



New Rules and Amended Requirements for Underground Storage Tank Facilities

Who is affected by this initiative?

Owners and operators of regulated underground storage tanks (USTs) and the individuals and business firms that provide UST services should be aware of the newly amended rule. Regulated UST systems include one or more tanks, with underground piping and related equipment, containing motor fuel, liquid petroleum products, waste oil or other hazardous substances for commercial use. The state also regulates heating oil tanks larger than 2,000 gallons used at non-residential buildings.

Why is NJDEP issuing this advisory?

New rules and amendments to the UST Rule, N.J.A.C. 7:14B, were adopted in the New Jersey Register (50 N.J.R. 409), effective January 16, 2018. The new rule provisions, adopted pursuant to Federal requirements, establish standards for secondary containment and interstitial release detection monitoring of UST systems. The provisions expand the maintenance and testing requirements for UST systems, require training and designation of a Class A, Class B, and Class C UST operator for each facility, and include rules for partially regulated UST systems, field constructed tanks, and airport hydrant systems. A number of additional amendments were made specific to the NJDEP UST Rules in an effort to update and improve oversight of the regulated community. These amendments establish base penalties for violations and reduce the UST registration period from three years to one year. They require a 14-day notification to the NJDEP prior to performing installation, closure or modifications to an UST system, and improve aspects of the certifications for individuals and business firms providing UST services (contractors), consistent with the new rules and program procedures.

The NJDEP is providing this advisory as a brief, general introduction to advise the regulated community and stakeholders of recent changes impacting owners and operators of UST facilities. Failure to comply with the rules may result in a facility receiving a Notice of Violation and a potential penalty assessment, or, for certain requirements, a delivery ban prohibiting additional fuel deliveries until compliance is achieved. It is strongly recommended that individuals affected by this rule try to fully understand all the details of the regulations applicable to them. A courtesy copy of the official rule is available on the NJDEP website at: www.nj.gov/dep/rules/rules/njac7_14b.pdf.

What compliance assistance is available?

IMPORTANT DATES:

- | | |
|----------------|--|
| April 11, 2016 | - Federally regulated UST systems require secondary containment and interstitial monitoring for new and replaced tanks and piping.
- New dispenser systems require under dispenser containment. |
| July 15, 2018 | - State regulated heating oil USTs require secondary containment and interstitial monitoring for new and replaced tanks and piping. |

COMPLIANCE ADVISORY

- October 13, 2018
- All UST facilities require training and designation for Class A, Class B and Class C operators.
 - Owners and operators are required to conduct testing of spill prevention equipment*, release detection equipment, and containment devices where interstitial monitoring of piping is performed*.
 - Owners and operators are required to inspect overfill prevention equipment*, and begin monthly and annual walkthrough inspections.
 - Release detection monitoring required for existing emergency power generator UST systems (previously exempt).

* Testing and inspections are required at least every 3 years following the initial test/inspection.

The annual UST registration cycle will be phased in over the next three years as the current UST Registration Certificates expire.

What tools are available?

The NJDEP is planning to provide compliance seminars in the coming months which will include more detailed information. Some additional information has also been provided with UST registration certificate renewal mailings, and through email listservs maintained by the NJDEP. Please visit the following websites and check back frequently for additional information and future updates.

Where can I get more information?

The following websites can be accessed for additional information regarding this advisory:

- UST Compliance and Enforcement website: www.nj.gov/dep/enforcement/ust.html
- UST registration, permitting and remediation: www.nj.gov/dep/srp/bust/
- For general NJDEP information (Contact NJDEP): www.nj.gov/cgi-bin/dep/contactdep.pl
- To comment on this advisory: www.nj.gov/dep/enforcement/survey.html

Who should I contact with questions?

Bureau of UST Compliance and Enforcement	609-633-1205
John Olko, Acting Bureau Chief	609-851-7989
Kevin Marlowe, Supervisor – Northern Region	609-439-9589
Michael Hollis, Supervisor – Southern Region	609-477-0945
Bureau of Case Assignment and Initial Notice	
Registration and Billing Unit	609-292-2943

Please note this advisory is intended to be a summary explanation of a department initiative. It does not include all potentially applicable requirements. If you have any questions related to compliance with this initiative, please contact the Enforcement number listed above.