



ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
LAND DIVISION

NOTICE OF INTENDED ACTION

AGENCY NAME: Department of Environmental Management

RULE NO. & TITLE: 335-6-15-.02 Definitions  
335-6-15-.03 Applicability  
335-6-15-.04 Installation Requirements for Partially Excluded Systems  
335-6-15-.05 Notification Requirements  
335-6-15-.06 Performance Standards for New UST Systems and Dispensers  
335-6-15-.07 Upgrading of Existing UST Systems  
335-6-15-.08 Plans and Specifications  
335-6-15-.09 Operation, Maintenance, and Testing or Inspection of Spill and Overfill Prevention Equipment and Containment Systems; and Walkthrough Inspections  
335-6-15-.10 Operation and Maintenance of Corrosion Protection  
335-6-15-.11 Compatibility  
335-6-15-.12 Repairs Allowed  
335-6-15-.13 Reporting and Recordkeeping  
335-6-15-.14 General Release Detection Requirements for All UST Systems  
335-6-15-.15 Release Detection Requirements for Petroleum UST Systems  
335-6-15-.16 Release Detection Requirements for Hazardous Substance UST Systems  
335-6-15-.17 Methods of Release Detection for Underground Storage Tanks  
335-6-15-.18 Methods of Release Detection for Underground Piping  
335-6-15-.19 Release Detection Recordkeeping  
335-6-15-.20 Reporting of Suspected Releases  
335-6-15-.22 Release Investigation and Confirmation Steps  
335-6-15-.24 Initial Release Response  
335-6-15-.25 Initial Abatement Measures and Preliminary Investigation  
335-6-15-.26 Preliminary Investigation Requirements  
335-6-15-.27 Free Product Removal  
335-6-15-.28 Secondary Investigation Requirements  
335-6-15-.29 Corrective Action Plan  
335-6-15-.30 Corrective Action Requirements  
335-6-15-.31 Public Participation  
335-6-15-.32 Analytical Requirements  
335-6-15-.33 Temporary Closure  
335-6-15-.35 Site Closure or Change-In-Service Assessment  
335-6-15-.37 Closure Records  
335\*6-15-.39 Availability to Public of Records, Reports or Information  
335-6-15-.42 Underground Storage Tank Regulation Fee  
335-6-15-.43 Financial Responsibility for Petroleum UST Owners and Operators  
335-6-15-.45 Delivery Prohibition  
335-6-15-.46 Operator Training

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
LAND DIVISION

NOTICE OF INTENDED ACTION

RULE NO. & TITLE:

335-6-15-.47 Certification Requirements for Individuals Who Supervise Installation,  
Closure, and Repair of UST Systems  
335-6-15-.48 UST Systems with Field-Constructed Tanks and Airport Hydrant Fuel  
Distribution Systems  
335-6-15-.49 Severability

INTENDED ACTION: Amend Chapter 335-6-15 of the ADEM Administrative Code

SUBSTANCE OF PROPOSED ACTION:

The Department of Environmental Management proposes to amend portions of the Division 6 Underground Storage Tanks Program Regulations to make typographical and grammatical corrections, to make clarifications necessary to maintain consistency with analogous federal rules, and to adopt new amendments required by the USEPA which are necessary to maintain the programs fully authorized status.

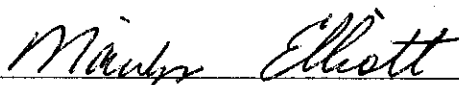
TIME, PLACE, MANNER OF PRESENTING VIEWS:

Comments may be submitted in writing or orally at a public hearing to be held Wednesday, August 9, 2017 at 10:00 a.m. in the Main Hearing Room at the ADEM Central Office located at 1400 Coliseum Blvd, Montgomery, Alabama 36110.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

September 6, 2017

CONTACT PERSON AT AGENCY: Sonja Massey, Chief of the Groundwater Branch, ADEM Land Division, (334) 271-7832.

  
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Lance R. LePleur  
Director

**335-6-15-.13 Reporting and Recordkeeping.** Owners and operators of UST systems, and contractors certified to install, repair or permanently close UST systems must cooperate fully with inspections, monitoring and testing conducted by the Department as well as requests for document submission, submission of engineering or technical data, operator training, and testing and monitoring performed by the owner or operator at the request of the Department.

(a) Reporting. Owners and operators must submit the following information to the ADEM Department:

1. Notification for all UST systems in accordance with rule 335-6-15-.05, which includes certification of installation for new UST systems (rule 335-6-15-.05(7)) and notification when any person assumes ownership of an UST system (rule 335-6-15-.05(10));

2. Reports of all releases including suspected releases (rule 335-6-15-.20), spills and overfills (rule 335-6-15-.23(2)), and confirmed releases (rule 335-6-15-.24(2));

3. Release investigation and confirmation report (rule 335-6-15-.22), corrective actions planned or taken including initial abatement measures (rule 335-6-15-.25(2)), conducting a preliminary investigation (rule 335-6-15-.26(5)), free product removal (rule 335-6-15-.27(d)), conducting a secondary investigation (rule 335-6-15-.28(6)) and corrective action plan (rule 335-6-15-.29(1)); and

4. A notification before permanent closure or change-in-service (rule 335-6-15-.34(1)) and upon completion of final closure or change-in-service assessment report (rule 335-6-15-.35(1)).

5. Results of all tightness testing (rules 335-6-15-.17(c) and 335-6-15-.18(b)), cathodic protection testing (rule 335-6-15-.10(b)), spill catchment basin prevention equipment testing (rule 335-6-15-.09(1)(a)1.), containment sump testing (rule 335-6-15-.09(1)(c)6.), liquid sensor and probe testing (rules 335-6-15-.09(1)(c)4. and 335-6-15-.14(1)(c)2.), and leak detector testing (rule 335-6-15-.14(1)(c)3.), and overfill prevention equipment inspections (rule 335-6-15-.09(1)(b)) of a UST system within 30 days after completion of testing or as directed by the Department.

6. Annual summary of test results no later than January 31<sup>st</sup> of each year or as directed by the Department for the statistical inventory reconciliation any approved method of leak detection ~~under~~ (rule 335-6-15-.17(h)) as required by the Department.

7. Notification prior to UST systems switching to regulated substances containing greater than 10 percent ethanol or greater than 20 percent biodiesel (rule 335-6-15-.05(11)).

(b) Recordkeeping. Owners and operators of UST systems must maintain the following information records as follows:

1. Documentation of inspection or check of operation of corrosion protection equipment (rule 335-6-15-.10(d)1.);

2. Documentation of UST system repairs {(rule 335-6-15-.12(gi))};

3. Documentation of compliance with release detection recordkeeping requirements (rule 335-6-15-.19);

4. Documentation of all tightness testing (rules 335-6-15-.19(b)2.), cathodic protection testing (rule 335-6-15-.10(d)2.), and leak detector testing (rule 335-6-15-.19(b)1.) performed for an UST system;

5. Documentation of spill catchment-basin-prevention equipment testing (rule 335-6-15-.09(1)(a)), containment sump testing (rule 335-6-15-.09(1)(c)6.(i) and (ii)), liquid sensor and probe testing (rules 335-6-15-.09(1)(c)4. and 335-6-15-.14(1)(c)2.), and overflow prevention equipment inspections (rule 335-6-15-.09(1)(b)1.) performed for an UST system, as follows:

(i) All records of testing or inspection for this equipment must be maintained for three years, and

(ii) For spill prevention equipment and containment sumps used for interstitial monitoring of underground piping not tested every three years, documentation showing that the prevention equipment is double walled and the integrity of both walls is periodically monitored must be maintained for as long as the equipment is periodically monitored.

56. Results of the site investigation conducted at permanent closure (rule 335-6-15-.37).

67. Documentation of release detection equipment maintenance and calibrations (rule 335-6-15-.19(c)).

78. Documentation of compliance with notification requirements (rule 335-6-15-.05).

89. Documentation of operator training (rule 335-6-15-.46(2)).

10. Documentation of compatibility for UST systems (rule 335-6-15-.11(3));

11. Documentation of periodic walkthrough operation and maintenance inspections (rule 335-6-15-.09(2)) must be maintained for one year as follows:

(i) Records must include a list of each area checked, whether each area checked was acceptable or needed action taken, a description of actions taken to correct an issue, and delivery records if spill prevention equipment is checked less frequently than every 30 days due to infrequent deliveries.

(c) Availability and Maintenance of Records. Owners and operators must keep the records required either:

1. At the UST site and immediately available for inspection by the Department; or

2. At a readily available alternative site and be provided for inspection to the Department upon request.

3. In the case of permanent closure, records required under rule 335-6-15-.37 may be mailed to the Department if they cannot be kept at the site or an alternative site.

(d) Current proof of underground storage tank registration shall be displayed at active retail petroleum facilities.

**Author:** Sonja Massey, Curt Johnson, Lee Davis.

**Statutory Authority:** Code of Alabama 1975, §§ 22-36-3, 22-36-4.

**History:** April 5, 1989.

**Amended:** October 2, 2003; August 6, 2007; April 25, 2008; November 24, 2009; January 16, 2012; April 1, 2014; XXXXXX, 2017.