

STORAGE TANK AND SPILL PREVENTION ACT (An Overview)

The Storage Tank and Spill Prevention Act (Act 32 of 1989, as amended) was signed into law on July 6, 1989. The law establishes a comprehensive regulatory program for both aboveground and underground storage tanks and facilities. It allows the Department of Environmental Protection (DEP) to develop environmental protection programs to prevent and clean up storage tank product releases and spills. The act includes both enforcement provisions and a strong reliance on the private sector to implement the major program elements.

DEP's Storage Tank Program is administered by the Bureau of Environmental Cleanup and Brownfields, Division of Storage Tanks, P.O. Box 8762, Harrisburg, PA 17105-8762, 800-42-TANKS (in PA only), 717-772-5599 or through the PA AT&T Relay Service at 800-654-5984 (Telecommunications Devices for the Deaf); and by the Environmental Cleanup and Brownfields Program, Storage Tank Section, in each of DEP's six regional offices. (See regional office addresses and phone numbers at the end of the fact sheet.)

Regulated Aboveground and Underground Storage Tanks

An aboveground storage tank (AST) is defined as a stationary tank with a capacity of more than 250 gallons that has more than 90 percent of its volume (including the volume in the pipes) above the surface of the ground, can be visually inspected from the exterior, and is used to contain regulated substances. The definition also contains 19 exemptions.

An underground storage tank (UST) is defined as a tank with a capacity of more than 110 gallons that has 10 percent or more of its volume (including the volume in the underground pipes) beneath the surface of the ground and is used to contain regulated substances. The definition also contains 17 exemptions.

Regulated substances include: petroleum; hazardous chemicals; nonpetroleum oils including biodiesel, synthetic fuels and oils, tung oils, wood-derivative oils, and inedible seed oils from plants; and pure ethanol for blending with motor fuels.

Registration of Regulated Storage Tanks

Owners of regulated aboveground and underground storage tanks must register each storage tank with DEP and pay an annual registration fee. Storage tank registration forms and instructions can be obtained from the Division of Storage Tanks (Central Office), regional DEP offices, or from DEP's website at www.dep.pa.gov, Businesses > Land > Storage Tanks.

It is unlawful for an owner/operator to operate or use, in any way, a regulated aboveground or underground storage tank that is not registered and permitted as required.

Permitting of Regulated Storage Tanks

There are two categories of permits—operating and installation. All regulated storage tanks are covered by an operating permit. An operating permit is automatically applied when a new storage tank system is properly registered and is renewed upon payment of the annual registration fee. Site-Specific Installation Permits (SSIP) only apply to certain classes of tanks and must be obtained before any construction or installation work is initiated.

Certified Installers and Inspectors

All tank handling activities associated with a regulated storage tank system must be conducted by a DEP-certified installer. These activities include installation, removal, and modifications. Inspections of regulated storage tank systems must be accomplished by a DEP-certified inspector. DEP certifies individuals through a process that evaluates experience, qualifications, and the results of an examination.

DEP also certifies tank handling and inspection companies. Lists of certified companies are maintained by DEP and are available upon request or can be obtained from the DEP website.

Regulated Storage Tank Requirements

The Storage Tank and Spill Prevention Act requires a certain level of technical requirements to be met by all owners of regulated storage tank systems. These requirements have been clarified and incorporated into regulations promulgated at Chapter 245 of Title 25 of the Pa. Code. These regulations, titled "Administration of the Storage Tank and Spill Prevention Program," can be obtained at www.pacode.com.

Reporting Releases

The owner or operator must report a confirmed release to the appropriate DEP regional office within 24 hours as required by the Corrective Action Process regulations (25 Pa. Code Chapter 245.305). The owner or operator is responsible for preventing further spreading of the release, assessing its impact and taking necessary corrective action measures to

clean up any contamination to the environment including to soil, surface waters, and groundwater. The owner or operator is also responsible for affected/diminished water supplies and any resulting third-party damages. DEP-certified installers and inspectors are required to report any releases and suspected or confirmed contamination observed during tank handling or inspection activities.

Financial Assistance

The Underground Storage Tank Indemnification Fund (USTIF) consists of fees paid by all owners or operators of regulated USTs and certified tank installers. USTIF makes payments to owners, operators, and certified installers of USTs who incur liability for taking corrective action or for bodily injury or property damage caused by a release. USTIF is administered by the Pennsylvania Insurance Department. Contact the USTIF at 717-787-0763 for additional information.

The Environmental Cleanup Program: Under the Heating Oil Cleanup grant program, reimbursement of up to \$4,000 is available to assist tank owners with the costs of taking corrective action in response to a release from an underground storage tank with a capacity of 3,000 gallons or less, used to store heating oil for consumption on the premises where stored. For more information, contact DEP’s Site Remediation Division at 717-787-0886.

The Pollution Prevention Program is administered by DEP’s Division of Storage Tanks. This program, known as “Pump and Plug,” will reimburse eligible underground storage tank owners for the costs of pumping, cleaning, and plugging USTs up to \$2,500 per tank. For more information, contact the Division of Storage Tanks at 1-800-42-TANKS or 717-772-5599.

Aboveground Storage Tank Emergency Spill Plans

Owners of AST facilities with a total aboveground capacity greater than 21,000 gallons are required to submit a comprehensive Spill Prevention Response Plan to DEP. This plan describes the storage tank facility and preventive maintenance programs, emergency response counter-measures, and spill notification procedures that are to be implemented in response to a release or spill.

For additional information on Pennsylvania’s storage tank program or to obtain forms, contact:	
<p>Southeast Region 2 East Main St. Norristown, PA 19401-4915 484-250-5900</p>	<p>Northeast Region 2 Public Square Wilkes-Barre, PA 18701-1915 570-826-2511</p>
<p>Southcentral Region 909 Elmerton Ave. Harrisburg, PA 17110-8200 717-705-4705</p>	<p>Northcentral Region 208 West Third St., Ste. 101 Williamsport, PA 17701-6448 570-327-3636</p>
<p>Southwest Region 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000</p>	<p>Northwest Region 230 Chestnut St. Meadville, PA 16335-3481 814-332-6648</p>
<p>Central Office Bureau of Environmental Cleanup and Brownfields Division of Storage Tanks P.O. Box 8762 Harrisburg, PA 17105-8762 717-772-5599 800-42-TANKS (in PA only)</p>	
<p>For additional information on DEP regional offices, or to determine which regional office is responsible for the county in which a facility is located, please visit www.dep.pa.gov and search “Regional Resources.”</p>	

For more information, visit www.dep.pa.gov, Businesses > Land > Storage Tanks.