



Suspected Releases from Petroleum Storage Tanks

A guide for owners and operators of underground storage tanks

This is a general guide to laws and regulations about underground storage tanks and an aid in minimizing potential risks; it does not replace those laws and regulations, which take precedence over any information contained herein. If your tank system is located in Kinney, Uvalde, Medina, Bexar, Comal, Hays, Travis, or Williamson County, additional requirements related to the protection of the Edwards or the Trinity Aquifer may apply (Title 30, Texas Administrative Code [30 TAC], Chapters 213 and 214). Besides the TCEQ, local governments and other state and federal agencies may have rules that apply. The owner and operator are responsible for ensuring compliance with all applicable regulations.

What is a suspected release?

A release may be suspected when there is an indication that a leak, spill, or overfill of fuel or another regulated substance may have occurred. A suspected release may be indicated if:

- Monitoring results from a release detection method required under 30 TAC 334.50 indicate that a release may have occurred. (*Note:* Inventory control reporting is not required if a second month's data do not confirm the initial result).
- There is direct visual or olfactory observation of released product in the environment (for example, sheen on surface water, or product vapors in a utility conduit), but the product source is unknown.
- Unusual operating conditions (for example, erratic dispenser behavior, sudden loss of product, or appearance of tank water) indicate that a release may have occurred.
- The interstitial monitor indicates a breach in the primary wall or secondary barrier.
- Statistical inventory reconciliation (SIR) and inventory control is the release detection method, and the owner-operator receives a "fail" from the SIR vendor (this finding must be reported to the TCEQ within 24 hours), or results are "inconclusive" and cannot be quantified as "pass" (this finding must be reported within 72 hours).
- A spill bucket or sump appears to be leaking.
- Any spill or overfill from a UST or aboveground storage tank (AST) system exceeds 25 gallons or causes a sheen on nearby surface water.

- Any spill or overfill of a hazardous substance from a UST equals or exceeds its reportable quantity under CERCLA (Title 40, Code of Federal Regulations, Part 302).
- A cleanup of a spill or overfill from a UST or AST that is less than 25 gallons cannot be accomplished within 24 hours. In that instance, owners and operators must immediately notify the agency.

What immediate action should I take in the event of a release?

Unless the agency directs otherwise, owners and operators must do the following if a release is confirmed:

1. Stop the release and attempt to prevent further movement into the environment.
2. Monitor and mitigate any fire or safety hazards posed by vapors or product.
3. Take the leaking system out of service until it can be repaired.
4. Remove leaked product (if present) to the extent practicable.
5. Report the release to the agency within 24 hours.

In the event of a release it may be necessary to immediately shut down all or part of the system to avoid further release or other impact. If the release presents a safety or fire hazard (for example, product or vapors are found in drinking-water wells, utility lines, buildings, or storm sewers), both local response agencies and TCEQ emergency-response personnel should be immediately contacted to mitigate the situation. Surface spills should be isolated and contained from access to the public until they are cleaned up to the extent that they pose no immediate threat of fire or explosion.

What actions should I take if I suspect a release?

If leak-detection equipment or processes indicate a potential problem, then they should be evaluated to determine if they are defective and, if so, they should be repaired or corrected. If not, then the tightness of tanks and piping should be tested. If the tanks and lines do not test tight, then find the problem, repair or replace equipment, and conduct a site check by collecting environmental samples. Please note that, even if leak-detection equipment or processes are determined to be defective or if tanks and lines test tight, if environmental contamination is present then a site check involving the collection of environmental samples is required.

If environmental impact is evident at a facility, but the source is unknown, then conduct system tightness tests and proceed through the evaluation as described above.

Results of investigative procedures should be reported to the agency on form TCEQ-00621 (revised March 16, 2009), Release Determination Report Form, available online at:
<www.tceq.state.tx.us/assets/public/remediation/rpr/documents/0621.pdf>.

Where should I report a suspected release?

All suspected or confirmed releases should be reported to the TCEQ Remediation Division at 512-239-2200 or to the Emergency Response hot line at 800-255-3924. Additionally, if a spill presents an imminent danger of fire, explosion, or toxic vapors, the local fire department and any other designated city officials and response personnel should be immediately notified (for example, a spill into a storm sewer could result in an explosion). In addition, tank owners or operators using insurance as their financial-assurance choice should notify their insurance company of the suspected release. Insurance policies have a time limit to report releases; failure to meet these limits may be grounds for your insurance company to deny payment later.

What happens after I report a suspected release?

A tightness test of the UST system must be performed within 30 days of the suspected release, unless another procedure or schedule is approved or required by the agency. Please note that if a tightness test is being conducted as a part of an installation, repair, or removal of a regulated UST, a licensed, on-site supervisor is required to perform the test. If testing indicates that a release has not occurred at the site, the owner or operator must submit a report to the agency containing a detailed description of the investigative procedures that were followed. This report must be submitted within 45 days after the first observation of the suspected release or within another schedule that has been approved or required by the agency. It must include the results of all tests or monitoring performed and a statement that is signed by the owner or operator certifying that the requirements of the investigative procedure have been met. If testing indicates that a leak has occurred, owners and operators must repair or replace any portions of the system that are found to be leaking and begin further investigation and corrective action.

What records do I need to keep?

You should keep results of all release detection records for at least five years. Also, you should keep all information which documents reporting and investigating suspected releases, including all system tests performed.

Who can conduct major system repairs and assess impacts at my site?

Only personnel who are registered or licensed by the State of Texas can perform such activities. Licensed UST on-site supervisors can perform actions to stop tank or piping leaks or ruptures. Once a release is confirmed, a leaking petroleum storage tank corrective action project manager (CAPM) employed by a company that is a registered corrective action specialist (RCAS) should be retained to evaluate the extent of the spill, oversee site cleanup of surface and subsurface contamination, and instigate the necessary steps to ensure site closure. An informational link and instructions on how to find UST contractors, RCASs, and CAPMs appear below.

Where do I find more information?

The complete requirements for release reporting and corrective action may be found at 30 TAC 334.71–85.

To find UST contractors, RCASs, and CAPMs within your area, first visit www5.tceq.state.tx.us/oce/olwe/. Scroll down to “Group Search Criteria.” Next, select a “Program.” To find CAPMs and RCASs, choose “Leaking Petroleum Storage Tanks Licensing (LPSTOL)” under the “Program” menu and then select one or more of your city, county, ZIP code, or other locality and click “Find.” You will see a listing of those licensed personnel within your locale. You can then click on names of individuals or businesses to receive specific information on their types of licensing and how to contact them, and whether the work that they perform is applicable to your site. Please note that all licenses or registrations must be listed as “current,” meaning that the holder has met continuing education requirements and is in good standing.

If you are looking for tank installation, removal, or repair services, choose “Underground Storage Tank Licensing (USTOL)” from the “Program” menu and then specify your site location as described above.

Search for publications on the TCEQ Web site at:
www.tceq.state.tx.us/publications.

For confidential environmental compliance assistance for small businesses and local governments, contact Small Business and Local Government Assistance via the hot line at 800-447-2827 or online at www.sblga.info.