Investigation
  - Section 1310 Reclamation Proposal
  - Section 1311 Public Notice of Reclamation Proposal
  - Section 1312 Review and Approval of Reclamation Proposal
  - Section 1313 Implementation of Reclamation Proposal
  - Section 1314 Quarterly Reports
  - Section 1315 Evaluation of Corrective Action System
  - Section 1316 Modification of Reclamation Proposal
  - Section 1317 Termination of Reclamation
  - Section 1318 Additional Water Quality Standards
  - Section 1319 Request for Extension of Time
  - Section 1320 Request for Variance
- m. Part XV: Ground Water Protection Act Regulations
  - Section 1500 Purpose
  - Section 1501 Legal Authority
  - Section 1502 Definitions
  - Section 1503 Construction
  - Section 1504 Permissible Fund Expenditures
  - Section 1505 Priorities for Fund Expenditures
  - Section 1506 Site-Specific Allocation of Fund Monies
  - Section 1507 Reserved and Dedicated Fund Monies
  - Section 1508 Minimum Site Assessment
- 2. Corrective Action Fund Payment and Reimbursement Regulations
  - a. Part I: General Provisions
    - Section 101 Authority
    - Section 102 Purpose
    - Section 103 Applicability
    - Section 104 Definitions
  - b. Part II: Compliance Determinations
    - Section 201 General
    - Section 202 Determination of Compliance under Section 74-6B-8
    - Section 203 Compliance Determination Following Written Submission
  - c. Part III: Eligible and Ineligible Costs
    - Section 301 Minimum Site Assessment
    - Section 302 Corrective Action
  - d. Part IV: Application, Payment, and Reimbursement
    - Section 401 Application, Payment, and Reimbursement Process
  - e. Part V: Administrative Review
    - Section 501 Review by the Director on Written Submittal
    - Section 502 Request for Hearing on Determinations of Compliance and Cost Eligibility
    - Section 503 Notice of Docketing and Hearing Officer Assignment; Motions; Prehearing Procedures and Discovery; Hearing and Post-Hearing Procedures
  - f. Part VI: Miscellaneous Provisions

Section 601 Liberal Construction  
 Section 602 Severability  
 Section 603 Compliance

*North Carolina*

(a) The statutory provisions include:

General Statutes of North Carolina, Chapter 143—State Departments, Institutions, and Commissions; Article 21A, Oil Pollution and Hazardous Substances Control

§ 143–215.75 Title  
 § 143–215.76 Purpose  
 § 143–215.77 Definitions  
 § 143–215.77A Designation of hazardous substances and determination of quantities which may be harmful  
 § 143–215.78 Oil pollution control program  
 § 143–215.80 Confidential information  
 § 143–215.81 Authority supplemental  
 § 143–215.82 Local ordinances  
 § 143–215.83 Discharges (Except insofar as (c) addresses permit requirements.)  
 § 143–215.84 Removal of prohibited discharges  
 § 143–215.85 Required notice  
 § 143–215.86 Other State agencies and State-designated local agencies  
 § 143–215.87 Oil or Other Hazardous Substances Pollution Protection Fund  
 § 143–215.88 Payment to State agencies or State-designated local agencies  
 § 143–215.89 Multiple liability for necessary expenses  
 § 143–215.90 Liability for damage to public resources  
 § 143–215.93 Liability for damage caused  
 § 143–215.93A Limitation on liability of persons engaged in removal of oil discharges  
 § 143–215.94A Definitions (Except insofar as .94A(2) subjects certain heating oil tanks and the piping connected to otherwise excluded tanks to the regulatory requirements.)  
 § 143–215.94B Commercial Leaking Petroleum Underground Storage Tank Cleanup Fund  
 § 143–215.94D Noncommercial Leaking Petroleum Underground Storage Tank Cleanup Fund  
 § 143–215.94E Rights and obligations of the owner and operator  
 § 143–215.94G Authority of the Department to engage in cleanups; actions for fund reimbursement (Except insofar as (e) outlines enforcement authorities.)  
 § 143–215.94H Financial responsibility  
 § 143–215.94I Insurance pools authorized; requirements  
 § 143–215.94J Limitation of liability of the State of North Carolina  
 § 143–215.94L Adoption of rules; administrative procedure; short title; miscellaneous provisions  
 § 143–215.94M Reports

§ 143–215.94N Applicability  
 § 143–215.94O Petroleum Underground Storage Tank Funds Council  
 § 143–215.94P Groundwater Protection Loan Fund

§ 143–215.94T Adoption and implementation of regulatory program

§ 143–215.94V Standards for petroleum underground storage tank cleanup

(b) The regulatory provisions include:

North Carolina Administrative Code, Title 15A—Department of Environment and Natural Resources; Chapter 2, Subchapter 2L: Groundwater Classification and Standards

1. Section .0100 General Considerations  
 .0101 Authorization  
 .0102 Definitions  
 .0103 Policy  
 .0104 Restricted Designation (RS)  
 .0105 Adoption by Reference (Repealed)  
 .0106 Corrective Action  
 .0107 Compliance Boundary  
 .0108 Review Boundary  
 .0109 Delegation  
 .0110 Monitoring  
 .0111 Reports  
 .0112 Analytical Procedures  
 .0113 Variance  
 .0114 Notification Requirements  
 .0115 Risk-Based Assessment and Corrective Action for Petroleum Underground Storage Tanks  
 2. Section .0200 Classifications and Groundwater Quality Standards  
 .0201 Groundwater Classifications  
 .0202 Groundwater Quality Standards  
 3. Section .0300 Assignment of Underground Water Classifications  
 .0301 Classifications: General  
 .0302 Statewide  
 .0303 Broad River Basin  
 .0304 Cape Fear River Basin  
 .0305 Catawba River Basin  
 .0306 Chowan River Basin  
 .0307 French Broad River Basin  
 .0308 Hiwassee River Basin  
 .0309 Little Tennessee River Basin  
 .0310 Savannah River Basin  
 .0311 Lumber River Basin  
 .0312 Neuse River Basin  
 .0313 New-Watauga River Basin  
 .0314 Pasquotank River Basin  
 .0315 Roanoke River Basin  
 .0316 Tar Pamlico River Basin  
 .0317 White Oak River Basin  
 .0318 Yadkin-Pee Dee River Basin  
 .0319 Reclassification

North Carolina Administrative Code, Title 15A—Department of Environment and Natural Resources; Chapter 2, Subchapter 2N, Underground Storage Tanks

1. Section .0100 General Provisions  
 .0101 General (Except insofar as .0101(c) provides inspection and enforcement authority.)  
 .0102 Copies of referenced Federal regulations

## Environmental Protection Agency

## Pt. 282, App. A

- .0103 Adoption by reference updates
  - .0104 Identification of tanks
  - 2. Section .0200 Program Scope and Interim Prohibition
    - .0201 Applicability (Except insofar as it subjects USTs containing de minimis concentrations of regulated substances to closure requirements)
    - .0202 Interim prohibition for deferred UST systems
    - .0203 Definitions
  - 3. Section .0300 UST Systems: Design, Construction, Installation, and Notification
    - .0301 Performance standards for new UST systems
    - .0302 Upgrading of existing UST systems
    - .0303 Notification requirements
  - 4. Section .0400 General Operating Requirements
    - .0401 Spill and overfill control
    - .0402 Operation and maintenance of corrosion protection
    - .0403 Compatibility
    - .0404 Repairs allowed
    - .0405 Reporting and recordkeeping
  - 5. Section .0500 Release Detection
    - .0501 General requirements for all UST systems
    - .0502 Requirements for petroleum UST systems
    - .0503 Requirements for hazardous substance UST systems
    - .0504 Methods of release detection for tanks
    - .0505 Methods of release detection for piping
    - .0506 Release detection recordkeeping
  - 6. Section .0600 Release Reporting, Investigation, and Confirmation
    - .0601 Reporting of suspected releases
    - .0602 Investigation due to off-site impacts
    - .0603 Release investigation and confirmation steps
    - .0604 Reporting and cleanup of spills and overfills
  - 7. Section .0700 Release Response and Corrective Action for UST Systems Containing Petroleum or Hazardous Substances
    - .0701 General
    - .0702 Initial response
    - .0703 Initial abatement measures and site check
    - .0704 Initial site characterization
    - .0705 Free product removal
    - .0706 Investigations for soil and ground water cleanup
    - .0707 Corrective action plan
    - .0708 Public participation
  - 8. Section .0800 Out-of-Service UST Systems and Closure
    - .0801 Temporary closure
    - .0802 Permanent closure and changes-in-service (Except insofar as it subjects USTs containing de minimis concentrations of regulated substances to closure requirements)
    - .0803 Assessing the site at closure or change-in-service
    - .0804 Applicability to previously closed UST systems
    - .0805 Closure records
- North Carolina Administrative Code, Title 15A—Department of Environment and Natural Resources; Chapter 2, Subchapter 2O: Financial Responsibility Requirements for Owners and Operators of Underground Storage Tanks
- 1. Section .0100 General Considerations
    - .0101 General (Except insofar as .0101(c) provides inspection and enforcement authority.)
    - .0102 Copies of referenced Federal regulations
    - .0103 Substituted sections
  - 2. Section .0200 Program Scope
    - .0201 Applicability
    - .0202 Compliance dates
    - .0203 Definitions (Except insofar as (b)(1) defines “annual operating fee”)
    - .0204 Amount and scope of required financial responsibility
  - 3. Section .0300 Assurance Mechanisms
    - .0301 Allowable mechanisms and combinations of mechanisms
    - .0302 Self insurance
    - .0303 Guarantee
    - .0304 Insurance and risk retention group coverage
    - .0305 Surety bond
    - .0306 Letter of credit
    - .0307 Standby trust fund
    - .0308 Insurance pools
    - .0309 Substitution of financial assurance mechanisms
    - .0310 Cancellation or nonrenewal by a provider of assurance
  - 4. Section .0400 Responsibilities of Owners and Operators
    - .0401 Reporting by owner or operator
    - .0402 Record keeping (Except insofar as (b)(2) addresses annual operating fee requirements.)
  - 5. Section .0500 Changes in Status
    - .0501 Drawing on financial assurance mechanisms
    - .0502 Release from the requirements
    - .0503 Incapacity of owner or operator or provider of assurance
    - .0504 Replenishment
- North Carolina Administrative Code, Title 15A—Department of Environment and Natural Resources; Chapter 2, Subchapter 2P: Leaking Petroleum Underground Storage Tank Cleanup Funds
- 1. Section .0100 General Considerations
    - .0101 General (Except insofar as .0101(d) provides inspection and enforcement authority.)
    - .0102 Copies of rules incorporated by reference
    - .0103 False or misleading information
  - 2. Section .0200 Program Scope

**Pt. 282, App. A**

**40 CFR Ch. I (7–1–19 Edition)**

- .0201 Applicability (Except insofar as .0201(a) and (b) relate to annual operating fees.)
- .0202 Definitions (Except insofar as .0202 (b)(1) relates to annual operating fees.)
- 3. Section .0300 Annual Operating Fees
  - .0302 Notification
- 4. Section .0400 Reimbursement Procedure
  - .0401 Eligibility of owner or operator (Except insofar as .0401(b) relates to annual operating fees.)
  - .0402 Cleanup costs
  - .0403 Third party claims
  - .0404 Requests for reimbursement
  - .0405 Method of reimbursement
  - .0406 Reimbursement apportionment
  - .0407 Final action

*North Dakota*

- (a) The statutory provisions include: North Dakota Century Code (NDCC), Chapter 23–20.3, Hazardous Waste Management Act:
  - Section 23–20.3–01 Declaration of Purpose.
  - Section 23–20.3–02 Definitions.
  - Section 23–20.3–03 Powers and Duties of the Department.
  - Section 23–20.3–04 Hazardous Waste Regulations.
    - Section 23–20.3–04.1 Underground Storage Tank Regulations.
  - Section 23–20.3–05 Permits.
    - Section 23–20.3–05.1 Fees—Deposit in Operating Fund.
    - Section 23–20.3–05.2 Commercial Facility Permits and Ordinances.
  - Section 23–20.3–08 Imminent Hazard.
  - Section 23–20.3–10 Applicability.
- (b) The regulatory provisions include: North Dakota Administrative Code (NDAC), Chapter 33–24–08, Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks, Amended April 1992:
  - Section 33–24–08–01 Applicability.
  - Section 33–24–08–02 Interim Prohibition for Deferred Underground Storage Tank Systems.
  - Section 33–24–08–03 Definitions (Technical Standards and Corrective Action).
  - Section 33–24–08–10 Performance Standards for New Underground Storage Tank Systems.
  - Section 33–24–08–11 Upgrading of Existing Underground Storage Tank Systems.
  - Section 33–24–08–12 Notification Requirements.
  - Section 33–24–08–20 Spill and Overfill Control.
  - Section 33–24–08–21 Operation and Maintenance of Corrosion Protection.
  - Section 33–24–08–22 Compatibility.
  - Section 33–24–08–23 Repairs Allowed.
  - Section 33–24–08–24 Reporting and Recordkeeping.
  - Section 33–24–08–30 General Release Detection Requirements for All Underground Storage Tank Systems.

- Section 33–24–08–31 Release Detection Requirements for Petroleum Underground Storage Tank Systems.
- Section 33–24–08–32 Release Detection Requirements for Hazardous Substance Underground Storage Tank Systems.
- Section 33–24–08–33 Methods of Release Detection for Tanks.
- Section 33–24–08–34 Methods of Release Detection for Piping.
- Section 33–24–08–35 Release Detection Recordkeeping.
- Section 33–24–08–40 Reporting of Suspected Releases.
- Section 33–24–08–41 Investigation Due to Offsite Impacts.
- Section 33–24–08–42 Release Investigation and Confirmation Steps.
- Section 33–24–08–43 Reporting and Cleanup of Spills and Overfills.
- Section 33–24–08–50 General Release Response and Corrective Action for Underground Storage Tank Systems Containing Petroleum or Hazardous Substances.
- Section 33–24–08–51 Initial Response.
- Section 33–24–08–52 Initial Abatement Measures and Site Check.
- Section 33–24–08–53 Initial Site Characterization.
- Section 33–24–08–54 Free Product Removal.
- Section 33–24–08–55 Investigations for Soil and Ground Water Cleanup.
- Section 33–24–08–60 Temporary Closure.
- Section 33–24–08–61 Permanent Closure and Changes in Service.
- Section 33–24–08–62 Assessing the Site at Closure or Change in Service.
- Section 33–24–08–63 Applicability to Previously Closed Underground Storage Tank Systems.
- Section 33–24–08–64 Closure Records.
- Section 33–24–08–80 Applicability (financial responsibility).
- Section 33–24–08–81 Financial Responsibility Compliance Dates.
- Section 33–24–08–82 Definitions (financial responsibility).
- Section 33–24–08–83 Amount and Scope of Required Financial Responsibility.
- Section 33–24–08–84 Allowable Mechanisms and Combinations of Mechanisms.
- Section 33–24–08–85 Financial Test of Self-Insurance.
- Section 33–24–08–86 Guarantee.
- Section 33–24–08–87 Insurance and Risk Retention Group Coverage.
- Section 33–24–08–88 Surety Bond.
- Section 33–24–08–89 Letter of Credit.
- Section 33–24–08–92 Trust Fund.
- Section 33–24–08–93 Standby Trust Fund.
- Section 33–24–08–94 Substitution of Financial Assurance mechanisms by Owner or Operator.

## Environmental Protection Agency

## Pt. 282, App. A

- Section 33-24-08-95 Cancellation or Non-renewal by Provider of Financial Assurance.
- Section 33-24-08-96 Reporting by Owner or Operator.
- Section 33-24-08-97 Recordkeeping.
- Section 33-24-08-99 Release from Requirements.
- Section 33-24-08-100 Bankruptcy or Other Incapacity of Owner or Operator or Provider of Financial Assurance.
- Section 33-24-08-101 Replenishment of Guarantees, Letters of Credit, or Surety Bonds.

### Oklahoma

- (a) The regulatory provisions include:

*Oklahoma Administrative Code, Title 165, effective August 25, 2016:*

1, Chapter 25 "Underground Storage Tanks".

Subchapter 1, General Provisions: Part 1, "Purpose", Section 165:25-1-1; Part 3, "Definitions", Section 165:25-1-11; Part 5, "Scope of Rules", Sections 165:25-1-21, 165:25-1-23.1, and 165:25-1-24; Part 9, "Notification and Reporting Requirements", Sections 165:25-1-41, 165:25-1-42, 165:25-1-48, 165:25-1-51; Part 11, "Recordkeeping", 165:25-1-53 through 165:25-1-58, and 165:25-1-60; Part 19, "Operator Training", Sections 165:25-1-120, 165:25-1-122 and 165:25-1-124.

Subchapter 2, "General Requirements for Underground Storage Tank Systems": Part 1, "Codes and Standards", Sections 165:25-2-1, 165:25-2-2 and 165:25-2-4, Part 3, "Design and Installation", Sections 165:25-2-31 through 165:25-2-33, 165:25-2-35 through 165:25-2-41, Part 5, "Protection Against Corrosion", Sections 165:25-2-51, 165:25-2-52, 165:25-2-53 and 165:25-2-53.1, Part 6, "Piping", Sections 165:25-2-55.1 and 165:25-2-55.2, Part 7, "Dispensers", Sections 165:25-2-71, 165:25-2-72, 165:25-2-73, 165:25-2-75 and 165:25-2-76; Part 9, "Electrical", Section 165:25-2-91; Part 11, "Repairs to Underground Storage Tank Systems", Section 165:25-2-111; Part 13 "Removal and Closure of Underground Storage Tank Systems", Sections 165:25-2-131, and 165:25-2-133 through 165:25-2-138.

Subchapter 3, "Release Prevention and Detection Requirements": Part 1, Release Prohibition Requirements", Section 165:25-3-1; Part 2, "Release Detection Requirements and Methods", Sections 165:25-3-6.20 through 165:25-3-6.29; Part 3, "Release Investigation Requirements", Sections 165:25-3-7.1 and 165:25-3-8; Part 15, "Corrective Action Requirements", Section 165:25-3-70.

Subchapter 5, "Upgrades", Sections 165:25-5-1 through 165:25-5-4.

Subchapter 6, "Special Requirements for Underground Storage Tank Systems Utilized by Airports Open to the Public", Part 1, "General Application and Compliance Provisions", Section 165:25-6-1; Part 3, "Codes and Standards", Section 165:25-6-7; Part 5, "Dis-

pense Requirements", Sections 165:25-6-13, 165:25-6-14, 165:25-6-15 and 165:25-6-17; Part 7, "Tank Filling Procedures", Section 165:25-6-21; Part 9, "Dispensing Procedures", Sections 165:25-6-27 and 165:25-6-28; Part 11, "Miscellaneous Safety Requirements", Sections 165:25-6-34 and 165:25-6-35.

Subchapter 8, "Special Requirements for Underground Storage Tanks Utilized by Marinas": Part 1, "General Application and Compliance Provisions", Sections 165:25-8-1 and 165:25-8-2; Part 3, "Over-water Piping Requirements", Sections 165:25-8-3 and 165:25-8-4; Part 5, "Dispenser Requirements", Sections 165:25-8-14 through 165:25-8-17; Part 9, "Dispensing Procedures", Section 165:25-8-29; Part 11, "Miscellaneous Safety Requirements, Sections 165:25-8-35 and 165:25-8-36.

Subchapter 14, "Special Requirements for Underground Storage Tank Systems Utilized by Bulk Plant Facilities": Part 1, "General Application and Compliance Provisions", Section 165:25-14-1; Part 3, "Dispenser Requirements", Section 165:25-14-7; Part 5, "Loading Facilities", Sections 165:25-14-13 and 165:25-14-14; Part 7, "Tank Filling Procedures", Section 165:25-14-20; Part 9, "Dispensing Procedures", Sections 165:25-14-26 and 165:25-14-27.

2. Chapter 27 "Indemnity Fund. Subchapter 1, "General Provisions", Section 165:27-1-2; Subchapter 5, "Qualifications for Reimbursement", Section 165:27-5-2; Subchapter 7, "Reimbursement", Sections 165:27-7-2 and 165:27-7-6.

3. Chapter 29 "Corrective Action of Petroleum Storage Tank Releases":

Subchapter 1, "General Provisions": Part 1, "Purpose and Statutory Authority", Sections 165:29-1-1 and 165:29-1-2; Part 3, "Definitions", Section 165:29-1-11; Part 5, "Scope of Rules", Section 165:29-1-21; Part 7, "National Industry Codes", Sections 165:29-1-31 and 165:29-1-32;

Subchapter 3, "Release Prevention, Detection and Correction": Part 1, "Release Prohibition, Reporting and Investigation", Sections 165:29-3-1, 165:29-3-2 and 165:29-3-3; Part 3, "Removal and Closure of Petroleum Storage Tank Systems", Section 165:29-3-65; Part 5, "Corrective Action Requirements", Sections 165:29-3-71 through 165:29-3-76, Sections 165:29-3-78, 165:29-3-79, 165:29-3-80, 165:29-3-82 and 165:29-3-83.

(b) Copies of the Oklahoma regulations that are incorporated by reference are available from the State's Office of Administrative Rules, Secretary of State, P.O. Box 53390, Oklahoma City, OK 73152-3390; Phone number: 405-521-4911; website: <https://www.sos.ok.gov/oar/Default.aspx>.

### Oregon

- (a) The statutory provisions include:

(1) Chapter 465, Hazardous Waste and Hazardous Materials I (Removal or Remedial Action Sections 465.200 through 465.482 and 465.900.):

465.200 Definitions for ORS 465.200 to 465.545 (except for Sections 465.200(5) through (11) and (17) defining terms contained in the dry cleaning requirements; (13) "facility" insofar as it applies to a facility that is not an underground storage tank; (16) "hazardous substance" insofar as it applies to hazardous wastes and any substance that is not otherwise defined as a hazardous substance pursuant to section 101(14) of the federal Comprehensive Environmental Response, Compensation and Liability Act or that is not oil; (28) "underground storage tank" insofar as it includes any tank or piping that is excluded under ORS 466.710 and also any tank used to store heating oil for consumptive use on the premises where stored.)

465.255 Strict liability for remedial action costs for injury or destruction of natural resource; limited exclusions (except insofar as this includes a person who is not an owner or operator of an underground storage tank and except insofar as the exclusions would exclude persons who would be liable under Section 9003(h)(6) of RCRA).

(2) Chapter 466, Hazardous Waste and Hazardous Materials II (Oil Storage Tanks):

466.706 Definitions for ORS 466.706 to 466.882 and 466.994 (except for the following definitions: Section 466.706(17) "regulated substance" insofar as it would include substances designated by the commission under subsection (c) that are not included under subsections (a) and (b) of this definition; (21) "underground storage tank" insofar as it includes any tank or piping that is excluded under ORS 466.710, and any tank used to store heating oil for consumptive use on the premises where stored.)

466.710 Application of ORS 466.706 to 466.882 and 466.994

466.740 Noncomplying installation prohibited

466.743 Training on operation, maintenance and testing; rules

466.765 Duty of owner or permittee of underground storage tank

466.770 Corrective action required on contaminated site

466.815 Financial responsibility of owner or permittee; rules; legislative review

466.825 Strict liability of owner or permittee

(b) The regulatory provisions include:

(1) Oregon Administrative Rules, Chapter 340, Division 122 insofar as the following rules apply to a release from an underground storage tank, excluding tanks used to store

heating oil for consumptive use on the premises where stored.

340-122-0010 Purpose  
340-122-0030 Scope and Applicability  
340-122-0040 Standards  
340-122-0047 Generic remedies  
340-122-0050 Activities  
340-122-0070 Removal  
340-122-0071 Site Evaluation  
340-122-0072 Preliminary Assessments  
340-122-0073 Confirmation of Release  
340-122-0080 Remedial Investigation  
340-122-0084 Risk Assessment  
340-122-0085 Feasibility Study  
340-122-0090 Selection or Approval of the Remedial Action

340-122-0100 Public Notice and Participation  
340-122-0110 Administrative Record

340-122-0115 Definitions insofar as the definition applies to an underground storage tank, excluding tanks used to store heating oil for consumptive use on the premises where stored

340-122-0120 Security Interest Exemption

340-122-0205 Purpose

340-122-0210 Definitions except insofar as the definition of "responsible person" includes a person who does not own or operate an underground storage tank

340-122-0215 Scope and Applicability

340-122-0217 Requirements and Remediation Options

340-122-0218 Sampling and Analysis

340-122-0220 Initial Response

340-122-0225 Initial Abatement Measures and Site Check

340-122-0230 Initial Site Characterization

340-122-0235 Free Product Removal

340-122-0240 Investigation for Magnitude and Extent of Contamination

340-122-0243 Low-Impact Sites

340-122-0244 Risk-Based Concentrations

340-122-0250 Corrective Action Plan

340-122-0252 Generic Remedies

340-122-0260 Public Participation

340-122-0320 Soil Matrix Cleanup Options

340-122-0325 Evaluation of Matrix Cleanup Level

340-122-0330 Evaluation Parameters

340-122-0335 Numeric Soil Cleanup Standards

340-122-0340 Sample Number and Location

340-122-0345 Sample Collection Methods

340-122-0355 Evaluation of Analytical Results

340-122-0360 Reporting Requirements

Grid for OAR 340-122-0330(5)(c) and Table for OAR 340-122-0335(2)

(2) Oregon Administrative Rules, Chapter 340, Division 142 insofar as the following rules apply to a release from an underground storage tank, excluding tanks used to store heating oil for consumptive use on the premises where stored.

340-142-0001 Purpose and Scope

340-142-0005 Definitions as Used in This Division Unless Otherwise Specified

## Environmental Protection Agency

## Pt. 282, App. A

- 340-142-0030 Emergency Action
- 340-142-0040 Required Reporting
- 340-142-0050 Reportable Quantities
- 340-142-0060 Cleanup Standards
- 340-142-0070 Approval Required for Use of Chemicals
- 340-142-0080 Disposal of Recovered Spill Materials
- 340-142-0090 Cleanup Report
- 340-142-0100 Sampling/Testing Procedures
- 340-142-0130 Incident Management and Emergency Operations
- (3) Oregon Administrative Rules, Chapter 340, Division 150.
- 340-150-0001 Purpose
- 340-150-0006 Applicability and General Requirements
- 340-150-0008 Exemptions and Deferrals
- 340-150-0010 Definitions
- 340-150-0020 UST General Permit Registration Certificate Required except insofar as this provision applies to a person who does not own or operate an underground storage tank and except insofar as the payment of fees is required
- 340-150-0021 Termination of Temporary Permits
- 340-150-0052 Modification of Registration Certificates for Changes in Ownership and Permittee except insofar as the payment of fees is required
- 340-150-0080 Denial, Suspension or Revocation of General Permit Registration Certificates except insofar as this provision applies to a person who does not own or operate an underground storage tank
- 340-150-0102 Termination of Registration Certificates
- 340-150-0110 UST General Permit Registration, Annual Compliance and Other Fees except insofar as the payment of fees is required
- 340-150-0135 General Requirements for Owners and Permittees
- 340-150-0140 Requirements for Sellers of USTs
- 340-150-0156 Performance of UST Services by Owners or Permittees
- 340-150-0160 General Permit Requirements for Installing an UST System except insofar as this provision applies to a person who does not own or operate an underground storage tank
- 340-150-0163 General Permit Requirements for Operating an UST System except insofar as the payment of fees is required
- 340-150-0166 General Permit Requirements for Closure of an UST System by Change-in-Service except insofar as the payment of fees is required
- 340-150-0167 General Permit Requirements for Temporary Closure of an UST System except insofar as the payment of fees is required
- 340-150-0168 General Permit Requirements for Decommissioning an UST System by Permanent Closure except insofar as this provision applies to a person who does not own or operate an underground storage tank and except insofar as the payment of fees is required
- 340-150-0180 Site Assessment Requirements for Permanent Closure or Change-in-Service
- 340-150-0200 Training Requirements for UST System Operators and Emergency Response Information
- 340-150-0210 Training Requirements for UST Operators
- 340-150-0300 Installation of USTs and Piping
- 340-150-0302 Installation of Used USTs
- 340-150-0310 Spill and Overfill Prevention Equipment and Requirements
- 340-150-0320 Corrosion Protection Performance Standards for USTs and Piping
- 340-150-0325 Operation and Maintenance of Corrosion Protection
- 340-150-0350 UST System Repairs
- 340-150-0352 UST System Modifications and Additions
- 340-150-0354 UST System Replacements
- 340-150-0360 Requirements for Internally Lined USTs
- 340-150-0400 General Release Detection Requirements for Petroleum UST Systems
- 340-150-0410 Release Detection Requirements and Methods for Underground Piping
- 340-150-0420 Release Detection Requirements for Hazardous Substance UST Systems
- 340-150-0430 Inventory Control Method of Release Detection
- 340-150-0435 Statistical Inventory Reconciliation Method of Release Detection
- 340-150-0440 Manual Tank Gauging Release Detection Method
- 340-150-0445 Tank Tightness Testing for Release Detection and Investigation
- 340-150-0450 Automatic Tank Gauging Release Detection Method
- 340-150-0455 Vapor Monitoring Release Detection Method
- 340-150-0460 Groundwater Monitoring Release Detection Method
- 340-150-0465 Interstitial Monitoring Release Detection Method
- 340-150-0470 Other Methods of Release Detection
- 340-150-0500 Reporting Suspected Releases
- 340-150-0510 Suspected Release Investigation and Confirmation Steps
- 340-150-0520 Investigation Due to Off Site Impacts
- 340-150-0540 Applicability to Previously Closed UST Systems
- 340-150-0550 Definitions for OAR 340-150-0555 and 340-150-0560
- 340-150-0555 Compliance Dates for USTs and Piping
- 340-150-0560 Upgrading Requirements for Existing UST Systems

**Pt. 282, App. A**

**40 CFR Ch. I (7–1–19 Edition)**

APPENDIX A	Installation of USTs and Piping	690-240-0355	Monitoring Well Drilling Machines
APPENDIX B	Installation of USTs and Piping	690-240-0375	Monitoring Well Construction Notice Required (Start Card)
APPENDIX C	Spill and Overfill Prevention Equipment and Requirements	690-240-0385	Start Card Reporting Requirements
APPENDIX D1	USTs Corrosion Protection Performance Standards for USTs and Piping	690-240-0395	Monitoring Well Report Required (Monitoring Well Log)
APPENDIX D2	Piping Corrosion Protection Performance Standards for USTs and Piping	690-240-0410	Monitoring Well Construction: General
APPENDIX E1	USTs Corrosion Protection Performance Standards for USTs and Piping	690-240-0420	Well Protection
APPENDIX E2	Piping Corrosion Protection Performance Standards for USTs and Piping	690-240-0430	Casing
APPENDIX F	Corrosion Protection Performance Standards for USTs and Piping	690-240-0440	Additional Standards for Artesian Monitoring Wells
APPENDIX G	Operation and Maintenance of Corrosion Protection	690-240-0450	Cleaning
APPENDIX H	UST System Repairs & UST System Modifications and Additions	690-240-0460	Monitoring Well Screen, Filter Pack, and Filter Pack Seal
APPENDIX I	General Release Detection Requirements for All UST Systems	690-240-0475	Well Seals
APPENDIX J	General Guidance Documents for UST Owners and Permittees	690-240-0485	Monitoring Well Development
APPENDIX K	Site Assessment Requirements for Permanent Closure or Change-in-Service	690-240-0500	Completion of Monitoring Wells
APPENDIX L	Training Elements	690-240-0510	Abandonment of Monitoring Wells
	(4) Oregon Administrative Rules, Chapter 340, Division 151	690-240-0525	Piezometers
	340-151-0001 Purpose	690-240-0540	Direct Push Monitoring Wells and Piezometers
	340-151-0010 Scope and Applicability	690-240-0550	Evidence of Failure
	340-151-0015 Adoption and Applicability of United States Environmental Protection Agency Regulations		
	340-151-0020 Definitions		
	340-151-0025 Oregon-Specific Financial Responsibility Requirements		
	(5) Oregon Administrative Rules, Chapter 690, Division 240, insofar as it pertains to underground storage tanks, excluding tanks used to store heating oil for consumptive use on the premises where stored.		
	690-240-0005 Introduction		
	690-240-0006 Special Standards		
	690-240-0007 Special Area Standards		
	690-240-0010 Definitions		
	690-240-0011 Organic Materials		
	690-240-0012 Public Safety		
	690-240-0013 Wells Cannot Be Used for Disposal of Contaminants		
	690-240-0014 Water Used Must Be Potable		
	690-240-0016 Unattended Wells		
	690-240-0024 Well Identification Label		
	690-240-0026 Well Identification Label Maintenance		
	690-240-0030 Other Holes; General Performance and Responsibility Requirements		
	690-240-0035 Geotechnical Holes: General Performance and Responsibility Requirements		

*Pennsylvania*

- (a) The statutory provisions include:
  - Pennsylvania Storage Tank and Spill Prevention Act of 1989, Public Law 169, No. 32
  - 35 PS Section 6021.101 Short title
  - 35 PS Section 6021.102 Legislative findings
  - 35 PS Section 6021.103 Definitions (*except insofar as the section addresses aboveground storage tanks; encompasses a broader range of regulated substances; and insofar as certain classes of tanks excluded or deferred under the federal definition of "underground storage tank" are not excluded or deferred under the state definition*)
  - 35 PS Section 6021.104 API
  - 35 PS Section 6021.105 Advisory committee
  - 35 PS Section 6021.106 Powers and duties of Environmental Quality Board (*except insofar as it addresses aboveground storage tanks*)
  - 35 PS Section 6021.107 Powers and duties of department (*except insofar as paragraphs (b), (c), (e), and (f) grant the Department enforcement authorities; and paragraph (d) establishes the Department's duties regarding a certification program*)
  - 35 PS Section 6021.109 Construction
  - 35 PS Section 6021.110 Applicability of certain provisions to the Commonwealth
  - 35 PS Section 6021.501 Underground storage tank requirements (*except insofar as subparagraph (a)(1) requires payment of registration fees; subparagraph (a)(8) sets forth permitting requirements; subparagraph (a)(12) addresses permitting; subparagraph (a)(15) regulates handlers of regulated substances; and paragraph (c) establishes a certified installer and inspector program*)
  - 35 PS Section 6021.502 Interim requirements and discontinued use (*except insofar*

## Environmental Protection Agency

## Pt. 282, App. A

- as paragraph (a) establishes interim registration fees; and subparagraph (b)(5) requires tanks to be installed by a certified installer)*
- 35 PS Section 6021.503 Registration (*except insofar as paragraph (a) requires payment of registration fees; paragraph (b) regulates selling, distributing, depositing or filling unregistered underground storage tanks; and paragraph (c) establishes uses for registration fees*)
- 35 PS Section 6021.701 Financial responsibility
- 35 PS Section 6021.702 Storage Tank Fund (*except insofar as paragraph (a) addresses aboveground storage tanks*)
- 35 PS Section 6021.703 Underground Storage Tank Indemnification Board
- 35 PS Section 6021.704 Underground Storage Tank Indemnification Fund (*except insofar as subparagraph (e)(3) addresses payment of fees*)
- 35 PS Section 6021.705 Powers and duties of Underground Storage Tank Indemnification Board (*except insofar as paragraphs (d) and (e) address payment of fees*)
- 35 PS Section 6021.706 Eligibility of claimants
- 35 PS Section 6021.707 Audit
- 35 PS Section 6021.708 Performance review
- 35 PS Section 6021.710 Underground Storage Tank Environmental Cleanup Program
- 35 PS Section 6021.711 Underground Storage Tank Pollution Prevention Program
- 35 PS Section 6021.712 Upgrade Loan Program
- 35 PS Section 6021.2101 Start-up costs (*except insofar as it addresses aboveground storage tanks*)
- 35 PS Section 6021.2102 Saved from repeal
- 35 PS Section 6021.2103 Severability
- 35 PS Section 6021.2104 Repeals
- 35 PS Section 6021.2105 Effective date
- (b) The regulatory provisions include:
- Pennsylvania Code, Chapter 245, Administration of the Storage Tank and Spill Prevention Programs
- Section 245.1 Definitions (*except insofar as the section addresses aboveground storage tanks; encompasses a broader range of regulated substances; and includes individuals that are not regulated under the federal program under its definition of "responsible party"*)
- Section 245.2 General
- Section 245.31 Underground storage tank tightness testing requirements (*except insofar as paragraph (a) requires Department certification for underground tightness testing installers*)
- Section 245.301 Purpose
- Section 245.302 Scope
- Section 245.304 Investigation of suspected releases
- Section 245.305 Reporting releases (*except insofar as paragraph (h) addresses aboveground storage tanks*)
- Section 245.306 Interim remedial actions (*except insofar as subparagraph (b)(3) requires permits for treatment and disposal activities; and paragraph (d) regulates parties removing contaminated materials*)
- Section 245.307 Affected or diminished water supplies
- Section 245.308 Onsite storage of contaminated soil
- Section 245.309 Site characterization
- Section 245.310 Site characterization report
- Section 245.311 Remedial action plan
- Section 245.312 Remedial action
- Section 245.313 Remedial action completion report
- Section 245.314 Professional seals
- Section 245.401 Purpose
- Section 245.402 Scope
- Section 245.403 Applicability
- Section 245.404 Variances
- Section 245.405 Codes and standards
- Section 245.421 Performance standards for new underground storage tank systems
- Section 245.422 Upgrading of existing underground storage tank systems
- Section 245.423 Registration requirements
- Section 245.425 Reuse of removed tanks (*except insofar as subparagraph (1) requires installation by a certified installer*)
- Section 245.431 Spill and overflow control
- Section 245.432 Operation and maintenance including corrosion protection
- Section 245.433 Compatibility
- Section 245.434 Repairs allowed (*except insofar as subparagraph (1) requires repairs to be performed by a certified installer*)
- Section 245.435 Reporting and record-keeping
- Section 245.441 General requirements for underground storage tank systems (*except insofar as subparagraph (a)(3)(i) requires third-party verification; and subparagraph (a)(3)(ii) requires manufacturers to reevaluate methods within 24 months of EPA changes*)
- Section 245.442 Requirements for petroleum underground storage tank systems
- Section 245.443 Requirements for hazardous substance underground storage tank systems
- Section 245.444 Methods of release detection for tanks
- Section 245.445 Methods of release detection for piping
- Section 245.446 Release detection record-keeping
- Section 245.451 Temporary closure
- Section 245.452 Permanent closure and changes-in-service
- Section 245.453 Assessing the site at closure or change-in-service
- Section 245.454 Applicability to previously closed underground storage tank systems
- Section 245.455 Closure records
- Section 245.701 Purpose
- Section 245.702 Scope
- Section 245.703 Owner or operator financial responsibility
- Section 245.704 General requirements
- Section 245.705 Owner and operator liability

**Pt. 282, App. A**

**40 CFR Ch. I (7-1-19 Edition)**

Section 245.706 Underground storage tanks not covered by USTIF

Section 245.707 Coverage amounts for financial responsibility

Section 245.708 Failure to maintain financial responsibility

*Puerto Rico*

(a) The statutory provisions include:

1. Public Policy Environmental Act of 1970, Act Number 9, June 18, 1970, as amended, 12 Laws of Puerto Rico Annotated (L.P.R.A.) §1121 *et seq.*

- (1) Section 1121—Short title
- (2) Section 1122—Purpose
- (3) Section 1123—Declaration of policy
- (4) Section 1124—Interpretation of legal provisions
- (5) Section 1125—Duties of governmental agencies
- (6) Section 1126—Savings clause
- (7) Section 1127—Complementary character
- (8) Section 1128—Annual report of Governor
- (9) Section 1129—Creation of Board; composition; term
- (10) Section 1130—Duties of Chairman
- (11) Section 1130A—Consulting Council
- (12) Section 1131—Functions and duties [Except paragraphs (10), (12), (19), (22), (23), (25), (26), (29), and (30), insofar as they outline enforcement authorities; paragraph (13), insofar as it addresses enforcement authorities, permit and license requirements and associated fees, as well as the NPDES and UIC programs; and paragraph (34), insofar as it relates solely to the solid and hazardous waste programs.]
- (13) Section 1133—Consultation and use of facilities
- (14) Section 1135—Character of Board for federal purposes [Except insofar as it addresses permit requirements.]
- (15) Section 1135A—Administration of the Puerto Rico Water Pollution Control Revolving Fund
- (16) Section 1137—Confidential documents
- (17) Section 1138—Effectiveness of previous documents [Except insofar as it addresses permit and licensing requirements.]
- (18) Section 1140—Limitations
- (19) Section 1141—Definitions
- (20) Section 1142—Powers [Except insofar as (b)(5) sets forth enforcement authorities.]

(b) The regulatory provisions include:

1. Underground Storage Tank Control Regulations, Regulation Number 4362, promulgated by the Commonwealth of Puerto Rico Environmental Quality Board on November 7, 1990.

a. Part I—Program Scope and Interim Prohibition.

- (1) Rule 101—Program Scope
- (2) Rule 102—Purpose
- (3) Rule 103—Applicability

(4) Rule 104—Interim Prohibition for Deferred UST Systems

(5) Rule 105—Definitions and Abbreviations [Except insofar as the Puerto Rico definition of “Underground Storage Tank or UST” does not exclude from regulation heating oil tanks used for storing heating oil for consumptive use on the premises where stored.]

b. Part II—UST Systems: Design, Construction, Installation, and Notification.

- (1) Rule 201—Performance Standards for New UST Systems
- (2) Rule 202—Upgrading of Existing UST Systems
- (3) Rule 203—Notification Requirements

c. Part III—General Operating Requirements.

- (1) Rule 301—Spill and Overfill Control
- (2) Rule 302—Operation and Maintenance of Corrosion Protection
- (3) Rule 303—Compatibility
- (4) Rule 304—Repairs Allowed
- (5) Rule 305—Reporting and Recordkeeping

d. Part IV—Release Detection.

- (1) Rule 401—General Requirements for all UST Systems
- (2) Rule 402—Requirements for Petroleum UST Systems
- (3) Rule 403—Requirements for Hazardous Substance UST Systems
- (4) Rule 404—Methods of Release Detection for Tanks
- (5) Rule 405—Methods of Release Detection for Piping
- (6) Rule 406—Release Detection Recordkeeping

e. Part V—Release Reporting and Investigation.

- (1) Rule 501—Reporting of Suspected Releases
- (2) Rule 502—Investigation Due to Off-site Impacts
- (3) Rule 503—Release Investigation and Confirmation Steps
- (4) Rule 504—Reporting and Cleanup of Spills and Overfills

f. Part VI—Release Response and Corrective Action for UST Systems Containing Petroleum or Hazardous Substances.

- (1) Rule 601—General
- (2) Rule 602—Initial Response
- (3) Rule 603—Initial Abatement Measures and Site Check [Except insofar as 603(A)(5) requires owners and operators to obtain permits or franchises for drilling and installation of groundwater monitoring and/or extraction wells.]
- (4) Rule 604—Initial Site Characterization
- (5) Rule 605—Free Product Removal [Except insofar as 605(A) and 605 (D)(6) require owners and operators to obtain permits or franchises for drilling and installation of water monitoring and/or extraction wells.]
- (6) Rule 606—Investigation for Soil and Groundwater Clean-up

## Environmental Protection Agency

## Pt. 282, App. A

- (7) Rule 607—Corrective Action Plan
- (8) Rule 608—Public Participation
- g. Part VII—Out-Of-Service UST Systems and Closure.
  - (1) Rule 701—Temporary Closure
  - (2) Rule 702—Permanent Closure and Changes-in-Service
  - (3) Rule 703—Assessing the Site at Closure or Change-in-Service
  - (4) Rule 704—Applicability to Previously Closed UST Systems
  - (5) Rule 705—Closure Methods
- h. Part VIII—Notification Requirements and Procedures.
  - (1) Rule 801—Notification of Underground Storage System
  - (2) Rule 802—Notification Requirements
  - (3) Rule 803—Notification Responsibility
  - (4) Rule 804—UST Notification Identification Number
  - (5) Rule 805—Changes to Facility Notification Data
- i. Part IX—Financial Responsibility Requirements.
  - (1) Rule 901—Applicability
  - (2) Rule 902—Compliance Dates
  - (3) Rule 903—Definition of Terms
  - (4) Rule 904—Amount and Scope of Required Financial Responsibility
  - (5) Rule 905—Allowable Mechanisms and Combinations of Mechanisms
  - (6) Rule 906—Financial Test of Self-Insurance
  - (7) Rule 907—Guarantee
  - (8) Rule 908—Insurance and Risk Retention Group Coverage
  - (9) Rule 909—Surety Bond
  - (10) Rule 910—Letter of Credit
  - (11) Rule 911—Trust Fund
  - (12) Rule 912—Standby Trust Fund
  - (13) Rule 913—Substitution of Financial Assurance Mechanisms by Owner or Operator
  - (14) Rule 914—Cancellation or Nonrenewal by a Provider of Financial Assurance
  - (15) Rule 915—Reporting by Owner or Operator
  - (16) Rule 916—Recordkeeping
  - (17) Rule 917—Drawing on Financial Assurance Mechanisms
  - (18) Rule 918—Release from the Requirements
  - (19) Rule 919—Bankruptcy or Other Incapacity of Owner or Operator of Provider of Financial Assurance
  - (20) Rule 920—Replenishment of Guarantees, Letters of Credit, or Surety Bonds
  - (21) Rule 921—Suspension of Enforcement
- j. Part X—General Provisions.
  - (1) Rule 1001—Amendments to this Regulation
  - (2) Rule 1002—Monitoring, Recordkeeping, Reporting, Sampling, and Testing Methods
  - (3) Rule 1003—Malfunction or Non-compliance, Reporting
  - (4) Rule 1004—Confidentiality of Information
  - (5) Rule 1006—Public Notice and Public Hearings
  - (6) Rule 1009—Public Nuisance
  - (7) Rule 1011—Overlapping or Inconsistent Provisions
  - (8) Rule 1012—Derogation
  - (9) Rule 1013—Separability Clause
  - (10) Rule 1014—Effectiveness
- k. Part XI—General Prohibitions.
  - (1) Rule 1101—Purpose, Scope and Applicability
  - (2) Rule 1102—General Prohibitions

### *Rhode Island*

- (a) The statutory provisions include Rhode Island Statute Title 46 of the General Laws of Rhode Island, 1956, as amended:
  - Chapter 12 Water Pollution
  - Chapter 12.1 Underground Storage Tanks
  - Chapter 12.3 The Environmental Injury Compensation Act
  - Chapter 12.5 Oil Pollution Control
  - Chapter 13.1 Groundwater Protection
  - Chapter 14 Contamination of Drinking Water
- (b) The statutory provisions include Title 42 of the General Laws of Rhode Island, 1956, as amended.
  - Chapter 35 Administrative Procedures
- (c) The statutory provisions include Title 38 of the General Laws of Rhode Island, 1956, as amended.
  - Chapter 2 Access to Public Records
- (d) The statutory provisions include Title 37 of the General Laws of Rhode Island, 1956, as amended.
  - Chapter 18 Narragansett Indian and Management Corp.
- (e) The statutory provisions include Title 23 of the General Laws of Rhode Island, 1956, as amended.
  - Chapter 19.1 Hazardous Waste Management
- (f) The regulatory provisions include State of Rhode Island, Agency of Natural Resources, Underground Storage Tank Regulations, February 1, 1991:
  - Section 1.00 Purpose
  - Section 2.00 Authority
  - Section 3.00 Superseded Rules and Regulations
  - Section 4.00 Severability
  - Section 5.00 Applicability
  - Section 6.00 Administrative Findings
  - Section 7.00 Definitions
  - Section 8.00 Facility Registration and Notification
  - Section 9.00 Financial Responsibility
  - Section 10.00 Minimum Existing Facility Requirements
  - Section 11.00 New Facility and Replacement Tank Requirements
  - Section 12.00 Facility Modification
  - Section 13.00 Maintaining Records
  - Section 14.00 Leak and Spill Response

**Pt. 282, App. A**

**40 CFR Ch. I (7-1-19 Edition)**

Section 15.00	Closure	280.61	Initial response
Section 16.00	Leak Detection Methods and Precision Tester Licensing Requirements	280.62	Initial abatement measures and site check
Section 17.00	Signatories to Registration and Closure Applications	280.63	Initial site characterization
Section 18.00	Transfer of Certificates of Registration or Closure	280.64	Free product removal
Section 19.00	USTs/Holding Tanks Serving Floor Drains	280.65	Investigations for soil and groundwater cleanup
Section 20.00	Variances	280.66	Corrective action plan
Section 21.00	Appeals	280.67	Public participation
Section 22.00	Penalties	280.70	Temporary closure
Appendix A		280.71	Permanent closure and changes-in-service
Appendix B		280.72	Assessing the site at closure or change-in-service and reporting requirements
Appendix C		280.73	Applicability to previously closed UST systems
	<i>South Carolina</i>	280.74	Closure records
	(a) The statutory provisions include:	280.90	Applicability
	(1) <i>Code of Laws of South Carolina, Title 44, Health, Chapter 2. State Underground Petroleum Environmental Response Bank Act (SUPERB Act)</i>	280.91	Compliance dates
	44-2-10	280.92	Definition of terms
	44-2-20	280.93	Amount and scope of required financial responsibility
	44-2-70	280.94	Allowable mechanisms and combinations of mechanisms
	44-2-80	280.95	Financial test of self-assurance
	Release of regulated substance; containment, removal, and abatement	280.96	Guarantee
	(b) The regulatory provisions include:	280.97	Insurance and risk retention group coverage
	(1) <i>South Carolina Underground Storage Tank Control Regulations, R.61-92, Part 280</i>	280.98	Surety Bond
	280.10	280.99	Letter of credit
	280.11	280.101	State Underground Petroleum Environmental Response Bank (SUPERB) or other state assurance
	280.12	280.102	Trust Fund
	280.20	280.103	Standby trust fund
	280.21	280.104	Local government bond rating test
	280.22	280.105	Local government financial test
	280.23	280.106	Local government guarantee
	280.24	280.107	Local government fund
	280.25	280.108	Substitution of financial assurance mechanism by owner or operator
	280.30	280.109	Cancellation or non-renewal by a provider of financial assurance
	280.31	280.110	Reporting by owner or operator
	280.32	280.111	Recordkeeping
	280.33	280.112	Drawing on financial assurance mechanisms
	280.34	280.113	Release from requirements
	280.40	280.114	Bankruptcy or other incapacity of owner or operator or provider of financial assurance
	280.41	280.115	Replenishment of guarantees, letters of credit, or surety bonds
	280.42	280.116	Suspension of enforcement (reserved)
	280.43	280.200	Definitions
	280.44	280.210	Participation in management
	280.45	280.220	Ownership of an underground storage tank or underground storage tank system or facility or property on which an underground storage tank or underground storage tank system is located
	280.46	280.230	Operating an underground storage tank or underground storage tank system
	280.50		
	280.51		
	280.52		
	280.53		
	280.60		

## Environmental Protection Agency

## Pt. 282, App. A

### *South Dakota*

(a) The statutory provisions include South Dakota Statutes Annotated, Chapter 34A-2, Sections 98 and 99. Underground Storage Tanks:

Section 98 Underground storage tanks—Definitions.

Section 99 Underground storage tanks—Adoption of Rules—Violation.

(b) The regulatory provisions include State of South Dakota Administrative Rules, Chapter 74:03:28, Underground Storage Tanks, Department of Environment and Natural Resources, June 24, 1992:

Section 74:03:28:01 Definitions.

Section 74:03:28:02 Performance standards for new UST systems—General requirements.

Section 74:03:28:03 Upgrading of existing UST systems—General requirements and deadlines.

Section 74:03:28:04 Notification requirements for UST systems.

Section 74:03:28:05 Spill and overflow control.

Section 74:03:28:06 Operation and maintenance of cathodic protection.

Section 74:03:28:07 Compatibility.

Section 74:03:28:08 Repairs allowed—general requirements.

Section 74:03:28:09 Maintenance and availability of records.

Section 74:03:28:10 Release detection for all UST systems—general requirements and deadlines.

Section 74:03:28:11 Release detection requirements for petroleum UST systems.

Section 74:03:28:12 Release detection requirements for pressure piping.

Section 74:03:28:13 Recordkeeping.

Section 74:03:28:14 Release notification plan.

Section 74:03:28:15 Reported of suspected releases.

Section 74:03:28:16 Release investigation and confirmation.

Section 74:03:28:17 Off-site impacts and source investigation.

Section 74:03:28:18 General requirements for corrective action for releases from UST systems.

Section 74:03:28:19 Initial abatement requirements and procedures for releases from UST systems.

Section 74:03:28:20 Free product removal.

Section 74:03:28:21 Additional site investigation for releases from UST systems.

Section 74:03:28:22 Soil and groundwater cleanup for releases from UST systems.

Section 74:03:28:23 Reporting of releases from UST systems.

Section 74:03:28:24 Reporting of hazardous substance releases from UST systems.

Section 74:03:28:25 Temporary removal from use.

Section 74:03:28:26 Temporary closure.

Section 74:03:28:31 Permanent closure.

Section 74:03:28:32 Postclosure requirements.

Section 74:03:29:01 Applicability.

Section 74:03:29:23 Definitions.

Section 74:03:29:24 Financial responsibility rules.

### *Tennessee*

(a) The statutory provisions include:

1. Section 68-215-101 Short title
2. Section 68-215-102 Legislative intent [Except § 68-215-102(a)(3) and except § 68-215-102(a)(5).]
3. Section 68-215-103 Definitions
4. Section 68-215-105 Minimum requirements for tanks
5. Section 68-215-106 Notification as to tanks in use and tanks taken out of operations [Except § 68-215-106(a)(6) and except § 68-215-106(c)(2).]
6. Section 68-215-107 Supervision, inspection, and enforcement responsibilities [Except § 68-215-107(e) and except § 68-215-107(f)(9).]
7. Section 68-215-108 Proprietary information
8. Section 68-215-118 Compliance by governmental entities
9. Section 68-215-123 Complaints—Hearings—Appeals
10. Section 68-215-124 Exemptions
11. Section 68-215-126 Preemption of local regulation—Exception
12. Section 68-215-127 Exclusivity of provisions

(b) The regulatory provisions include:

1. Section .01 Program Scope and Minimum Requirements for Tanks
  - Section .01(1) Applicability
  - Section .01(2) Minimum requirements for tanks
  - Section .01(3) Definitions
2. Section .02 UST Systems: Design, Construction, Installation and Notification
  - Section .02(1) Performance standards for new UST systems
  - Section .02(2) Upgrading of existing UST systems
  - Section .02(3) Notification requirements
3. Section .03 General Operating Requirements
  - Section .03(1) Spill and overflow control
  - Section .03(2) Operation and maintenance of corrosion protection
  - Section .03(3) Compatibility
  - Section .03(4) Repairs allowed
  - Section .03(5) Reporting and recordkeeping
4. Section .04 Release Detection
  - Section .04(1) General requirements for release detection
  - Section .04(2) Requirements for petroleum UST systems
  - Section .04(3) Methods of release detection for tanks

**Pt. 282, App. A**

**40 CFR Ch. I (7–1–19 Edition)**

- Section .04(4) Methods of release detection for piping
- Section .04(5) Release detection record-keeping
- 5. Section .05 Release Reporting, Investigation and Confirmation
  - Section .05(1) Reporting of suspected releases
  - Section .05(2) Investigation due to off-site impacts
  - Section .05(3) Release investigation and confirmation steps
  - Section .05(4) Reporting and cleanup of spills and overfills
- 6. Section .06 Release Response and Corrective Action for UST Systems Containing Petroleum
  - Section .06(1) General
  - Section .06(2) Initial response
  - Section .06(3) Initial abatement measures and site check
  - Section .06(4) Initial site characterization
  - Section .06(5) Free products removal
  - Section .06(6) Investigations for soil and ground water cleanup
  - Section .06(7) Corrective action plan
  - Section .06(8) Public participation
- 7. Section .07 Out-of-Service UST System and Closure
  - Section .07(1) Temporary closure
  - Section .07(2) Permanent closure and changes-in-service
  - Section .07(3) Assessing the site at closure or change-in-service
  - Section .07(4) Applicability to previously closed UST systems
  - Section .07(5) Closure records
- 8. Section .08 Financial Responsibility
  - Section .08(1) Applicability
  - Section .08(2) Compliance dates
  - Section .08(3) Definition of terms
  - Section .08(4) Amount and scope of required financial responsibility
  - Section .08(5) Allowable mechanisms and combinations of mechanisms
  - Section .08(6) Financial test of self-insurance
  - Section .08(7) Guarantee
  - Section .08(8) Insurance and risk retention group coverage
  - Section .08(9) Surety bond
  - Section .08(10) Letter of credit
  - Section .08(11) Petroleum underground storage tank fund
  - Section .08(12) Trust fund
  - Section .08(13) Standby trust fund
  - Section .08(14) Substitution of financial assurance mechanisms by owner or operator
  - Section .08(15) Cancellation or nonrenewal by a provider of financial assurance
  - Section .08(16) Reporting by owner or operator
  - Section .08(17) Recordkeeping
  - Section .08(18) Drawing on financial assurance mechanisms

- Section .08(19) Release from requirements
- Section .08(20) Bankruptcy or other incapacity of owner or operator or provider of financial assurance
- Section .08(21) Replenishment of guarantees, letters of credit, or surety bonds

*Texas*

- (a) The statutory provisions include
  - 1. Texas Water Code, Title 2, Subtitle D, Chapter 26—State Water Administration
    - a. Subchapter I: Underground and Aboveground Storage Tanks
      - Section 26.341 Purpose (Except insofar as it applies to aboveground storage tanks.)
      - Section 26.342 Definitions (Except insofar as (10) and (12) apply to aboveground storage tanks.)
      - Section 26.343 Regulated Substances
      - Section 26.344 Exemptions (Except insofar as (a), (d), and (f) apply to aboveground storage tanks.)
      - Section 26.345 Administrative Provisions (Except insofar as (a) and (e) apply to aboveground storage tanks.)
      - Section 26.346 Registration Requirements (Except insofar as (a) applies to aboveground storage tanks.)
      - Section 26.347 Tank Standards
      - Section 26.348 Leak Detection and Record Maintenance
      - Section 26.349 Reporting of Releases and Corrective Action (Except insofar as (a) applies to aboveground storage tanks.)
      - Section 26.350 Tank Closure Requirements
      - Section 26.351 Corrective Action (Except insofar as it applies to aboveground storage tanks.)
      - Section 26.3511 Corrective Action by the Commission (Except insofar as it applies to aboveground storage tanks.)
      - Section 26.3512 Owner or Operator Responsibility; Limitations on Fund Payments for Corrective Action
      - Section 26.3513 Liability and Costs: Multiple Owners and Operators
      - Section 26.3514 Limits on Liability of Lender (Except insofar as it applies to aboveground storage tanks.)
      - Section 26.3515 Limits on Liability of Corporate Fiduciary (Except insofar as it applies to aboveground storage tanks.)
      - Section 26.352 Financial Responsibility
      - Section 26.355 Recovery of Costs (Except insofar as it applies to aboveground storage tanks.)
      - Section 26.357 Standards and Rules
      - Section 26.3571 Eligible Owner or Operator
      - Section 26.3572 Groundwater Protection Cleanup Program
      - Section 26.3573 Petroleum Storage Tank Remediation Fund
      - Section 26.35735 Claims Audit
      - Section 26.3574 Fee on Delivery of Certain Petroleum Products

## Environmental Protection Agency

## Pt. 282, App. A

- Section 26.358 Storage Tank Fund; Fees (Except insofar as it applies to above-ground storage tanks.)
- Section 26.359 Local Regulation or Ordinance
  - (b) The regulatory provisions include
- 1. 31 Texas Administrative Code, Chapter 334—Underground and Aboveground Storage Tanks
  - a. Subchapter A: General Provisions
    - Section 334.1 Purpose and Applicability (Except insofar as Section 334.1(a)(1), (c), and (d)(2) apply to aboveground storage tanks.)
    - Section 334.2 Definitions
    - Section 334.3 Statutory Exemptions (Except insofar as Section 334.3(b) applies release reporting and corrective action requirements to certain hydraulic lift tanks that are exempt under the federal program.)
    - Section 334.4 Commission Exclusions (Except insofar as Section 334.4: (1) Does not exclude airport hydrant fuel distribution systems and UST systems with field-constructed tanks; excludes only *sumps* less than 110 gallons, as opposed to all tanks; and does not provide a release detection deferral for UST systems that store fuel solely for use by emergency power generators; (2) Subjects wastewater treatment tank systems that are deferred in the federal rules to the registration requirements, general operating requirements, and corrective action requirements; (3) Requires USTs that store radioactive substances or are part of a nuclear power plant to comply with registration and general operating requirements; and (4) Applies release reporting and corrective action requirements to certain hydraulic lift tanks that are exempt under the federal program.)
    - Section 334.5 General Prohibitions
    - Section 334.6 Construction Notification
    - Section 334.7 Registration
    - Section 334.8 Certification
    - Section 334.9 Seller's Disclosure
    - Section 334.10 Reporting and Record-keeping
    - Section 334.12 Other General Provisions
  - 2. Subchapter B: Underground Storage Tank Fees
    - Section 334.21 Fee Assessment
    - Section 334.22 Failure to Make Payment
    - Section 334.23 Disposition of Fees, Interest and Penalties
  - 3. Subchapter C: Technical Standards
    - Section 334.41 Applicability
    - Section 334.42 General Standards
    - Section 334.43 Variances and Alternative Procedures
    - Section 334.44 Implementation Schedules
    - Section 334.45 Technical Standards for New UST Systems
    - Section 334.46 Installation Standards for New UST Systems
    - Section 334.47 Technical Standards for Existing UST Systems
    - Section 334.48 General Operating and Management Requirements
    - Section 334.49 Corrosion Protection
    - Section 334.50 Release Detection
    - Section 334.51 Spill and Overfill Prevention and Control
    - Section 334.52 UST System Repairs and Relining
    - Section 334.53 Reuse of Used Tanks
    - Section 334.54 Temporary Removal from Service
    - Section 334.55 Permanent Removal from Service
  - 4. Subchapter D: Release Reporting and Corrective Action
    - Section 334.71 Applicability
    - Section 334.72 Reporting of Suspected Releases
    - Section 334.73 Investigation Due to Off-Site Impacts
    - Section 334.74 Release Investigation and Confirmation Steps
    - Section 334.75 Reporting and Cleanup of Surface Spills and Overfills
    - Section 334.76 Initial Response to Releases
    - Section 334.77 Initial Abatement Measures and Site Check
    - Section 334.78 Initial Site Characterization
    - Section 334.79 Free Product Removal
    - Section 334.80 Investigation for Soil and Groundwater Cleanup
    - Section 334.81 Corrective Action Plan
    - Section 334.82 Public Participation
    - Section 334.83 Emergency Orders
    - Section 334.84 Corrective Action by the Commission
    - Section 334.85 Management of Wastes
  - 5. Subchapter E: Financial Responsibility
    - Section 334.91 Applicability
    - Section 334.92 Compliance Dates
    - Section 334.93 Amount and Scope of Required Financial Responsibility
    - Section 334.94 Allowable Mechanisms and Combinations of Mechanisms
    - Section 334.95 Financial Test of Self-Insurance
    - Section 334.96 Guarantee
    - Section 334.97 Insurance and Risk Retention Group Coverage
    - Section 334.98 Surety Bond
    - Section 334.99 Letter of Credit
    - Section 334.100 Trust Fund
    - Section 334.101 Standby Trust Fund
    - Section 334.102 Substitution of Financial Assurance Mechanisms by Owner or Operator
    - Section 334.103 Cancellation or Non-renewal by a Provider of Financial Assurance
    - Section 334.104 Reporting by Owner or Operator
    - Section 334.105 Financial Assurance Recordkeeping

**Pt. 282, App. A**

**40 CFR Ch. I (7–1–19 Edition)**

- Section 334.106 Drawing on Financial Assurance Mechanisms
- Section 334.107 Release from the Requirements
- Section 334.108 Bankruptcy or Other Incapacity of Owner or Operator of Provider of Financial Assurance
- Section 334.109 Replenishment of Guarantees, Letters of Credit, or Surety Bonds
- 6. Subchapter H: Interim Reimbursement Program
  - Section 334.301 Applicability of this Subchapter
  - Section 334.302 General Conditions and Limitations Regarding Reimbursement—Interim Period
  - Section 334.303 Time to File Application—Interim Period
  - Section 334.304 Who May File Application—Interim Period
  - Section 334.305 Where and How Documents Must Be Filed—Interim Period
  - Section 334.306 Form and Contents of Application—Interim Period
  - Section 334.307 Technical Information Required—Interim Period
  - Section 334.308 Allowable Costs and Restrictions on Allowable Costs—Interim Period
  - Section 334.309 Reimbursable Costs—Interim Period
  - Section 334.310 Requirements for Eligibility—Interim Period
  - Section 334.311 Determining the Number of Occurrences—Interim Period
  - Section 334.312 Owner/Operator Contribution
  - Section 334.313 Review of Application by Executive Director—Interim Period
  - Section 334.314 Executive Director's Fund Payment Report—Initial Period
  - Section 334.315 Protest of Fund Payment Report—Interim Period
  - Section 334.316 Formal Petition—Interim Period
  - Section 334.317 Hearing by the Commission—Interim Period
  - Section 334.318 Recovery of Costs—Interim Period
  - Section 334.319 Administrative Penalties and Other Actions—Initial Period
  - Section 334.320 Responsibilities of Owners and Operators—Interim Period
  - Section 334.321 Corrective Action by the Commission—Interim Period
  - Section 334.322 Subchapter H Definitions
- 7. Subchapter K: Petroleum Substance Waste
  - Section 334.481 Definitions
  - Section 334.482 General Prohibitions
  - Section 334.483 Disposal by Generator
  - Section 334.484 Registration Required for Petroleum-Substance Waste Storage or Treatment Facilities
  - Section 334.485 Authorization for Class C and Class D Facilities
  - Section 334.486 Exemptions
  - Section 334.487 Notification and Mobilization Requirements for Class B Facilities
  - Section 334.488 Effect on Existing Facilities
  - Section 334.489 Notice to Owners and Operators
  - Section 334.490 Public Notice
  - Section 334.491 Public Meetings for Class A Facilities
  - Section 334.492 Closure and Facility Expansion
  - Section 334.493 Location Standards for Class A Petroleum-Substance Waste Storage or Treatment Facilities
  - Section 334.494 Shipping Procedures Applicable to Generators of Petroleum-Substance Waste
  - Section 334.495 Recordkeeping and Reporting Procedures Applicable to Generators
  - Section 334.496 Shipping Requirements Applicable to Transporters of Petroleum-Substance Waste
  - Section 334.497 Shipping Requirements Applicable to Owners or Operators of Storage Treatment or Disposal Facilities
  - Section 334.498 Recordkeeping Requirements Applicable to Owners or Operators of Storage Treatment or Disposal Facilities
  - Section 334.499 Additional Reports
  - Section 334.500 Design and Operating Requirements of Stockpiles and Land Surface Treatment Units
  - Section 334.501 Reuse of Petroleum-Substance Waste
  - Section 334.502 Contaminant Assessment Program and Corrective Action
  - Section 334.503 Security
  - Section 334.504 Contingency Plan
  - Section 334.505 Emergency Procedures
  - Section 334.506 Closure Requirements Applicable to Class A and Class B Facilities
  - Section 334.507 General Requirements for Financial Assurance
  - Section 334.508 Mechanisms for Financial Assurance
  - Section 334.509 Liability Requirements for Class A and B Facilities
  - Section 334.510 Incapacity of Owners or Operators, Guarantors, or Financial Institutions
- 8. Subchapter L: Overpayment Prevention
  - Section 334.530 Purpose and Applicability of the Subchapter
  - Section 334.531 Responsibility of Recipients of Money from the PSTR Fund and Persons Paid by Recipients of Money from the PSTR Fund
  - Section 334.532 Payments
  - Section 334.533 Audits
  - Section 334.534 Notice of Overpayment
  - Section 334.535 Objections to the Notice of Overpayment and Formal Petition for Hearing
  - Section 334.536 Hearing by the Commission

## Environmental Protection Agency

## Pt. 282, App. A

Section 334.537 Failure to Return Overpayment or Cooperative with Audit or Investigation

Section 334.538 Administrative Penalties and Other Actions

### 9. Subchapter M: Reimbursable Cost Guidelines for the Petroleum Storage Tank Reimbursement Program

Section 334.560 Reimbursable Cost Guidelines

#### Utah

(a) The statutory provisions include: Utah Code, *Title 19: "Environmental Quality Code,"* Chapter 1, "General Provisions, Part 2, Powers," (May 8, 1991) and Chapter 6, "Hazardous Substances, Part 4, Underground Storage Tank Act" (May 8, 2018):

Section 19-1-203, Representatives of department authorized to enter regulated premises.

Section 19-6-402, Definitions, except (3), (4), (8), (9), (11), (14), (15), (20), (23) and (26).

Section 19-6-402.5, Retroactive effect.

Section 19-6-403, Powers and duties of board, except (1)(a)(i), (1)(a)(vi) and (1)(a)(vii).

Section 19-6-404, Powers and duties of director, except 2(c), 2(f), 2(j) and 2(m).

Section 19-6-407, Underground storage tank registration—Change of ownership or operation—civil penalty, except (2) and (3).

Section 19-6-413, Tank tightness test—Action required after testing.

Section 19-6-420 Abatement actions—Corrective actions, except (1) through (3)(b), (4)(a), (5)(b) and (c), (6), and 9(b).

(b) Administrative Rules of the State of Utah, Title 311 Environmental Quality, Environmental Response and Remediation, Utah Administrative Code (April 1, 2018):

(1) Section R311-200-1, Underground Storage Tanks: Definitions, except (b)(2), (b)(5), (b)(6), (b)(7), (b)(10), (b)(11), (b)(12), (b)(13), (b)(20), (b)(22), (b)(28), (b)(34), (b)(38), (b)(44), (b)(45), (b)(49), (b)(51), (b)(55), (b)(56), (b)(58), and (b)(59).

Section R311-201-1, Underground Storage Tanks: Definitions, except those definitions listed as excepted under R311-200-1.

Section R311-201-12, Underground Storage Tanks: Certification Programs and UST Operator Training, UST Operator Training and Registration, except (d)(2) and (f).

Section R311-202-1, Federal Underground Storage Tank Regulations, Incorporation by reference, except (a), (b), (c), and (d).

Section R311-203-1, Underground Storage Tanks: Technical Standards, Definitions, except those definitions listed as excepted under R311-200-1.

Section R311-203-2, Notification.

Section R311-203-3, New installations, permits, except (b), (c), and (g).

Section R311-203-5, UST testing requirements.

Section R311-203-6, Secondary containment and under-dispenser containment.

Section R311-203-7, Operator inspections.

Section R311-203-8, Unattended facilities.

Section R311-204-1, Underground Storage Tanks: Closure and Remediation, Definitions, except those definitions listed as excepted under R311-200-1.

Section R311-204-2, Underground Storage Tank Closure Plan.

Section R311-204-3, Disposal.

Section R311-204-4, Closure notice.

Section R311-205-1, Underground Storage Tanks: Site Assessment Protocol, Definitions, except those definitions listed as excepted under R311-200-1.

Section R311-205-2, Site assessment protocol.

Section R311-206-1, Underground Storage Tanks: Certificate of Compliance and Financial Assurance Mechanisms, Definitions, except those definitions listed as excepted under R311-200-1.

Section R311-206-2, Declaration of financial assurance mechanisms, except (a)(1), (b), and (c).

Section R311-206-3, Requirements for issuance of certificates of compliance, except (7) and (8).

Section R311-206-5, Requirements for owners and operators demonstrating financial assurance by other methods, except (b) and (b)(2).

Section R311-206-8, Delivery prohibition, except (a)(1)—(4) and (f)(1)(A).

(c) Copies of the Utah regulations that are incorporated by reference are available from the Utah's Office of Administrative Rules, Office Coordinator, P.O. Box 141007, Salt Lake City, UT 84114-1007; Phone number: 801-538-3003; website: <https://rules.utah.gov/publications/utah-adm-code/>.

#### Vermont

(a) The statutory provisions include Vermont Statutes Annotated, 1992, Chapter 59. Underground Liquid Storage Tanks:

Section 1921 Purpose.

Section 1922 Definitions.

Section 1923 Notice of New or Existing Underground Storage Tank.

Section 1924 Integrity Report.

Section 1925 Notice in Land Records.

Section 1926 Unused and Abandoned Tanks.

Section 1927 Regulation of Category One Tanks.

Section 1928 Regulation of Large Farm and Residential Motor Fuel Tanks.

Section 1930 Implementation; Coordination.

Section 1936 Licensure of Tank Inspectors.

Section 1938 Underground Storage Tank Trust Fund.

Section 1939 Risk Retention Pool.

Section 1940 Underground Storage Tank Incentive Program.

Section 1941 Petroleum Cleanup Fund.

**Pt. 282, App. A**

**40 CFR Ch. I (7-1-19 Edition)**

- Section 1942 Petroleum Distributor Licensing Fee.
- Section 1943 Petroleum Tank Assessment.
- Section 1944 Underground Storage Tank Loan Assistance Program.
- (b) The regulatory provisions include State of Vermont, Agency of Natural Resources, Underground Storage Tank Regulations, February 1, 1991:
  - (1) Subchapter 1: General.
    - Section 8-101 Purpose.
    - Section 8-102 Applicability.
    - Section 8-103 Severability.
  - (2) Subchapter 2: Definitions.
    - Section 8-201 Definitions.
  - (3) Subchapter 3: Notification and Permits.
    - Section 8-301 Notification, except for the following words in section 8-301(1), "Notification is also required for any tank used exclusively for on-premises heating that is greater than 1100 gallons in size."
    - Section 8-302 Permits.
    - Section 8-303 Financial Responsibility Requirements.
    - Section 8-304 Petroleum Tank Assessment.
    - Section 8-305 Innovative Technology.
  - (4) Subchapter 4: Minimum Standards for New and Replacements Tanks and Piping.
    - Section 8-401 General Requirements.
    - Section 8-402 Tanks—Design and Manufacturing Standards.
    - Section 8-403 Tanks—Secondary Containment.
    - Section 8-404 Tanks—Release Detection.
    - Section 8-405 Piping—Design and Construction.
    - Section 8-406 Compatibility.
    - Section 8-407 Spill and Overfill Prevention Equipment.
    - Section 8-408 Installation.
  - (5) Subchapter 5: Minimum Operating Standards for Existing Tanks and Piping.
    - Section 8-501 General Requirements.
    - Section 8-502 Spill and Overfill Prevention.
    - Section 8-503 Corrosion Protection of Metallic Components.
    - Section 8-504 Release Detection.
    - Section 8-505 Compatibility.
    - Section 8-506 Repairs.
  - (6) Subchapter 6: Reporting, Investigation, Corrective Action and UST Closure.
    - Section 8-601 General Requirement, except for the following words, "Heating oil tanks greater than 1100 gallons capacity used exclusively for on-premise heating purposes are subject to the requirements for permanent closure in accordance with subsection 8-605(2)."
    - Section 8-602 Reporting.
    - Section 8-603 Release Investigation and Confirmation.
    - Section 8-604 Corrective Action.
    - Section 8-605 Closure of USTs.
- Appendix A Groundwater Monitoring Requirements.

- Appendix B Inventory Monitoring Procedures.
- Appendix C Procedures for Manual Tank Gauging.
- Appendix D Installation Requirements Applicable to New and Replacement UST Systems.

*Virginia*

- (a) The statutory provisions include:
  - (1) Code of Virginia, Title 62.1, Chapter 3.1: State Water Control Law
    - Article 9: Storage Tanks
      - Section 62.1-44.34:8 Definitions, except "Aboveground storage tank" and "Regulated substance"
      - Section 62.1-44.34:9 Powers and duties of Board
        - Article 10: Petroleum Storage Tank Fund
          - Section 62.1-44.34:10 Definitions, except "Aboveground storage tank" and "Regulated substance"
          - Section 62.1-44.34:11 Virginia Petroleum Storage Tank Fund
          - Section 62.1-44.34:12 Financial responsibility
  - (b) The regulatory provisions include:
    - (1) Virginia Administrative Code, Title 9, Agency 25: State Water Control Board, Chapter 580: Underground Storage Tanks—Technical Standards and Corrective Action Requirements
      - Part I: Definitions, Applicability, and Interim Prohibition
        - 9 VAC 25-580-10 Definitions, except "Underground storage tank" includes heating oil tanks of greater than 5,000 gallon capacity and "Regulated substance"
        - 9 VAC 25-580-20 Applicability
        - 9 VAC 25-580-30 Interim prohibition for deferred UST systems
        - 9 VAC 25-580-40 Permitting and inspection requirements for all UST systems
      - Part II: UST Systems: Design, Construction, Installation, and Notification
        - 9 VAC 25-580-50 Performance standards for new UST systems
        - 9 VAC 25-580-60 Upgrading of existing UST systems
        - 9 VAC 25-580-70 Notification requirements
        - 9 VAC 25-580-80 Spill and overfill control
        - 9 VAC 25-580-90 Operation and maintenance of corrosion protection
        - 9 VAC 25-580-100 Compatibility
        - 9 VAC 25-580-110 Repairs allowed
      - Part III: General Operating Requirements
        - 9 VAC 25-580-120 Reporting and record-keeping

## Environmental Protection Agency

## Pt. 282, App. A

### *Part IV: Release Detection*

- 9 VAC 25-580-130 General requirements for all petroleum and hazardous substance UST systems, except heating oil tanks of greater than 5,000 gallon capacity
- 9 VAC 25-580-140 Requirements for petroleum UST systems
- 9 VAC 25-580-150 Requirements for hazardous substance UST systems
- 9 VAC 25-580-160 Methods of release detection for tanks
- 9 VAC 25-580-170 Methods of release detection for piping
- 9 VAC 25-580-180 Release detection record-keeping

### *Part V: Release Reporting, Investigation, and Confirmation*

- 9 VAC 25-580-190 Reporting of suspected releases
- 9 VAC 25-580-200 Investigation due to off-site impacts
- 9 VAC 25-580-210 Release investigation and confirmation steps
- 9 VAC 25-580-220 Reporting and cleanup of spills and overfills

### *Part VI: Release Response and Corrective Action for UST Systems Containing Petroleum for Hazardous Substances*

- 9 VAC 25-580-230 General
- 9 VAC 25-580-240 Initial response
- 9 VAC 25-580-250 Initial abatement measures and site check
- 9 VAC 25-580-260 Site characterization
- 9 VAC 25-580-270 Free product removal
- 9 VAC 25-580-280 Corrective action plan
- 9 VAC 25-580-300 Public participation
- 9 VAC 25-580-310 Temporary closure

### *Part VII: Out-of-Service UST Systems and Closure*

- 9 VAC 25-580-320 Permanent closure and changes-in-service
- 9 VAC 25-580-330 Assessing the site at closure or change-in-service
- 9 VAC 25-580-340 Applicability to previously closed UST systems
- 9 VAC 25-580-350 Closure records

### *Part VIII: Delegation*

- 9 VAC 25-580-360 Delegation of authority
  - Appendix I: Virginia Underground Storage Tank Notification Forms
  - Appendix II: Statement for Shipping tickets and Invoices
- (2) Virginia Administrative Code, Title 9, Agency 25: State Water Control Board, Chapter 590: Petroleum Underground Storage Tank Financial Responsibility Requirements

- 9 VAC 25-590-10 Definitions
- 9 VAC 25-590-20 Applicability
- 9 VAC 25-590-30 Compliance dates

- 9 VAC 25-590-40 Amount and scope of financial responsibility requirement
- 9 VAC 25-590-50 Allowable mechanisms and combinations of mechanisms
- 9 VAC 25-590-60 Financial test of self-insurance
- 9 VAC 25-590-70 Guarantee
- 9 VAC 25-590-80 Insurance and group self-insurance pool coverage
- 9 VAC 25-590-90 Surety bond
- 9 VAC 25-590-100 Letter of credit
- 9 VAC 25-590-110 Trust fund
- 9 VAC 25-590-120 Standby trust fund
- 9 VAC 25-590-130 Substitution of financial assurance mechanisms by owner and operator
- 9 VAC 25-590-140 Cancellation or non-renewal by a provider of financial assurance
- 9 VAC 25-590-150 Reporting by owner or operator
- 9 VAC 25-590-160 Recordkeeping
- 9 VAC 25-590-170 Drawing on financial assurance mechanism
- 9 VAC 25-590-180 Release from the requirements
- 9 VAC 25-590-190 Bankruptcy or other incapacity of owner, operator or provider of financial assurance
- 9 VAC 25-590-200 Replenishment of guarantees, letters of credit or surety bonds
- 9 VAC 25-590-210 Virginia Petroleum Storage Tank Fund
- 9 VAC 25-590-220 Notices to the State Water Control Board
- 9 VAC 25-590-230 Delegation of authority
- 9 VAC 25-590-240 Lender liability
- 9 VAC 25-590-250 Local government financial responsibility demonstration
- 9 VAC 25-590-260 Word or phrase substitutions
- Appendix I: Letter from Chief Financial Officer
- Appendix II: Guarantee
- Appendix III: Endorsement
- Appendix IV: Certificate of Insurance
- Appendix V: Performance Bond
- Appendix VI: Irrevocable Standby Letter of Credit
- Appendix VII: Trust Agreement
- Appendix VIII: Certification of Acknowledgment
- Appendix IX: Certification of Financial Responsibility
- Appendix X: Certification of Valid Claim
- Appendix XI: Letter from Chief Financial Officer (short form)

### *West Virginia*

- (a) The statutory provisions include:

- (1) Code of West Virginia, Article 17: Underground Storage Tanks

- Section 22-17-1 Short title
- Section 22-17-2 Declaration of policy and purpose

- Section 22–17–3 Definitions
- Section 22–17–4 Designation of division of environmental protection as the state underground storage tank program lead agency
- Section 22–17–6 Promulgation of rules and standards by director, except §22–17–6.(b)(12) and (b)(13)
- Section 22–17–8 Notification requirements
- Section 22–17–9 Registration requirements; undertaking activities without registration
- Section 22–17–10 Financial responsibility
- Section 22–17–11 Performance standards for new underground storage tanks
- Section 22–17–12 Confidentiality, except §22–17–12.(b)
- Section 22–17–14 Corrective action for underground petroleum storage tanks
- Section 22–17–22 Underground storage tank insurance fund
- (b) The regulatory provisions include:

- (1) West Virginia Code of State Regulations, Title 33: Office of Waste Management Rule, Series 30: Underground Storage Tanks

- Section 33–30–1 General
- Section 33–30–2 Adoption of Federal Regulations
- Section 33–30–4 Notification Requirements, except §33–30–4.2.b and 4.4.b

[58 FR 58625, Nov. 2, 1993]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting appendix A to part 282, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at [www.govinfo.gov](http://www.govinfo.gov).

EFFECTIVE DATE NOTE: At 84 FR 22732, May 20, 2019, Appendix A to part 282 was amended by adding the entry for Colorado, effective July 19, 2019. For the convenience of the user, the added text is set forth as follows:

APPENDIX A TO PART 282—STATE REQUIREMENTS INCORPORATED BY REFERENCE IN PART 282 OF THE CODE OF FEDERAL REGULATIONS

\* \* \* \* \*

Colorado

(a) The statutory provisions include: *Colorado Revised Statutes (2018)*, Title 8 Labor and Industry, Article 20.5 Petroleum Storage Tanks, Part 1 Administration: Section 8–20.5–101(16) definition of “tank”.

(b) The regulatory provisions include:  
 (1) *Code of Colorado Regulations (May 1, 2018)*, 7 CCR 1101–14 “Department of Labor and Employment, Division of Oil and Public Safety, Storage Tank Regulations”:

Article 1 General Provisions:

Section 1–5 Definitions, except “above-ground storage tank” (AST), “aboveground

storage tank (AST) system,” “fire resistant tank,” “motor fuel,” the phrase “or above ground” in the definition of “operator,” Item (3) in the definition of “owner” relative to ASTs, and paragraph relative to ASTs in the definition of “secondary containment”;

1–6 Glossary of Acronyms and Initializations;

Article 2 Underground Storage Tanks:

Section 2–1 UST Program Scope and Applicability; Subsections 2–1–1 Applicability; 2–1–2 Determination of ownership and use;

Section 2–2 UST Design, Construction, Installation and Registration; Subsections 2–2–1 Design and Performance standards for new and replaced UST systems; 2–2–2 Installation; 2–2–2–1 Installation Application; 2–2–2–2 Installation Requirements; 2–2–2–3 Installation Inspection; 2–2–3 UST System Registration; 2–2–4 Upgrading existing UST System; 2–2–5 Repairs;

Section 2–3 Operation; Subsections 2–3–1 Operator training; 2–3–1–1 Classes of Operators; 2–3–1–2 Class A Operator; 2–3–1–3 Class B Operator; 2–3–1–4 Class C Operator; 2–3–1–5 Acceptable Training and Certification Processes; 2–3–1–6 Training and Certification Deadlines and Schedules; 2–3–1–7 Retraining Requirements; 2–3–1–8 Documentation; 2–3–2 Spill and Overfill Prevention; 2–3–3 Corrosion Protection; 2–3–4 Release Detection; 2–3–4–1 General requirements for all UST systems; 2–3–4–2 Requirements for regulated substance UST Systems; 2–3–4–3 Requirements for Piping; 2–3–4–4 Requirements for hazardous substance UST systems; 2–3–5 Periodic testing of spill prevention equipment and containment sumps used for interstitial monitoring of piping and periodic inspection of overfill prevention equipment; 2–3–6 Compliance inspections; 2–3–6–1 Monthly Compliance Inspections; 2–3–6–2 Annual Operational Compliance Inspections; 2–3–6–3 Inspections Conducted by the Director; 2–3–7 Reporting and Record Keeping;

Section 2–4 Closure of UST Systems; Subsections 2–4–1 Temporary Closure; 2–4–2 Permanent Closure; 2–4–3 Site Assessment;

Section 2–5 UST Systems with Field-Constructed Tanks and Airport Hydrant Fuel Distribution Systems; Subsections 2–5–1 Definitions; 2–5–2 General requirements; 2–5–3 Additions, exceptions, and alternatives for UST systems with field-constructed tanks and airport hydrant systems;

Article 4 Release Identification And Reporting;

Sections 4–1 Suspected Releases; 4–2 Response to Suspected Releases; 4–3 Confirmed Releases;

Article 5 Release Response:

Section 5–1 Response to Confirmed Releases; Subsections 5–1–1 Acute human health hazards; 5–1–2 Chronic and secondary human health hazards and other environmental impacts; Section 5–2 Site Characterization;

Section 5–3 Corrective Action;

**Environmental Protection Agency**

**§ Pt. 282, App. A, Nt.**

Section 5-4 No Further Action Request;  
*Article 7 Financial Responsibility Requirements For Owners/Operators Of Petroleum Underground Storage Tanks:*

Section 7-1 Applicability;

Section 7-2 Financial Responsibility Mechanisms;

Section 7-3 Maintenance of Financial Responsibility.

(c) Copies of the Colorado statutes and regulations that are incorporated by reference are available from the following offices:

Statutes—Colorado Revisor of Statutes, 200 E. Colfax Avenue, Denver, CO 80203; Attn: Office of Legislative Legal Services; Phone

number: (303) 866-2045; website: <https://leg.colorado.gov/agencies/office-legislative-legal-services/colorado-revised-statutes>.

Regulations—Colorado’s Secretary of State, 1700 Broadway, Denver, CO 80290; Attn: Code of Colorado Regulations and Administrative Rules; Phone number: (303) 894-2200 ext. 6418; email: [rules@sos.state.co.us](mailto:rules@sos.state.co.us); website: <https://www.sos.state.co.us/CCR/Welcome.do>.

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**PARTS 283-299 [RESERVED]**