

Posted 7/3/2013

## CHAPTER 135 - AMENDED NOTICE OF INTENDED ACTION

The Environmental Protection Commission (EPC) authorized the Department to begin procedures to amend Iowa Administrative Code 567-Chapter 135 “Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks.” The Notice of Intended Action, which addresses leak detection requirements at unstaffed facilities, was approved by the EPC at their June 18, 2013 meeting.

### Background:

Paragraph 135.5(1)“e” specifically addresses leak detection requirements for pressurized piping used at underground storage tank (UST) facilities that operate without on-site personnel.

Concerns expressed in 2012 by industry representatives over the costs and potential hardship of complying with the current rule’s upgrade requirements prompted the Department to reconsider alternative leak detection methods at unstaffed facilities. Stakeholder meetings were held in the spring to discuss alternative leak detection and notification methods that are both cost effective to the owners, and environmentally protective. Participants included representatives from the petroleum marketer industry, UST insurance industry, owners of staffed and unstaffed facilities, UST installers, the Iowa Environmental Council, and the Department.

### Proposed Rule Change:

The Department is proposing new standards for leak detection at unstaffed UST facilities based on extensive stakeholder input. In summary the new rule requires automatic line leak detectors be in place that do one or more of the following:

- Shut down the submersible pump when a leak is detected
- Restrict the flow of product when a leak is detected
- Trigger an audible or visual alarm when a leak is detected

For the latter two choices the rule further outlines requirements for implementation, including the options of 1) conducting on-site visits to confirm the status of the leak detection equipment; 2) notification to facility operators by immediate electronic communication; or 3) providing signage with an emergency phone number by which customers may immediately contact operators in the event of an alarm or notice of restricted flow.

The proposed rule language may be found at the following link:

<http://www.iowadnr.gov/InsideDNR/RegulatoryLand/UndergroundStorageTanks/USTLUSTRegulations.aspx>

Written comments on the proposed amendments may be submitted **on or before August 13, 2013**, to: Director Chuck Gipp, c/o Paul Nelson, Department of Natural Resource, Wallace State Office Building, 502 East 9<sup>th</sup> Street, Des Moines Iowa 50319; fax: (515)281-8895; or email: [paul.nelson@dnr.iowa.gov](mailto:paul.nelson@dnr.iowa.gov). A public hearing is scheduled for **August 13, 2013**, at 1:00 pm in

Conference Room 5W at the Wallace State Office Building, at which people may present their views.