2018 UST Regulation Changes

Testing of Spill Buckets, Sumps, and Under-dispenser Containment

Department of Environmental Management
Office of Waste Management
UST Program

Background:

- In 2015, U.S. EPA issued the first change to Federal UST requirements in almost 20 years
- The Rhode Island Department of Environmental Management (RI DEM) is required to implement and enforce these requirements. As a result, RI DEM updated the UST Regulations to comply with Federal law and the changes required by U.S. EPA
- The 2018 revision of the UST Regulations, formally known as the Rules and Regulations for Underground Storage Facilities Used for Regulated Substances and Hazardous Materials, went into effect on November 20th, 2018
- There are several changes included in the regulations, however, this fact sheet only covers the new requirement to routinely test all spill buckets, sumps, and under-dispenser containment

What is required?

- Effective November 20th, 2018, all piping, STP, and transition sumps, as well as spill containment basins (i.e., spill buckets), and under-dispenser containment are required to be demonstrated as liquid tight prior to October 13th, 2021 and every three years thereafter
- For Single-walled components, the primary wall must be tested for tightness by a licensed 3rd party contractor
- For Double-walled components, the interstitial space must be periodically checked by the Class A or Class B operator to ensure that the interstitial space is tight. Many double-walled sumps, spill containment basins, and under-dispenser containment contain built-in gauges or sensors that can be checked by the 3rd party operator, and often no actual testing is required for double-walled components
- All testing must be completed before October 13th, 2021, however, we strongly encourage you to plan in advance and not wait until the last minute as you may not be able to find a contractor able to perform the tests or may be charged a much higher rate if you wait until the deadline. There is no disadvantage to testing early or as part of your annual testing, and many station owners are already doing this

How do I get them tested?

- Any licensed and qualified tightness tester can perform the test using one of several approved test methods, and can usually be done at the same time as normal UST and product line testing

Why is this happening?

- Sumps, spill containment basins, and under-dispenser containment are often subject to harsh conditions, freeze-thaw cycles, and damage from vehicles and plows
- Leaking sumps, spill containment basins, and under-dispenser containment are common, and may result in substantial contamination and remediation costs for the UST system and property owner
- Several States have required sump, under-dispenser containment, and spill containment basin testing for more than 10 years and have found that approximately 50% of these devices leak and are a major source of contamination and leaks from UST systems
- In response to these findings, U.S. EPA mandated that all spill containment basins, under-dispenser containment, and sumps undergo routine tightness testing to ensure they are liquid tight, and repaired or replaced if found to be leaking

What happens if it fails?

- If tightness testing shows that a spill containment basin, sump, or under-dispenser containment is not liquid-tight, the component that is using it for secondary containment must be immediately taken out of service
- The failed spill containment basin, sump, or under-dispenser containment must be repaired or replaced within 30 days, or, alternatively, the UST system may be taken out of service and temporarily closed
- Repairs are only allowed if the component manufacturer has an established repair procedure and makes repair materials available to perform the repair.
- Repair methods and materials not specifically approved by the manufacturer, ad hoc, or repairs using unapproved components, materials or materials are strictly prohibited
- Repairs to sumps and under-dispenser containment are usually straightforward and many methods and materials are available
- Repairs to spill containment basins are discouraged due to limited space, multiple failure points, difficulty of the repair and frequent return-visits. Typically, replacement of the single-walled spill containment basin with a double-walled spill containment basin is a better solution, and often is more cost-effective due to the reduced testing requirements of double-walled spill containment basins

Where can I find out more?

- Full 2018 RI DEM UST Regulations can be found on our website at http://www.dem.ri.gov/ust

If you have further questions, please contact our office at (401) 222-2797

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