

From the Compliance Corner:

by Bill Morris

What's Coming Up for USTs and TCEQ

On August 8, 2005, President Bush signed the Energy Policy Act of 2005. The UST provisions of the Energy Policy Act focus on preventing releases such as:

- Inspections – From 08/08/07– 08/08/10, **ALL** registered UST facilities will be inspected by TCEQ.
- Operator Training – The EPA on August 8, 2007 provided the states with guidelines to develop an operating training program. It will be up to the TCEQ to develop necessary rules to implement this requirement. Go to the web site below for more information.
- Secondary containment or financial assurance- EPA developed final guidelines on November 15, 2006. States were given time to decide on either secondary containment or financial assurance and set rules in place. It is estimated that Texas will make that final decision and have the rules in place by mid 2008. The majority of other states have chosen secondary containment.
- Financial Responsibility – Effective September 1, 2007, Texas HB 1956 went into effect that requires tank owners to submit proof to the TCEQ that financial assurance is in effect. Also, if an insurance policy is cancelled or not renewed, the insurance company will notify the TCEQ. If financial assurance is not provided within 90 days, the tanks must be emptied.
- If you go to the TCEQ PST Registration Database, you will notice no Financial Assurance information is listed. This is because the database is being modified to show more detailed information.

**For more information about The Energy Policy Act of 2005, and implications to UST owners go to:
<http://www.epa.gov/oust/>**