



UST Compliance Regulation Changes

The new regulations went into effect on October 6, 2011. **Major** changes to the operational compliance regulations relate to five areas.

1. Secondary Containment – New or replaced tanks, piping and spill buckets, installed after April 1 of this year must be double-walled construction. Liquid-tight sumps and under-dispenser containment are also required for new or replaced systems. See sections 11 and 12 of 401 KAR 42:020.
2. As of April 1, 2012, verification of installation including photos must be submitted within 30 days of installation using DEP form 7115.
3. Internally lined tanks must be upgraded with external corrosion protection or permanently closed by December 22, 2013. See 401 KAR 42:030 for more details on upgrades and assessments required after the upgrade.
4. Delivery Prohibition – If your system is out of compliance and an NOV is issued, you are required to respond and fix the issues. If you fail to comply with the initial NOV, a delivery prohibition goes into effect. You will be unable to receive new fuel shipments.
5. All UST leak detection systems shall be performance tested annually.
6. Operator and Employee training –
 - a. Every facility must have a “Designated Compliance Manager” who has been trained by the USTB. There will be on-line training developed. The DCM must complete training by August 8, 2012.
 - b. The DCM shall demonstrate an in depth knowledge of:
 - i. UST system operation, maintenance, inspection, and testing requirements
 - ii. UST system record keeping
 - iii. UST release reporting
 - iv. All relevant equipment and its compliance performance
 - v. Requirements for delivery prohibition
 - vi. UST facility employee training requirements
 - vii. Must be re-trained every 12 months.
 - c. Employee training
 - i. Must be trained by August 8, 2012 and must retrain every 12 months, written documentation must be kept.
 - ii. Training should be conducted in the following areas
 1. Response to equipment alarms
 2. Fire extinguisher operation
 3. Spill and overfill response
 4. Threats caused by spills
 5. Emergency cut-off procedures
 6. Contact information for emergency response

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