

Heating Oil Underground Storage Tank (UST) Conditional Upgrade Extension Fact Sheet

Public Law 1998, Chapter 59 provided for a conditional 5-year extension to the December 22, 1998 UST upgrade requirements for any underground storage tank system with a capacity over 2,000 gallons which is used to store heating oil for on-site consumption in a non-residential building. To comply with the conditions for the extension, an owner or operator must:

- 1) Submit to the New Jersey Department of Environmental Protection (NJDEP) **by December 22, 1998**, a contract with a New Jersey certified UST tightness testing company to test the applicable UST system(s) by August 31, 1999 and;
- 2) Submit to the NJDEP the test results within 15 calendar days of completion of the test. All tests must be completed by August 31, 1999.

(NOTE: Submittal by December 22, 1998, of an acceptable tightness test completed on or after January 1, 1998 through December 22, 1998 will satisfy both the above conditions for the 5-year UST upgrade extension request.)

All contracts entered into for UST and piping tightness testing for the purposes of complying with P.L. 1998, c.59, shall specify the use of tightness testing methods that meet the performance standards specified at N.J.A.C. 7:14B-6 and are acceptable to the NJDEP. Copies of the "Regulations Implementing the Underground Storage of Hazardous Substances Act" (N.J.A.C. 7:14B) may be found at WWW.STATE.NJ.US/DEP/SRP/BUST or obtained by contacting West Publishing at 1-800-808-9378 8am – 5pm Central Standard Time. Methods acceptable to the NJDEP are listed in "List of Leak Detection Evaluations for UST Systems – Third Edition". Copies may be obtained through the National Center for Environmental Publications and Information at 1-800-490-9198.

Regardless of the date the tightness test was conducted between January 1, 1998 and August 31, 1999, tank and piping tightness testing shall be completed at least once every 36 months thereafter, beginning 36 months from the date of the initial test.

To comply with NJDEP leak detection regulations, the presence of water in the UST must be checked at the time of each product delivery, in combination with the above noted tank tightness testing, or an alternate means may be used as specified at N.J.A.C. 7:14B-6.2 (b) 1.

Should an UST system fail a tightness test or other leak detection method or should the results be indeterminate, the UST owner and/or operator shall, within 7 days, complete an investigation to disprove or confirm a release. The results of any required 7-day suspected release investigation shall be submitted along with the initial failed/indeterminate UST tightness test. Any confirmed release must be reported immediately to the NJDEP Hotline at (609) 292-7172 by any person, including, but not limited to, the UST owner, operator, certified tank tester, etc. N.J.A.C 7:14B-7 and 8 should be consulted for full details on suspected releases, release reporting and remediation requirements.

Pursuant to N.J.A.C. 14B-1.8, no person shall introduce product into a UST known or suspected to be leaking.

The following certification, executed contract, tank and piping tightness tests and results from any 7-day investigations shall be submitted to the NJDEP at the address noted below:

New Jersey Department of Environmental Protection
Heating Oil UST Extension Request
P.O. Box 028
Trenton, New Jersey 08625-0028
Attn: Estavon Posey

Questions concerning this procedure and/or documentation required may be directed to Estavon Posey at (609) 633-0719.

NJDEP Underground Storage Tank and Piping Tightness Testing Contract Certification
(Use one form for each contract)

This is to certify that a contract has been entered into between:

_____, a regulated underground
(Facility Name) (UST Registration No.)

storage tank facility and _____,
(Firm Name) (Firm UST Cert. Number)

a firm certified to perform underground storage tank testing in the State of New Jersey.

Tank and Piping Tightness Testing will be performed on /or before _____, using
Test Date (Must be before 9/1/99)

a "third party certified" method which is valid for the tank size and content, and which will be conducted for the proper duration. Tanks to be tested are: Tank(s)# _____ (add extra pages as needed)

Results of said testing shall be submitted to the New Jersey Department of Environmental Protection within fifteen (15) calendar days after completion of the test(s). I understand that if the tank testing results indicate a suspected release (failed or indeterminate results), an investigation must be conducted within 7 calendar days to disprove or confirm a release pursuant to N.J.A.C. 7:14B-7; the results of which must be submitted with any failed/indeterminate UST tightness test. I also understand that as a regulated UST owner, operator or certified UST contractor, I am responsible for immediately reporting any confirmed discharges to the NJDEP Hotline at (609) 292-7172. I also understand that within 120 days after reporting a discharge I am required to submit a Remedial Investigation Report documenting all efforts to investigate or remediate the reported discharge.

Pursuant to N.J.A.C. 7:14B-1.7 (b) 1. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement which I do not believe to be true. I am also aware that if I knowingly direct or authorize the violation of any statute, I am personally liable for the penalties.

(Name of UST Owner/Operator) (Signature) (Date)

(Name of Certified Contractor) (Signature) (UST Cert. Number) (Date)

NOTE: A copy of the signed contract agreement must be attached to this certification unless tank and piping tightness tests conducted on or after January 1, 1998 through December 22, 1998 are submitted to satisfy the conditions of the UST Extension request. The contract must specify the tank and piping testing method to be used. The method must meet the performance standards specified at N.J.A.C. 7:14B-6 and must be acceptable to the NJDEP.

NJDEP Underground Storage Tank (UST) and Piping Tightness Testing Results Certification
(Use one form for each tank system tested)

This is to certify that the attached results relate to UST and Piping tightness testing conducted at:

_____, a regulated underground
(Facility Name) (UST Registration No.)

storage tank facility by _____,
(Firm Name) (Firm UST Cert. Number)

a firm certified to perform underground storage tank testing in the State of New Jersey.

Tank tightness testing, including all product bearing piping, was performed on tank# _____ on _____
Date

using a "third party certified" method which is valid for the tank size and content, and which was conducted for the proper duration.
This UST system ___Passed ___Failed the tightness test.

If results of said testing indicate a suspected release (failed or indeterminate results), enclosed find results of the required 7-day suspected release investigation per N.J.A.C. 7:14B-7. If results of said testing or 7-day investigation confirmed a discharge, the NJDEP Hotline at (609) 292-7172 was immediately contacted and incident number _____ was assigned. If the results of the 7-day investigation is inconclusive, a Site Investigation (SI) must be conducted in accordance with N.J.A.C. 7:26E-3.3 and submitted to the Department within 60 days. Within 120 days of reporting a confirmed discharge a Remedial Investigation Report will be submitted to the Department.

Pursuant to N.J.A.C. 7:14B-1.7 (b) 1. I certify under penalty of law that I have personally examined and am familiar with the information submitted on this certification page and all attached documents, and that based on my inquiry of those individuals responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement which I do not believe to be true. I am also aware that if I knowingly direct or authorize the violation of any statute, I am personally liable for the penalties.

(Name of UST Owner/Operator) (Signature) (Date)

Pursuant to N.J.A.C. 7:14B-1.7 (b) 1. I certify under penalty of law that I have personally examined and am familiar with the information submitted on this certification page and all attached documents, and that based on my inquiry of those individuals responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement which I do not believe to be true. I am also aware that if I knowingly direct or authorize the violation of any statute, I am personally liable for the penalties.

(Name of Certified Tank Testing Contractor) (Signature) (UST Cert. Number) (Date)

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NJDEP Underground Storage Tank (UST) and Piping
Tightness Testing Results Certification

Pursuant to N.J.A.C. 7:14B-1.7 (b) 1. I certify under penalty of law that I have personally examined and am familiar with the information submitted on this certification page and all attached documents, and that based on my inquiry of those individuals responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement which I do not believe to be true. I am also aware that if I knowingly direct or authorize the violation of any statute, I am personally liable for the penalties.

_____	_____	_____	_____
(Name of any other Certified UST Contractors Responsible for the submitted information)	(Signature)	(UST Cert. Number)	(Date)

NOTE: Enclose tank and piping tightness tests results. Also, enclose the results of the required 7-day investigation for any failed or indeterminate UST and Piping Tightness Test results.

The above certification of tank and piping tightness testing and results from any 7-day investigations shall be submitted to the NJDEP at the address noted below:

New Jersey Department of Environmental Protection
Heating Oil UST Extension Request
P.O. Box 028
Trenton, New Jersey 08625-0028
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Questions concerning this procedure and/or documentation required may be directed to Estavon Posey at (609) 633-0719