

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY – UST BRANCH
Mississippi UST -2 – UST Technical Regulations Changes
October 5, 2018

Modifications to the MS UST Technical Regulations	Implementation Due Date			
	10/05/2018	04/05/2019	10/05/2019	10/05/2021
Installations, Repairs, or Modifications				
Added a repair due date. Repairs shall be completed within 90 days of an observed failure. If the repair is to leak detection equipment, another form of leak detection shall be used if the repair is not completed in 30 days.	X			
Change in fuel type for greater than 20% biodiesel and greater than 10% ethanol requires notification to MDEQ at least 30 days prior to the change and documentation that the UST system will be compatible with the fuel.	X			
Flow restrictors used in vent lines (ball float valves) may not be installed or replaced. They can continue to be used for overfill prevention equipment until a failure of the flow restrictor is discovered.	X			
Secondary containment equipment must be tested at installation and before the UST system receives any delivery of regulated substances.	X			
Updated definition of “ <i>Replace</i> ”. If 50% or more of the piping must be removed to repair a pipe, then all the piping from the single tank to the most distant dispenser must be removed and replaced.		X		
Testing Requirements				
Secondary containment equipment must be tested at least once every 36 months.				X
Added criteria for secondary containment integrity testing methods.				
UST systems with secondary containment that was installed after 10/01/2008 where the secondary containment is continuously monitored does require annual inspection.			X	
Added criteria for line tightness testing that the test is conducted in accordance with manufacturer specifications or other recommended code of practice.	X			

Leak Detection / Release Detection

Emergency Power Generator USTs installed prior to October 1, 2008 must meet leak detection requirements.				X
Added requirement that ATG systems must be capable visible or audible alarms and the ATG systems must be capable of printing the completed 0.2 gpm leak rate test.	X			
Added requirement for interstitial monitoring that the sampling or testing method can detect ingress or egress of monitoring fluids designed to remain in the interstice.	X			
Added leak detection requirements for ancillary equipment within secondary containment sumps.	X			

Delivery Prohibition

Changed the timeframe in which delivery prohibition can be instituted based on written warnings of violations from 120 days to 60 days.	X			
Added two criteria for instituting delivery prohibition during inspection: <ul style="list-style-type: none"> • Required shear valve is not installed or a shear valve is purposely disabled • Other conditions where MDEQ deems equipment is purposely disabled 	X			

Walk-through Inspections – Monthly and Annual

Added requirement for monthly walk-through inspections. Walk-through inspections include: <ul style="list-style-type: none"> • Inspect spill buckets • Inspect leak detection equipment • Inspect leak detection records for accuracy and completeness • Maintain monthly records of walk-through inspections • Conduct annual inspection of hand held leak detection equipment 				X
Added requirement for annual inspection of hand held leak detection equipment to include third party inspection of vapor meters. The associated Certificate of Verification shall be included in the annual documentation.				X

Reporting Requirements

Added to reporting requirements of leaks and suspected releases that the owner/operator shall notify MDEQ of failures of UST system equipment, if the failed UST system equipment is not repaired and re-tested within 24 hours of the discovery of the failure.	X			
Change in fuel type for greater than 20% biodiesel and greater than 10% ethanol requires notification to MDEQ at least 30 days prior to the change and documentation that the UST system will be compatible with the fuel.	X			

Temporarily Out of Service Indefinitely

<p>If a UST system is closed for more than 12 months and the UST system meets current performance standards, current regulations require the owners/operators to permanently close the tanks, or perform a site assessment. We added criteria to require:</p> <ul style="list-style-type: none"> • Conducting and documenting annual UST system inspection to verify the UST system is empty, vent lines are open and functioning, piping is securely capped, and corrosion protection is operating properly. This annual inspection can be conducted in lieu of a site assessment as deemed appropriate by MDEQ. 			X	
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Lender Liability Subpart

<p>Added requirements for holder after foreclosure:</p> <ul style="list-style-type: none"> • Empties UST systems within 60 days after foreclosure, and • Permanently close the UST system, or • Maintains temporarily out of service indefinitely status by continuing operation and maintenance of corrosion protection, report suspected releases, conduct a site assessment if the UST system is temporarily out of service more than 12 months, • Conducts annual inspection to ensure temporarily out of service indefinitely conditions are met 	X			
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Administrative Changes (no direct change for most UST owners/operators)

Deleted deferrals for airport hydrant systems and field constructed tanks

Re-named *"Certification of Registration"* to *"Certificate of Operation"*

Added definition and use of *"Life safety/critical function UST"*

Added definition and use of *"Register"*

Updated definition of *"Replace"*

Added definition of *"Under-dispenser containment or UDC"*

Added and updated industry standard recommended practices documents throughout the regulations

Deleted the alternative rule for overfill prevention equipment (restrict flow at 30 minutes prior to fill up, alarm 1 minute before fill up, or wetted top of tank)

Added note that a *"Notice of Upcoming Underground Storage Tank System Installation"* form is not required for an unplanned replacement which occurs within 30 days after failure or accident

Added an exception to the automatic line leak detector requirement for all pressurized piping. If a UST system is a life safety/critical function UST system, and alternative method of catastrophic leak detection can be approved by MDEQ.

Changed criteria for written report of release from 20 days to 10 days to be consistent with current MDEQ UST policy