NMED
New Mexico Environment Department

CHANGES TO UST REQUIREMENTS IN 20.5.106 – 108, 113 NMAC.

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Reorganization of 20.5 NMAC

- Parts have been renumbered to 101 thru 125.
- UST requirements were placed in their own parts as follows:
  - Part 106 – Design, Construction, and Installation Requirements for UST systems. UST requirements from old Part 4 with changes from update to federal regulations.
  - Part 107 – Operation and Maintenance Requirements for UST Systems. UST requirements from old Part 5 with changes from update to federal regulations.

Reorganization of 20.5 NMAC

- Part 108 – Release Detection for UST Systems. UST requirements from old Part 6 with changes from update to federal regulations.

- Part 113 – UST Emergency Generator Systems. New section that has additional and some different requirements due to the special use of these systems.

Part 106 of 20.5 NMAC

Design, Construction, Installation Requirements for Underground Storage Tank Systems

New UST Requirements – Part 106

- Exemption from secondary containment requirements has been deleted.
- Under-dispenser containment on new systems must allow access to components for visual inspection or must allow for monitoring every 30 days.
- Secondary containment must be able to contain regulated substances until they are detected and removed. Containment must be able to prevent a leak from reaching the environment.

New UST Requirements – Part 106

- Impressed current systems must be installed to allow for ready determination of current operating status.
- If UST system has not been upgraded to meet the 1998 UST upgrade requirements, it must be permanently closed immediately in accordance with 20.5.115 NMAC.
- Owners and operators of Fiberglass Reinforced Plastic USTs may internally line the tanks to address compatibility concerns.

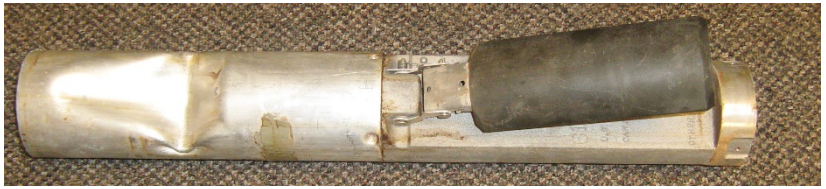
New UST Requirements – Part 106

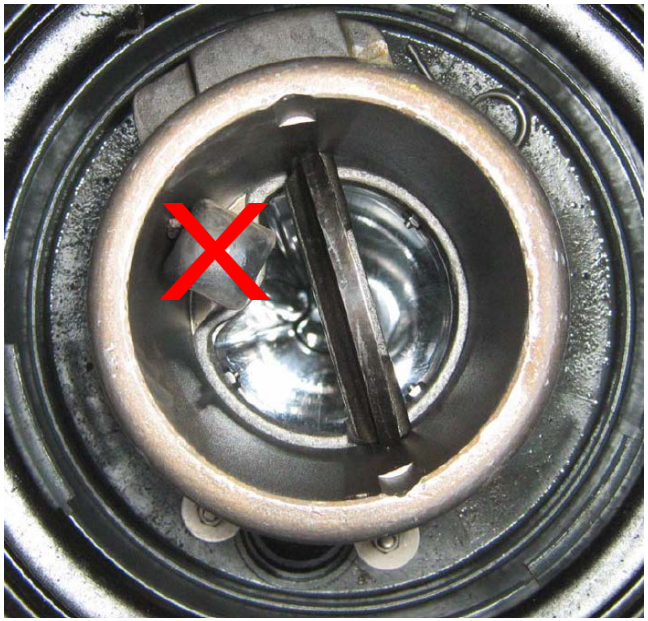
- Oil/water separators can no longer be used to meet spill prevention requirements for UST systems on or after July 24, 2021.
- Spill and overfill prevention equipment must be tested no later than July 24, 2021 and every 3 years thereafter.
- Ball float valves cannot be installed to meet overfill prevention requirements after July 24, 2018. Owners and operators of USTs with two different types of overfill must ensure they do not interfere with each other.

New UST Requirements – Part 106

Ball Float Valve

Drop Tube Style Overfill





New UST Requirements – Part 106

- Loading racks on UST systems that contain Class II or Class III liquids shall be installed no less than 15 feet from any AST, building, and property lines.
- Owner must certify that the installer(s) are certified by the tank and piping manufacturer, certified with NMED, and have completed all work in accordance with manufacturer's installation checklist.
- New spill, overfill, and containment sumps must be listed.

Part 107 of 20.5 NMAC

Operations and Maintenance Requirements for Underground Storage Tank Systems

O&M Requirements – Part 107

- Operations and Maintenance Plans must be updated to include new requirements for periodic testing and walk-through inspections.

- USTs in temporary closure are not required to have an Operations & Maintenance Plan unless the tank contains greater than one inch of a regulated substance and/or the steel tank system is cathodically protected.

O&M Requirements – Part 107

- Spill Prevention Equipment Periodic Testing

O&M Requirements – Part 107

All Single walled Spill Prevention

- Tested no later than July 24, 2021 and every three years thereafter
- Test may be either liquid, pressure, or vacuum.

Double Walled Spill Prevention

- Tested no later than July 24, 2021 and every three years, thereafter; or
- Interstice monitored every 30 days starting July 24 , 2018.

O&M Requirements – Part 107

- If periodic monitoring records cannot be produced for double wall spill prevention, then a test must be conducted within 30 days.
- Testing of all spill prevention equipment must be either in accordance with PEI RP 1200 or manufacturer's published testing instructions.
- Testing must be conducted by a person who meets the requirements in 20.5.105 NMAC. Tester cannot be owner of UST or their employee.

O&M Requirements – Part 107

- Overfill Prevention Periodic Inspections or Testing
  - Drop tube style overfill valves, aka flapper valves, must be inspected every three years starting July 24, 2021.
  - The drop tube and valve must be removed from the tank for the inspection. The inspection must include checking the operation of the valve and if the valve has been installed at the correct height (95%).
  - Flow restrictors, aka ball float valves, must be inspected every three years starting July 24, 2021.
  - Prior to inspecting the ball float for the first time, a precision tank tightness including a ullage test must be conducted.

O&M Requirements – Part 107

- Overfill Prevention Periodic Inspections & Testing:
  - Inspection must check to see if ball is still present and the valve is installed at the correct height (90%).
  - Overfill alarms must be inspected or tested every three years starting July 24, 2021.
  - The alarm must be either audible or visual and in plain sight of the delivery driver.
  - Inspection/Testing must check to see if alarm will activate at the correct height (90%).
  - The alarm must be calibrated in accordance with the manufacturer's requirements.

O&M Requirements – Part 107

All containment sumps, turbine pump sumps, under-dispenser containment, and transition sumps must be maintained.

O&M Requirements – Part 107

- Periodic Testing of Containment Sumps
  - Single walled sumps used for the interstitial monitoring of underground piping must be tested no later than July 24, 2021 and every three years thereafter.
  - Double walled sumps where the interstice is either under vacuum, pressure, or is brine filled may be monitored every 30 days, or the interstice may be visually inspected every 30 days. If not monitored every 30 days, the sump must be tested every three years starting no later than July 24, 2021.

O&M Requirements – Part 107

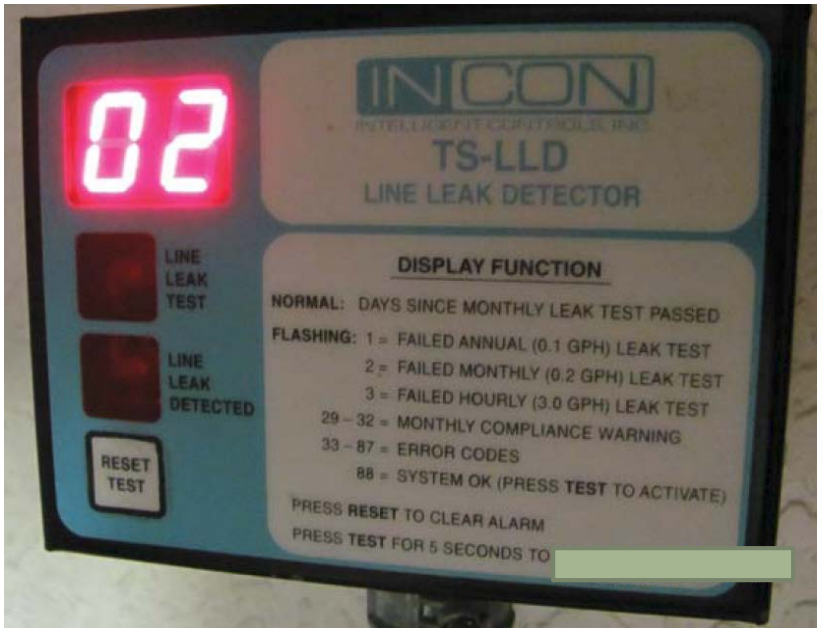
- Periodic Testing of Containment Sumps
  - A low liquid level test may be used to meet periodic testing requirements but there are conditions:
    - Automatic shutoff of the turbine must be installed.
    - A full hydrostatic test must be conducted every 12 years.
    - If the sump sensors are found at a higher than the lowest penetration, then full hydrostatic test is required.
    - If a site check indicates there has been a release from a containment sump, then high level testing will be required.

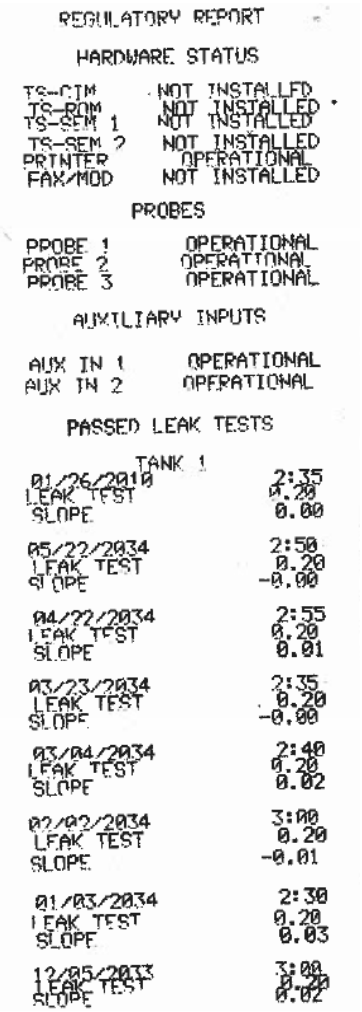
O&M Requirements – Part 107
Periodic Walk-Through Inspections

No later than July 24, 2018, an inspection must be conducted every 30 days by the owner, operator, or Class A/B Operator. They must inspect the spill prevention, overfill prevention and secondary containment sumps.

O&M Requirements – Part 107
Periodic Walk-Through Inspections

Every 30 days, release detection must be checked for alarms or other unusual operating conditions. Also, release detection records must be reviewed every 30 days.





REGULATORY REPORT

HARDWARE STATUS

TS-CIM	NOT INSTALLED
TS-ROM	NOT INSTALLED
TS-SEM 1	NOT INSTALLED
TS-SEM 2	NOT INSTALLED
PRINTER	OPERATIONAL
FAX/MOD	NOT INSTALLED

PROBES

PROBE 1	OPERATIONAL
PROBE 2	OPERATIONAL
PROBE 3	OPERATIONAL

AUXILIARY INPUTS

AUX IN 1	OPERATIONAL
AUX IN 2	OPERATIONAL

PASSED LEAK TESTS

TANK 1

01/26/2010	2:35
LEAK TEST	0.20
SLOPE	0.00
05/22/2034	2:50
LEAK TEST	0.20
SLOPE	-0.00
04/22/2034	2:55
LEAK TEST	0.20
SLOPE	0.01
03/23/2034	2:35
LEAK TEST	0.20
SLOPE	-0.00
03/04/2034	2:40
LEAK TEST	0.20
SLOPE	0.02
02/02/2034	3:00
LEAK TEST	0.20
SLOPE	-0.01
01/03/2034	2:30
LEAK TEST	0.20
SLOPE	0.03
12/05/2033	3:00
LEAK TEST	0.20
SLOPE	0.02

O&M Requirements – Part 107
Periodic Walk-Through Inspections

Every 12 months, release detection equipment must be inspected for operability and serviceability.

O&M Requirements – Part 107

- Compatibility Notification Requirements:
  - A written notification must be submitted to PSTB 30 days prior to changing to gasoline with greater than 10% ethanol or diesel with greater than 20% biodiesel, or any other regulated substance identified by the Department.
  - The notification must include a letter from the manufacturers of all the equipment that routinely holds a regulated substance stating in the affirmative their equipment is compatible with the substance stored. Also, the letters must state the percentage of compatibility with biofuel for the equipment.

O&M Requirements – Part 107

- Repairs & Replacements: Repaired or replaced containment sumps, spill prevention equipment, and overfill prevention equipment must be inspected or tested by a qualified tester within 30 days of completion of the repair or replacement.
- Reporting Requirements: Periodic Inspection/Testing results must be submitted within 60 days of completion of the test or inspection. Failed results must be submitted within 24 hours.

Part 108 – UST Release Detection

UST requirements from old Part 6 of 20.5 NMAC were moved to this section.

Part 108 – UST Release Detection

- Methods must be third party certified except for inventory control and manual tank gauging.
- Prior to implementing a new method, the tank system shall be tested to ensure the new method can be used.
- A 0.1 gallon per hour leak test from an Automatic Tank Gauge System will not be accepted as a precision tank tightness test for a UST.
- All electronic and mechanical components used to periodically monitor UST must be tested.

Part 108 – UST Release Detection

- ATG systems must be inspected and/or tested every 12 months starting July 24, 2018. The inspection and testing must be done by a person certified by the ATG manufacturer.
- All sensors used to interstitially monitor underground piping must be functionality test annually.
- Testing of automatic line leak detector (ALLD), electronic & mechanical, must include a simulated leak.
- If an ALLD fails a test, the piping must be tightness tested.

Statistical Inventory Reconciliation (Part 108)

Third Party certified quantitative methods can be found on the National Workgroup for Leak Detection Evaluation website.

- Only a third party quantitative method can be used for monthly monitoring.
- Data must be collected, analyzed, and reported with the same 30 day period.
- A third party vendor must be used to analyze the data.
- Notify the Department within 24 hours of a failed result for monthly monitoring.

Part 108 – UST Release Detection

- All required testing must be submitted to the Bureau within 60 days of completion or 24 hours if the result is a fail.

- All of the information and data required for the test report is listed in subsection C of 20.5.108.816 NMAC.

Part 113 of 20.5 NMAC

Requirements for Underground Emergency Generator Storage Tank Systems

UST Emergency Generator – Part 113

Requirements in this Part are in addition to the requirements for USTs in Part 106 thru 108 of 20.5 NMAC.

- Existing UST emergency generator systems must have upgraded to meet all applicable UST requirements by July 1, 2013.
- New UST emergency generator systems must meet all UST requirements upon installation.

UST Emergency Generator – Part 113

- UST Emergency Generator Systems installed prior to July 24, 2018 must implement a method of release detection for the tank and piping in accordance with Part 108 no later than July 24, 2021.

- UST Emergency Generator Systems installed on or after July 24, 2018 must meet release detection requirements in Part 108 upon installation. Interstitial monitoring is required to be used as the primary method.

UST Emergency Generator – Part 113

- Automatic line leak detectors and sensors used to meet release detection requirements must activate a visual or audible alarm. They are not required to automatically shut off the flow of product when a leak is detected.

- A normally closed solenoid valve must be installed on the supply line, and it must use battery voltage, manual operation, and a manual bypass valve.

Questions about UST Requirements?