

**DEPARTMENT OF NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL
DIVISION OF WASTE AND HAZARDOUS SUBSTANCES
Tank Management Section**

1351

Underground Storage Tank Systems

Part A: General Requirements For Underground Storage Tank Systems

(Break in Continuity of Sections)

2.0 Definitions

(Break in Continuity Within Section)

“**Liquid Tight**” means Under-Dispenser Containment, UST Tank top sumps and spill prevention equipment that are impervious to the substance contained, or to be contained, so as to prevent seepage of Regulated Substance from the containment into the environment and seepage of liquids from the environment into the containment.

(Break in Continuity of Sections)

4.0 Registration and Notification Requirements

(Break in Continuity Within Section)

4.5.2 UST Systems storing one Regulated Substance utilized for multiple purposes including petroleum used for heating buildings and fueling emergency generators and diesel fuel used for fueling vehicles and heating buildings, shall meet the more stringent requirements for installation, Release Detection, spill and overfill prevention, corrosion protection and financial responsibility requirements in Parts A, B, C, D and F, H, and I of these Regulations.

(Break in Continuity Within Section)

4.7.1 UST Systems Owners and Operators shall notify the Department on a form provided by the Department, of scheduled Repairs, Retrofits, or Upgrades that require post-construction testing in accordance with Part B, subsection 1.28.7 or Part B, subsection 2.29.7 or Part C, subsection 1.27.7 or Part C, subsection 2.28.7 or Part D, subsection 1.28.7, at least fourteen (14) Days prior to the proposed date of construction. The Department shall approve or deny the construction work within fourteen (14) Days of receipt of the notification form and construction plans.

4.7.2 UST Systems Owners and Operators shall notify the Department on a form provided by the Department, of scheduled Repairs, Retrofits, or Upgrades that require Site Assessment in accordance with Part B, subsection 1.28.11 or Part B, subsection 2.29.11 or Part C, subsection 1.27.11 or Part C, subsection 2.28.11 or Part D, subsection 1.28.11, at least fourteen (14) Days prior to the proposed date of construction. The Department shall approve or deny the construction work within fourteen (14) Days of receipt of the notification form and construction plans.

*(Break in Continuity of Sections)***Part B: Requirements for Installation, Operation and Maintenance of Underground Storage Tank Systems Storing Regulated Substance Excluding Consumptive Use Heating Fuel UST Systems or Hazardous Substance UST Systems****1.0 Installation, Operation and Maintenance Requirements For UST Systems Storing Regulated Substance Excluding Consumptive Use Heating Fuel or Hazardous Substance Installed on or After January 11, 2008***(Break in Continuity Within Section)*

- 1.21.8 Spill containment devices of double wall design with continuous monitoring of the interstitial space shall be tested once every twelve (12) months for tightness in accordance with Part B, subsection 1.21.9 or manufacturer's specifications, and the interstitial sensors shall be tested in accordance with Part B, subsection 1.27.

(Break in Continuity Within Section)

- 1.29.6.1.3 Owners and Operators shall ensure that overfill prevention equipment is inspected a minimum of once every three (3) years. The first inspection shall occur prior to October 13, 2021. At a minimum, the inspection shall ensure that overfill prevention equipment is functioning in accordance with manufacturer's specifications and shall activate at the correct level specified in Part B, subsection 1.29.6.1.1.

(Break in Continuity Within Section)

- 1.30.5 Owners and Operators of UST Systems used solely for the storage of a Regulated Substance to power emergency generation equipment are required to implement one of the following ~~Line-leak-detection~~ Piping Release Detection requirements:

- 1.30.5.1 Emergency generator systems that utilize a submersible turbine pump to convey a Regulated Substance to a day Tank or emergency generator which discharges at atmospheric pressure shall meet the Piping Release Detection requirements of Part B, subsection ~~4.20.2~~ and subsection ~~4.20.3~~ 1.19.2.

- 1.30.5.2 Emergency generator systems utilizing safe suction Piping systems that meet the requirements of Part B, subsection 1.17.1.1 shall meet the Piping Release Detection requirements of Part B, subsection ~~4.17.1.1~~ 1.20.1.

- 1.30.5.3 Emergency generator systems with a foot valve (U.S. Suction) that meet the requirements of Part B, subsection 1.17.1.2 shall meet the Piping Release Detection requirements of Part B, subsection ~~4.17.1.2~~ 1.20.2.

*(Break in Continuity Within Section)*1.33 **Additional Requirements for UST Systems at Marina Fueling Facilities**

- 1.33.1 Marina UST Systems shall comply with all applicable requirements of these Regulations.

- 1.33.2 ~~After January 11, 2020,~~ After January 11, 2008, Marina UST Systems, installed on or after January 11, 2008, shall comply with all applicable requirements of NFPA 30A including:

*(Break in Continuity of Sections)***2.0 Installation, Operation and Maintenance Requirements for UST Systems Storing Regulated Substance Installed Prior to January 11, 2008, Excluding Consumptive Use Heating Fuel or Hazardous Substance***(Break in Continuity Within Section)*

2.22.7 Spill containment devices of double wall design with continuous monitoring of the interstitial space shall be tested once every twelve (12) months for tightness in accordance with Part B, subsection 2.22.8 or manufacturer's specifications, and the interstitial sensors shall be tested in accordance with Part B, subsection 2.28.

(Break in Continuity Within Section)

2.23.6 Owners and Operators shall ensure that overfill prevention equipment is inspected a minimum of once every three (3) years. The first inspection shall occur prior to October 13, 2021. At a minimum, the inspection shall ensure that overfill prevention equipment is functioning in accordance with manufacturer's specifications and shall activate at the correct level specified in Part B, subsection 2.23.3.

(Break in Continuity Within Section)

2.31.4 Owners and Operators of UST Systems used solely for the storage of Regulated Substance to power emergency generation equipment shall comply with the Piping Release Detection ~~tightness test~~ requirements of Part B, subsection 2.31.5.

2.31.5 Owners and Operators of UST Systems used solely for the storage of a Regulated Substance to power emergency generation equipment are required to implement one of the following ~~Line leak detection~~ Piping Release Detection requirements:

2.31.5.1 Emergency generator systems that utilize a submersible turbine pump to convey a Regulated Substance to a day Tank or emergency generator which discharges at atmospheric pressure shall meet the Piping Release Detection requirements as follows:

2.31.5.1.1 Emergency generator systems with single wall Piping shall meet the Piping Release Detection requirements of Part B, subsection ~~2.18.1.2 and subsection 2.21.2~~ 2.20.1.5.

2.31.5.1.2 Emergency generator systems with double wall Piping shall meet the Piping Release Detection requirements of Part B, subsection ~~2.20.2 and subsection 2.21.2.~~

2.31.5.2 Emergency generator systems, with single wall or double wall Piping, utilizing safe suction Piping systems that meet the requirements of Part B, subsection 2.18.1.1 shall meet the Piping Release Detection requirements of Part B, subsection ~~2.18.1.4~~ 2.21.1.

2.31.5.3 Emergency generator systems with a foot valve (U.S. Suction) that meet the requirements of Part B, subsection 2.18.1.2 shall meet the Piping Release Detection requirements of Part B, ~~subsection 2.18.1.2~~ as follows:

2.31.5.3.1 Emergency generator systems with single wall Piping shall meet the Piping Release Detection requirements of Part B, subsection ~~2.18.4.2~~ 2.21.2.

2.31.5.3.2 Emergency generator systems with double wall Piping shall meet the Piping Release Detection requirements of Part B, subsection ~~2.20.2~~ 2.21.3.

(Break in Continuity of Sections)

Part C: Requirements for Installation, Operation and Maintenance of Consumptive Use Heating Fuel Underground Storage Tank Systems

1.0 Installation, Operation and Maintenance Requirements for Consumptive Use Heating Fuel UST Systems Installed After January 11, 2008

(Break in Continuity Within Section)

1.21.8 Spill containment devices of double wall design with continuous monitoring of the interstitial space shall be tested once every twelve (12) months for tightness in accordance with Part C, subsection 1.21.9 or manufacturer's specifications, and the interstitial sensors shall be tested in accordance with Part C, subsection 1.26.

(Break in Continuity Within Section)

1.22.6 Owners and Operators shall ensure that overfill prevention equipment is inspected a minimum of once every three (3) years. The first inspection shall occur prior to October 13, 2021. At a minimum, the inspection shall ensure that overfill prevention equipment is functioning in accordance with manufacturer's specifications and shall activate at the correct level specified in Part C, subsection 1.22.3.

(Break in Continuity of Sections)

2.0 Installation, Operation and Maintenance Requirements for Consumptive Use Heating Fuel UST Systems Installed After May 14, 1993 and Prior to January 11, 2008

(Break in Continuity Within Section)

2.22.7 Spill containment devices of double wall design with continuous monitoring of the interstitial space shall be tested once every twelve (12) months for tightness in accordance with Part C, subsection 2.22.8 or manufacturer's specifications, and the interstitial sensors shall be tested in accordance with Part C, subsection 2.27.

(Break in Continuity Within Section)

2.23.6 Owners and Operators shall ensure that overfill prevention equipment is inspected a minimum of once every three (3) years. The first inspection shall occur prior to October 13, 2021. At a minimum, the inspection shall ensure that overfill prevention equipment is functioning in accordance with manufacturer's specifications and shall activate at the correct level specified in Part C, subsection 2.23.3.

(Break in Continuity of Sections)

Part D: Requirements for Installation, Operation and Maintenance of Underground Storage Tank Systems Storing Hazardous Substances

1.0 Installation, Operation and Maintenance Requirements for UST Systems Storing Hazardous Substance

(Break in Continuity Within Section)

1.21.8 Spill containment devices of double wall design with continuous monitoring of the interstitial space shall be tested once every twelve (12) months for tightness in accordance with Part D, subsection 1.21.9 or manufacturer's specifications, and the interstitial sensors ~~are~~ shall be tested in accordance with Part D, subsection 1.27.

(Break in Continuity Within Section)

1.22.6 Owners and Operators shall ensure that overflow prevention equipment is inspected a minimum of once every three (3) years. The first inspection shall occur prior to October 13, 2021. At a minimum, the inspection shall ensure that overflow prevention equipment is functioning in accordance with manufacturer's specifications and shall activate at the correct level specified in Part D, subsection 1.22.3.

(Break in Continuity of Sections)

PART E: Requirements for Reporting, Release Investigation, Remedial Action and No Further Action Determinations For Underground Storage Tank Systems

(Break in Continuity of Sections)

5.0 Remedial Action Requirements

(Break in Continuity Within Section)

5.2.12 The RAWP may include the use of Institutional Controls to reduce the potential for exposure to ~~Hazardous~~ Regulated Substances. Institutional Controls may include land use restrictions, activity restrictions, groundwater use restrictions, operations and Maintenance requirements, or other Institutional Controls.

6.0 No Further Action Requirements

(Break in Continuity Within Section)

6.1.1.4 Institutional Controls as required by the Department, including the ~~replacement~~ placement of an Environmental Covenant (EC) on a Facility, as provided for in 7 **Del.C.** §§7907-7920, the Uniform Environmental Covenants Act (UECA) have been established.

(Break in Continuity of Sections)

Part F: Financial Responsibility Requirements for Underground Storage Tank Systems

1.0 Financial Responsibility Requirements for UST Systems

1.1 Applicability

- 1.1.1 The Requirements of Part F of these Regulations apply only to Owners or Operators of UST Systems subject to the requirements of ~~Part B and Part D~~ Parts B, D, H and I of these Regulations.

(Break in Continuity Within Section)

- 1.1.8 Records documenting compliance with the financial responsibility requirements of Part F shall be submitted prior to placing any ~~±Regulated s~~ Substance into an UST System and upon policy renewal. Records shall also be made available upon the request of the Department. If an Insurance and Risk Retention Group Coverage mechanism is used to comply with the financial responsibility requirements, such certification requires submission of Insurance and Risk Retention Group Coverage documents, including a copy of the complete insurance policy and any endorsements and Part F, subsection 3.4 (Form D) and Part F, subsection 3.18 (Form R).