

'Why do you keep looking at this stuff?'

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Program

During our recent round of talks with tank owners and operators, many attendees commented that they noticed their compliance inspections over the past 24 months or so were

spread out a little further than they used to be.

Last year and into this summer, the UST Program also had calls from owners and operators asking why they had not received the card or letter that told them to expect an inspection and reminded them of their compliance testing dates. These same owners/operators also asked if "their"

inspector was OK. In fact, the UST Program has had a personnel turnover of over 60 percent in the inspector group and it takes a while to advertise, select and train new inspectors. As a result, we fell off of our normal 12-14 month cycle for routine compliance inspections. To those owners and operators, we'd like to say that we are on the way to regaining our "almost annual" inspection cycle, and we have set a goal of an inspection once every 12 months for each facility.

On the other hand, there were attendees at the recent meetings that said, "You inspect too frequently ... about the time I have stuff fixed from the time before, you show up and find other things I need to take care of." Yes. We do that sometimes. And the reason we inspect as often as we do is to help tank owners be "in substantial compliance with the regulations designed to prevent releases, detect releases early and mitigate damages from releases." Substantial compliance is the eligibility criteria for access to the State Underground Petroleum Environmental Response Bank

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TABLE 1: Compliance Percentages

12 Months Ending In	Prevention	Detection	Combined
January 2007	86.8%	82.8%	75.0%
June 2007	83.9%	82.3%	73.9%
January 2008	83.9%	82.8%	73.6%
September 2008	82.5%	81.5%	71.8%

NOTE: Since the combined compliance percentage is a function of both release prevention and release detection, it is almost always less than either individual percentage.

TABLE 2: UST Inspections for the Past Year

Type of Facility	Number of Inspections	Release Prevention Compliance	Release Detection Compliance	Combined Measure Compliance
Non-retail	893	91%	90%	83%
Retail	2,881	81%	80%	69%
Rural facilities	561	80%	79%	69%
Urban facilities	2,910	84%	82%	73%
Federal government	47	94%	94%	87%
State government	160	98%	94%	93%
County government	91	93%	93%	87%
Municipal government	63	90%	90%	84%
1 to 2 facilities per owner	1,649	79%	75%	65%
3 to 24 facilities per owner	985	85%	82%	74%
25 to 49 facilities per owner	483	88%	86%	79%
50+ facilities per owner	668	88%	94%	84%

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(SUPERB) in the event of an accidental release from a regulated tank.

Each quarter the program reports to the U.S. Environmental Protection Agency (EPA) the average compliance percentages for the past 12 months in three areas: 1) release prevention; 2) release detection; and 3) combined compliance (prevention and detection). One might think that 12 years into a fairly robust inspection program (the most active in the southeast, after Florida) the compliance rates would be so high that the inspection schedule could slip a little without any effect. Unfortunately, during the past 24 months (while we were dealing with personnel turnover and the time lag in inspection frequency), the compliance rates have actually dipped.

The program also tracks compliance rates for different categories of UST facilities. Review TABLE 2 on page 1 for the average facility compliance rates for the past 12 months in different categories. Some of the categories are by function (retail or not), some by location (rural or urban), some by ownership (government) or organization size (number of facilities). The categories are not mutually exclusive, but rather come from the same population, just sorted differently.

As you see, compliance rates vary widely depending on the category and circumstance. Compliance with release prevention (the technical stuff – spill, overfill and corrosion protection as well as proper installation and equipment compatibility) varies from 79 percent to 98 percent. Similarly, the rate of compliance with release detection varies from 75 percent to 94 percent while combined measure compliance has a low of 65 percent and a high of 93 percent.

The data suggests that retail, single and two-facility locations need the most attention. The inspector group would say the same thing. At this level, frequent ownership changes, limited resources in a depressed economy and management choices that don't acknowledge the regulatory requirements often hurt compliance rates.

The revised UST regulations establish a requirement for every owner/operator to have trained UST operators responsible for operations and maintenance at the facility. Along with operator training will come monthly operations and maintenance activities that will help prevent regulatory violations and releases. Combining the benefits of operator training with the resumption of more regular compliance emphasis through the inspection program and compliance outreach should help us regain our move toward higher compliance rates. And, as a result, regulated UST facilities in South Carolina will be more likely to be eligible for cleanup assistance under SUPERB in the event of an accidental release.

Environmental Excellence Awards

The recipients of the UST Environmental Excellence Award for Fall 2008 are three owners from across the UST spectrum: non-retail; small retail; and large retail facilities.

- **NON-RETAIL AWARD** – This award goes to **UPS Greenwood (11091)**, which is owned by UPS West Columbia. The inspector for this site commented that UPS has a “stellar” compliance record statewide that is reflected in UPS Greenwood’s record of 12 In-Compliance inspections dating back to 1993! Much of their environmental success can be attributed to their proactive approach. UPS facilities undergo line tightness tests every six months – twice as frequently as required – and also use sump sensors along with line testing and leak detectors. Thank you, UPS, for all of your hard work!
- **SMALL RETAIL AWARD** – This award goes to **Holly’s General Store (11487)** in Fair Play which is owned by Helen Hollingsworth. According to Diana Sulzen, the facility’s inspector, this site has their records in good working order, and the operator is always willing and ready to help with equipment during inspections. Ms. Hollingsworth, thanks for your help and congratulations on being in compliance every year since 1997.
- **LARGE RETAIL AWARD** – This award goes to **Worsley Companies, Inc.** Also operating as Palm Foods Stores LLC, this owner currently has no outstanding violations at any of their 36 active locations. Scotchman 18 (04952) in Horry County is a prime example of Maureen Jackson, Ron Robinson and their staff doing a fantastic job of making sure their sites are up to par and stay in compliance. They always manage to coordinate their schedules and be available during compliance inspections. The inspectors greatly appreciate the organized record keeping and inspection assistance. Keep up the good work and thanks for all you do.



Critical UST Emergency Actions

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“The nozzle didn’t cut off when it was supposed to and gasoline just continued to flow onto the concrete by the island,” or, “The tight fill connection came loose and diesel fuel from the delivery tanker covered the parking lot.”

These statements describe two incidents that might occur at a UST location. They also describe two types of conditions that are classified as “emergencies.” In an emergency situation caused by a gasoline, diesel or kerosene release, the people who are operating the facility need to take action quickly to help stop the release and provide for fire and life safety in a bad situation.

Anyone who sees or knows about a petroleum product or a hazardous substance being spilled, emitted, dumped, abandoned or otherwise introduced into the environment may report the release. Anyone who is responsible for a release (producer, user, transporter, distributor, or property owner) must report the release.

The steps in the box to the right will help take care of the immediate concerns. (You may want to enlarge this list and put it where your people can see it.)



Reporting Spills & Releases

- Stop the release.
- Contain the release.
- Call local emergency responders (fire department, police or medical).
- Call the state Emergency Response Team. The number is **1-888-481-0125**.
- Call UST Program (within 72 hours). The number to call is **(803) 896-7957**.
- Keep system out of service until repair/testing completed.

The program has had several requests for this list to be republished along with some questions about the actions directed. The expansions below should help:

- 1. Stop the release.** (One of the following should work.)
 - a. Hit the emergency stop button.
 - b. Turn off the electrical power to the dispensers and submersible pumps.
 - c. Turn off the main electrical power to the facility.
 - d. Turn off the valve on the side of the delivery truck.
- 2. Contain the release.** Keep the spill from leaving the property (use spill response kit, kitty litter, sand or other materials). Pay special attention to storm drains, driveways, roadside ditches, ramps or any place that could be a path to soil or water.
- 3. Call 911.**

Ideally, while someone is doing the “stop” and “contain” steps, someone else will be calling 911. **If at any time in the situation, there is fire, call 911.** There is not a “call my boss” step in this list. That step could take place after the call to the state Emergency Response Team, but since the great majority of tank owners are both “the boss” and the day-to-day operator, the step is not included here.

Do Not Fill ...

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Beginning with the publication of the new UST Control Regulations on May 23, 2008, the S.C. Department of Health and Environmental Control (DHEC) began to implement the Delivery Prohibition requirements of the UST Compliance Act provisions of the Federal Energy Policy Act of 2005.

When the out-of-compliance condition has not been corrected within the time allotted, DHEC notifies the owner/operator and the supplier that the tank is not eligible for delivery. DHEC posts the Delivery Prohibition information on the Web at www.scdhec.net/environment/lwm/html/ust_prohibit_delivery.htm and affixes a tag – like the one pictured on the right – to warn delivery truck drivers that the tank should not receive a delivery.

If the out-of-compliance condition affects just one tank, the delivery prohibition can specify a particular tank by size and product. On the other hand, if the out-of-compliance condition is more general, delivery may be prohibited at all tanks at the facility.

When the out-of-compliance condition has been corrected by the owner/operator and verified by DHEC, the UST Program clears the Web site posting, notifies the owner/operator and supplier, and removes the tag(s) so deliveries can resume.



South Carolina Department of Health
and Environmental Control

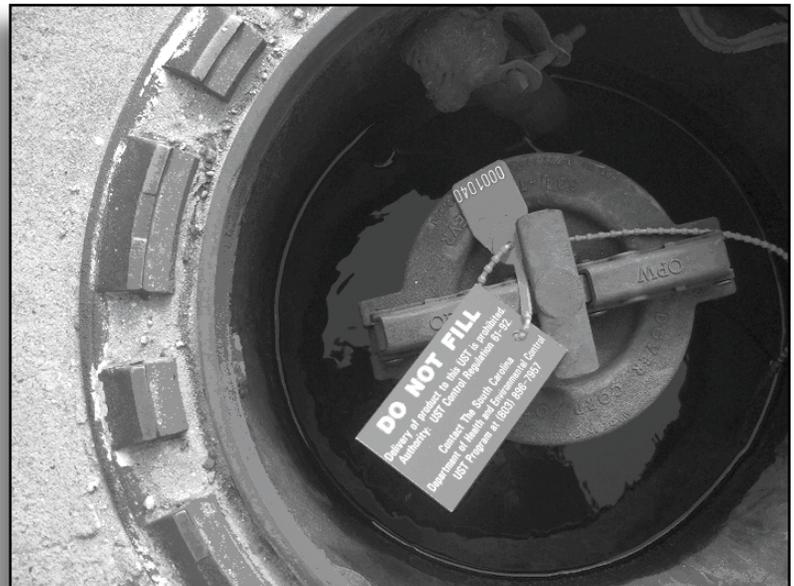
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www.scdhec.gov/environment/lwm/html/ust.htm

Newsletter printed on RECYCLED paper. OR-0823 10/08



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