

From the Compliance Corner:

by Bill Morris

2 Things You Should Know

1. From the Newsletter of the Steel Tank Institute, Division of STI/SPFA dated February 2007.

The U.S. Environmental Protection Agency's Office of Underground Storage Tanks on Jan. 22 posted the financial—responsibility regulatory guidelines that will influence enforcement of the Energy Policy Act of 2005. To align with the energy law's mandates, states can create regulatory programs that are no less stringent than the federal EPA rules in requiring the use of either secondary containment for UST systems or financial responsibility for manufacturers and installers.

For Texas: Anton E. Rozsypal, Jr., P.E., Texas Commission of Environmental Quality says, "will implement one of the two options by rule change begun near the end of the 2007 legislative session and with an estimated effective date of July 2008."

2. From the TPCA Facts #534 dated March 5, 2007

The U.S. EPA this week signaled it is getting serious about compliance with ULSD dispenser labeling requirements. An initial enforcement survey of labeling requirements conducted by the EPA in December found that more than half of all retail dispensers did not have labels or were labeled incorrectly. The most common violation found were pumps dispensing 15-ppm ULSD but labeled with a 500-ppm decal. The EPA is warning that dispenser decals **MUST** match the sulfur content of the product dispensed. The maximum fine for incorrect labeling is \$32,000 per day fine for each violation cited. Petroleum marketers with retail and bulk plan dispensers should immediately check dispenser labels to make sure they match the product in the tank.

Follow this link the EPA's website for complete details on what the agency posted: http://www.epa.gov/oust/fedlaws/epact_05.htm#Final. Also, the Petroleum Equipment Institute has created a link that summarizes the intentions of regulators in individual states: <http://www.pei.org/energyact/#state>.