



APPROVED BY DSS

DATE 7/21/16

START ACTION NOTICE
SAN # 2016-10

1. TYPE OF ACTION:

Revise the current *Regulations Governing Underground Storage Tank Systems* to reflect advances in underground storage tank system technology and changes required due to promulgation of new federal underground storage tank regulations. The State of Delaware regulations must be at least as stringent as the federal regulations under the requirements of 40 CFR 281, State Program Approval.

2. PURPOSE OF THE ACTION:

The purpose of the revisions is to keep the Regulations current with technology so that compliance with the Regulations ensures protection of Delaware's Natural Resources and to include new requirements from the federal level.

3. STATUTORY BASIS:

7 Del.C., Chapter 74, The Underground Storage Tank Act

4. LIKELY AFFECTED PUBLIC:

The Regulations impact owners and operators of underground storage tanks (UST) greater than 110 gallons containing a regulated substance. USTs with a capacity less than 1,100 gallons and storing either motor fuel to support farming activities or other non-commercial purposes or storing heating fuel are exempt from the operation and maintenance requirements. These USTs are however still subject to cleanup requirements should a release from the UST occur.

PROPOSED SCHEDULE OF ACTIVITIES:

- July 1, 2016 to June 30, 2017 Regulatory re-write by DNREC-TMS staff with input from Underground Storage Tank Advisory Board
- June 1, 2017 Advertise Public Workshops
- July 5-7, 2017 2 Public Workshops
- July-October, 2017 Make changes based on workshop comments
- November 1, 2017 Advertise Public Hearing
- November 29, 2017 Public Hearing
- February 15, 2018 Publish Final Regulations
- March 20, 2018 Regulations effective date

5. REVIEW COMMITTEE:

An underground storage tank advisory board will be created to assist the Department in the development and review of the Regulations.

6. RESPONSIBLE STAFF MEMBER:

Alex Rittberg Phone 302-395-2500
Delaware DNREC/TMS Fax: 302-395-2555
391 Lukens Drive
New Castle, DE 19720

Responsible Staff Member

Date

Division Director

7. 7. 16.

Date