

Site Remediation Reform Act (SRRA) Listserv Archives

March 29, 2018 - [SRRA]: New Underground Storage Tank rules; new Underground Storage Tank Facility Questionnaire available

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To: srra@listserv.state.nj.us
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Subject [SRRA]: New Underground Storage Tank rules; new Underground Storage Tank Facility Questionnaire available

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New rules and amendments to the Underground Storage Tanks (UST) rules, N.J.A.C. 7:14B, were adopted in the New Jersey Register (50 N.J.R. 409), effective January 16, 2018. The rules incorporate the revisions made in 2015 to the Federal Environmental Protection Agency's UST regulations (40 C.F.R. Part 280). A courtesy copy of the rules is available on the New Jersey Department of Environmental Protection (NJDEP) website at:
www.nj.gov/dep/rules/rules/njac7_14b.pdf.

The rules relate to secondary containment; operator training, designation and duties; partially regulated UST systems; field constructed tanks and airport hydrant systems; operation and maintenance walkthrough inspections; UST registration; notification; UST service provider certifications; and civil administrative penalties. The rules apply to USTs that store motor fuel, liquid petroleum products, waste oil, or other hazardous substances, and all heating oil USTs with an aggregate of 2,001 gallons or more for on-site consumption at businesses or commercial operations.

The rules require owners and operators to comply no later than **October 13, 2018** with the operational changes; this includes the new requirement of having Designated Operators at the facility. To be a Designated A/B operator, a person must attend a class at Rutgers University administered by the NJDEP and pass an examination. For additional information please see
www.nj.gov/dep/enforcement/ust.html.

The rules also require that owners and operators attach to the Underground Storage Tank Facility Certification Questionnaire (USTFCQ) the entire financial responsibility document (such as an insurance policy) identified on the questionnaire. The Department has been requesting entire financial responsibility documents to be submitted over the last two years under existing N.J.A.C. 7:14B-15.1(h) and has found this to improve financial assurance compliance. Although email is not a federally approved method for USTFCQ submittal, electronic submittals of financial assurance documents can be sent separately through email and are acceptable and encouraged to reduce the number of paper records being submitted, copied, and scanned. The entire copy of the current UST financial responsibility document - including all endorsements or certificates can be emailed to: srpustregistration@dep.nj.gov. Please remember that a complete USTFCQ including Section C is required to be submitted separately in addition to emailing the policy during renewals. When renewing the financial responsibility mechanism to maintain full compliance with N.J.A.C. 7:14B-15.1(c) and to prevent possible coverage gaps, the owner or operator shall obtain the oldest retroactive date possible. The owner or operator is required to have financial responsibility that carries forward the oldest retroactive date noted on the previous policy for the covered UST system(s).

The Department is notifying owners and operators of regulated underground storage tank (UST) systems and Licensed Site Remediation Professionals (LSRPs) that it has changed the USTFCQ to incorporate the new requirements in the UST rules. The new USTFCQ format has changed and mimics all other forms used under the LSRP program. The new USTFCQ is now available at www.nj.gov/dep/srp/forms/ust (UST-021) and must be utilized when renewing a registration (which will be on an annual basis). Also, Frequently Asked Questions have been posted online which will assist in completing the new form and answering some common questions.

NOTICE: The following online services will no longer be available effective April 1, 2018: Initial UST Registration, Modification of UST Registration, and Renewal of UST Registration. The services will have to be upgraded to incorporate the changes to the UST rules.

Link to Compliance and Enforcement Compliance Advisory:
www.nj.gov/dep/enforcement/advisories/2018-02.pdf

SRP Site Remediation Reform Act (SRRA) Web site: www.nj.gov/dep/srp/

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