



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.

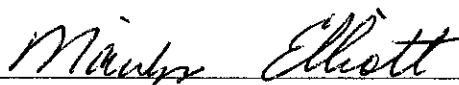
TIME, PLACE, MANNER OF PRESENTING VIEWS:

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.

  
\_\_\_\_\_  
Lance R. LeMeur  
Director

**335-6-15-.14 General Release Detection Requirements for All UST Systems.**

(l) Owners and operators of new ~~and existing~~ UST systems must provide a method, or combination of methods, of release detection that:

(a) Can detect a release from any portion of the underground storage tank and the connected underground piping that routinely contains product;

(b) Is installed, calibrated, operated, and maintained in accordance with the manufacturer's instructions, including routine maintenance and service checks for operability or running condition; ~~and~~

(c) Is operated and maintained, and electronic and mechanical components are tested for proper operation, in accordance with one of the following: manufacturer's instructions; a code of practice developed by a nationally recognized association or independent testing laboratory; or requirements determined by the Department to be no less protective of human health and the environment than the two options listed above. A test of the proper operation must be performed at least annually and must cover the following components and criteria:

1. Automatic Tank Gauge and Other Controllers. Beginning on October 13, 2018 and thereafter; test alarm, verify system configuration, test battery backup;

2. Probes and Sensors. Beginning on October 13, 2018 and thereafter; inspect for residual buildup, ensure floats move freely, ensure shaft is not damaged, ensure cables are free of kinks and breaks, test alarm operability and communication with controller, ensure that they are positioned properly;

3. Automatic Line Leak Detector. Test operation to meet criteria in rule 335-6-15-.18(a) by simulating a leak;

4. Vacuum Pumps and Pressure Gauges. Beginning on October 13, 2018 and thereafter; ensure proper communication with sensors and controller; and

5. Hand-held Electronic Sampling Equipment Associated with Groundwater and Vapor Monitoring. Beginning on October 13, 2018 and thereafter; ensure proper calibration and operation.

(ed) Meets the performance requirements in rules 335-6-15-.17, or rule 335-6-15-.18, or 335-6-15-.48, as applicable, with any performance claims and their manner of determination described in writing by the equipment manufacturer or installer. In addition, the methods used after December 22, 1990, except for methods permanently installed prior to that date, must be capable of detecting the leak rate or quantity specified for that method in rules

~~335-6-15-.17(b), (c), (d), (h) and (i), or rule 335-6-15-.18(a) and (b), and 335-6-.48 with a probability of detection of 0.95 and a probability of false alarm of 0.05.~~

(2) When a release detection method operated in accordance with the performance standards in rules 335-6-15-.17, and rule 335-6-15-.18, or 335-6-15-.48 indicates a release may have occurred, owners and operators must notify the Department in accordance with rule 335-6-15-.20.

~~(3) Owners and operators of all UST systems must comply with the release detection requirements of this chapter by December 22 of the year listed in Table A.~~

~~(4) Any existing UST system that cannot apply a method of release detection that complies with the requirements of this chapter must temporarily close the UST system in accordance with rule 335-6-15-.33 and must complete the closure procedures in permanently close the UST system in accordance with rules 335-6-15-.34 through 335-6-15-.37 except as follows:~~

~~(a) For UST systems storing fuel solely for the use of emergency power generators installed before August 6, 2007, UST systems with field-constructed tanks, and UST systems with airport hydrant fuel distribution systems, paragraph (3) of this rule applies beginning on October 13, 2018 and thereafter.~~

~~(5) Owners or operators of existing UST systems storing fuel solely for the use of emergency power generators installed before August 6, 2007, UST systems with airport hydrant fuel distribution systems, and UST systems with field-constructed tanks shall submit to the Department a description of the type of release detection method or methods which will be used at each site at which the UST system is located. This description and any required plans and specifications required by rule 335-6-15-.08 shall be submitted on or before September 12, 2018 at least 60 days prior to the date for which release detection is required according to Table A.~~

~~(6) Release detection on UST systems employing the methods of vapor monitoring, groundwater monitoring, or interstitial monitoring using a secondary barrier, shall be installed according to in accordance with the plans and specifications required by rule 335-6-15-.08 reviewed by the Department, where required.~~

~~(7) Owners and operators must ensure that personnel who are familiar with the monitoring, operation, maintenance and calibration requirements of release detection equipment for an UST system are routinely present at the location of the UST.~~

#### **TABLE A**

#### **Schedule for Phase-in of Release Detection**

Year System was Installed	Year When Release Detection is Required (By Dec. 22 of the year indicated.)				
	1989	1990	1991	1992	1993
Before 1965 or date unknown	RD	P			
1965-1969		P/RD			
1970-1974		P	RD		
1975-1979		P		RD	
1980-1988		P			RD
New Tanks	Immediately upon installation beginning April 5, 1989 and thereafter.				

P = Must begin release detection for all pressurized piping in accordance with rules 335-6-15-15(b)1. and 335-6-15-16(b)4.

RD = Must begin release detection for tanks and suction piping in accordance with rule 335-6-15-15(a), 335-6-15-15(b)2., and 335-6-15-16.

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

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

**History:** April 5, 1989.

**Amended:** October 2, 2003; April 25, 2008; XXXXXX, 2017.