



# Focus on Underground Storage Tank Law

from Ecology's Toxics Cleanup Program

## The Underground Storage Tank Law has Changed

The Washington State Department of Ecology (Ecology) is modifying its underground storage tank (UST) compliance inspection program because of new federal legislation. The federal Energy Policy Act of 2005 (passed by Congress and signed by President Bush) placed new requirements on states and the federal government. These new requirements are to help prevent or reduce leaks to the environment from UST systems (tanks, pipes and dispensers). Leaks can and do pollute groundwater, a precious resource which supplies drinking water for 60 percent of Washingtonians.

## How has the law changed and how are UST owners and operators affected?

Tank fees are going to increase. Annual tank permit fees are increasing

- from \$100 to \$120 starting in July 2007.
- from \$120 to \$140 in July 2008.
- potentially to \$160 starting in July 2009.

If sufficient federal grant funds are provided to Ecology, the third fee increase will not happen.

The federal law now requires UST systems to be examined by state inspectors at least once every three years. To accomplish this, Ecology needs to hire more inspectors.

The state law allows Ecology to change the UST rules (Chapter 173-360 WAC) after an opportunity for public review and comment. The UST rules (also known as regulations) provide the details for carrying out the state law. Over the next few years, Ecology will work on drafting changes to the UST rules.



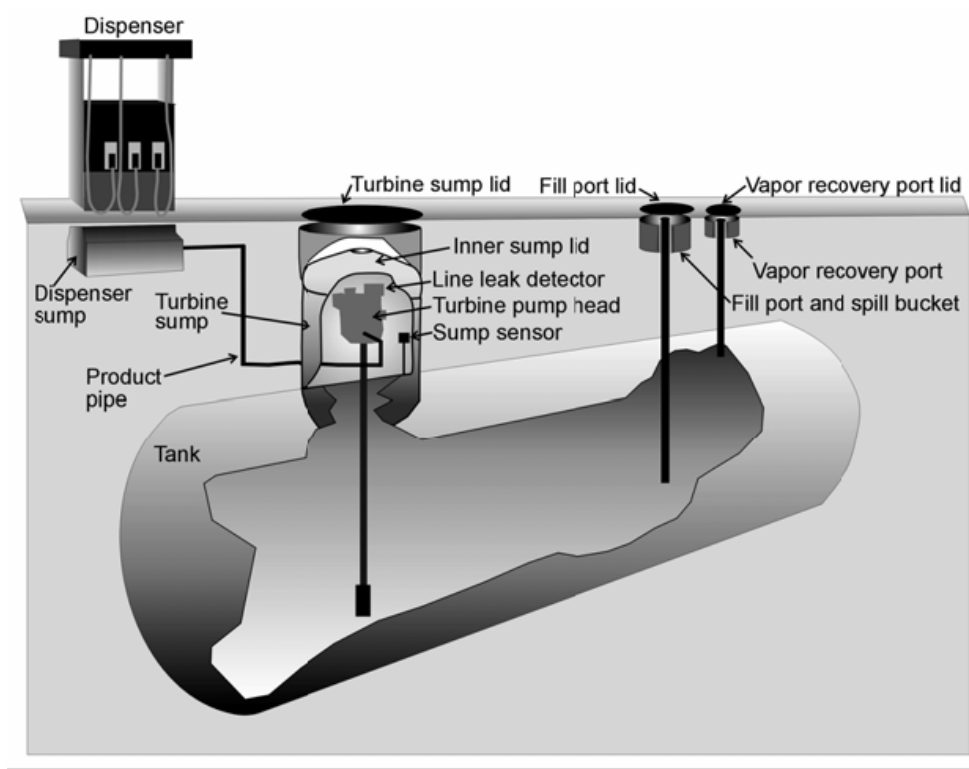
## What changes in state rules are required?

- Develop and implement an UST operator training program.
- Develop and implement a delivery prohibition or "red tag" program for out-of-compliance USTs.
- Require secondary containment for all new or replacement tanks, piping and dispensers that are installed. This does not apply to existing UST tank systems.



Until state rules are changed, existing UST rules remain in effect. Other parts of the current state UST rules may also be changed after public review and comments. The state UST rules were first written in 1990; minor changes were made in 1998.

To meet the new federal requirements, Ecology asked the legislature to amend Washington's UST law (Chapter 90.76 RCW). Those changes, mentioned above, were passed by the 2007 Legislature and signed into law by Governor Gregoire. Also, the life of the state UST program was extended until 2019. If the state program had ended in 2009, the federal Environmental Protection Agency would have taken responsibility for inspection and enforcement in Washington. Ecology is better suited to handle these tasks because of its understanding of local concerns and issues, its less punitive financial penalties, and its added emphasis on assistance and education.



## Whom should I contact if I have questions about this issue?

If you have questions about your UST system, please contact the Ecology office that covers your UST location by checking the list and map on the following pages. If you have questions about the changed state UST law or the upcoming changes to the state UST rules, contact Mike Blum at 360-407-6913.

## Ecology Regional Contacts

<b>Ecology Regional Office and Counties</b>	<b>Ecology UST Inspector</b>	<b>Phone number/e-mail address</b>
<b>Eastern Regional Office</b>		
Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, and Whitman	Jason Cocke <b>or</b> Roque Nalley for any of the counties	<a href="mailto:jcoc461@ecy.wa.gov">jcoc461@ecy.wa.gov</a> 509-329-3405  <a href="mailto:rnal461@ecy.wa.gov">rnal461@ecy.wa.gov</a> 509-329-3592
<b>Central Regional Office</b>		
Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, and Yakima	Christina Zerby	<a href="mailto:czer461@ecy.wa.gov">czer461@ecy.wa.gov</a> 509-454-7833
<b>Northwest Regional Office</b>		
King, Kitsap, Island, San Juan, Skagit, Snohomish and Whatcom	Contact the receptionist at the Northwest Region for the appropriate UST inspector	425-649-7000
<b>Southwest Regional Office</b>		
Cowlitz, Clallam, Jefferson, Thurston	Brett Manning	<a href="mailto:bman461@ecy.wa.gov">bman461@ecy.wa.gov</a> 360-407-6268
Clark, Grays Harbor, Lewis, Skamania	Lisa Shriver	<a href="mailto:lshr461@ecy.wa.gov">lshr461@ecy.wa.gov</a> 360-407-6332
Mason, Pierce, Pacific, Wahkiakum	Gary Smith	<a href="mailto:gsmi461@ecy.wa.gov">gsmi461@ecy.wa.gov</a> 360-407-6969
<b>Headquarters</b>		
All Western Washington Military/Federal Sites	Cathy Frey	<a href="mailto:catf461@ecy.wa.gov">catf461@ecy.wa.gov</a> 360-407-7270



For more information, check out these Department of Ecology web addresses:

[www.ecy.wa.gov](http://www.ecy.wa.gov) - the Department of Ecology home page

[www.ecy.wa.gov/programs/tcp/ust-lust/tanks.html](http://www.ecy.wa.gov/programs/tcp/ust-lust/tanks.html) - the Ecology UST web address

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