

## Utah Update - August 2015

### EPA Releases New UST Regulations

While the new UST rules are still not published in the Federal Registry, we have been provided an overview of the new tank requirements by Utah's DEQ, which must seek legislative approval of the new regulations, which will likely be a 3-4 year process.

<u>Regulatory Requirement</u>	<u>Implementation</u>	<u>State plan</u>
<b>Walk through Inspection</b>	every 30 days	State already doing
<b>Overfill prevention equip Inspection</b>	3 years	to be phased in
<b>Spill prevention equip tests</b>	3 years	to be phased in
<b>Containment sump tests</b>	3 years	to be phased in
<b>Elimination of flow restrictors in vent lines for new tanks when overfill devices are replaced</b>	Required	to be phased in
<b>Operability checks for release detection equipment</b>	Annual (plus annual check of sumps)	Electronics will now need to be tested
<b>Groundwater and vapor monitoring for release detection</b>	Continue to allow with site assessment	
<b>Remove release detection deferral for emergency generator tanks</b>	Required	Mostly government sites
<b>Requirements for demonstrating compatibility for fuels containing &gt;E10 and &gt;B20</b>	Required	A lifetime of record keeping
<b>Remove deferrals for airport hydrant fuel distribution systems and UST systems with field-constructed tanks</b>	Regulate under alternative release detection requirements	Government

## **DERR Proposed New Fees Meet Opposition**

The Underground Storage Tank (UST) compliance program, which provides regulatory oversight to tanks continues to see its federal funding reduced, and no increase in annual tank registration fees for thirteen years, but the cost of providing and conducting compliance activities has continued to increase, resulting in a larger financial liability assumed by the PST Trust Fund.

Looking at each cost separately, DERR identified two services currently provided and necessary for an effective UST program for which costs are increasingly being covered by the PST Fund allocation: Inspection of UST installations, and UST closures and removals. The result is that current fund participants are subsidizing these services for UST owners who do not participate in the PST Trust Fund.

DERR thought, instead of socializing the cost and increasing everyone's registration fee \$20, they want to impose two new fees: an UST Installation fee, and a UST Closure fee to cover state compliance services that are rendered.

DERR concedes the downside to having a closure fee is that the fee may be a deterrent to removing and upgrading an aging, risky tank system, and suggested a grace period of 2-3 years, when no closure fee is assessed.

UPMRA Board members think they can support a reasonable Installation fee, but would prefer to see a small increase to the registration fee and eliminate the Closure fee completely.

**DERR representatives will be at the UPMRA Convention and Trade Show** to answer these and other attendee questions.

## **UPMRA Convention & Tradeshow – September 15-17 at the Park City Marriott**

Every September, UPMRA members and associates get together to network and do some business, this year; we are at the Park City Marriott in the heart of Park City for the 2015 UPMRA Convention & Trade Show.

The convention kicks off with a welcome reception and Supplier Hospitality, and golfers picking up their UPMRA Nike Shirt for golf Thursday morning at Mountain Dell.

Thursday afternoon, see the latest at our Trade Show prior to dinner and NACS' Michael Davis, our keynote speaker. On Friday, Lt. Governor Spencer Cox headlines our general business session. We will also hear from Gregory Gabel,

Chevron's Refinery Manager, Rob Wellman explaining Effective Social Media, and Nate Kensinger on Distracted Driving in the texting age.

The Convention will end by eleven, so attendees can start the weekend early in Utah's most beautiful mountain resort. Sign up on-line at:  
**[www.wpma.com/utah/convention](http://www.wpma.com/utah/convention)**.

### **UPMRA Summer Golf PAC Fund Raiser**

UPMRA members and friends golfed on a beautiful Thursday in June at **Bountiful Ridge Golf Course** in support of the UPMRA State PAC Fund. **Together, we rose over \$10,500 for the State PAC.** Thank you all! See all golf photos at: [www.wpma.com/utah](http://www.wpma.com/utah).