

## UNDERGROUND STORAGE TANK PROGRAM

### Why the Program Is Important

The underground storage tanks (USTs) that EPA regulates mostly contain petroleum motor fuels. A smaller number hold chemicals or hazardous substances. Tanks were originally placed underground for fire safety. Above ground tanks that leak pose high risks of fires or explosions. Underground, these risks are greatly reduced as oxygen or ignition sources aren't available. However, leaks underground are harder to detect, and leaking fuel or chemicals can flow through soils into basements or sewer lines and cause explosions. The more common threat is that leaks will contaminate groundwater. Groundwater is the source of drinking water for half of the population of the U.S.

### How the Program Works

Underground storage tanks made of steel can corrode, and all tanks (fiberglass or steel) can leak due to poor installation (especially of connected piping and fittings) or earthquakes, floods or other disasters. Recognizing these problems, in 1984, Congress established the first federal program to prevent or minimize leaking underground storage tanks (LUSTs). Congress tasked EPA with doing research and setting minimum national standards in areas such as tank design and installation, leak detection, and spill and overfill controls. These rules apply only to tanks used commercially – not on farms or for home heating oil. As with most EPA programs, states or localities can set stricter standards, such as when tanks are located over a city's precious drinking water aquifer.

Congress also directed EPA to add periodic operation and maintenance requirements for UST systems. Now states, tribes, or local governments must ensure tanks are inspected every three years. Owners and operators of tanks need to show "financial responsibility" – the ability to cover the costs of a leak or spill should one occur, including cleanup and potential damage that affects others. Typically, this means having insurance coverage and/or a state assurance fund.

As with many federal environmental laws, states are encouraged to take charge of the program. For USTs, 42 states and territories are doing this. EPA issued updated regulations in 2015, including requirements for "secondary containment" (two layers of protection from leaks) and training for operators. The agency worked with states to make sure that owners were getting the most out of their new tank systems. The requirements are being implemented in different ways in different states, and EPA is tracking the effectiveness of the various approaches to help states adopt the best one for their state.

In addition to its research role and sharing technical and other information with states, EPA also provides grants to states to help them carry out their UST programs – inspecting and monitoring tanks and sometimes certifying installers. In follow-on legislation, Congress created a LUST Trust Fund so that if there is a leak and no responsible party is initiating cleanup, the government can step in. Again, the funds primarily flow to state UST programs, which carry out the needed cleanups, usually with local expert contractors.

Improved tank systems required by federal law have reduced both the frequency and severity of new leaks. However, with more than half a million tank sites across the country, leaks still occur, and EPA is constantly

looking for the best models in the state programs and opportunities for improvement. This facilitation of information exchange across the states is a critically important role that only EPA can play.

### **Consequences if the Program Is Eliminated or Inadequately Funded**

As noted, EPA does research to set standards for tank systems. For example, in 2015 Congress directed EPA to review new types of fuels (ethanol, biofuels and fuel blends) to make sure there were no chemical interactions damaging to tanks or piping. It is much more efficient for the federal government to do such research than to have 50 states duplicating efforts. No one wants tanks to leak. For the owners, leaking fuel is not a waste to be disposed of cheaply – it is a product to be used or sold. Each gallon leaked is money gone *and* an enormous potential liability. For this reason, local and state governments and industry – tank manufacturers, tank owners and their trade groups (American Petroleum Institute, Petroleum Equipment Institute, National Association of Convenience Stores, and others) support EPA’s UST program.

### **Demonstrated Success**

When Congress directed EPA to start its underground storage tank program, there were some two million tanks underground. Within 25 years, two-thirds of these (1.7 million substandard tanks) had been properly closed. In addition, federal rules to reduce tank releases (mostly implemented by states) cut the number of leaks and spills by 90%. And, importantly, more than 80% of sites with releases (more than 377,000) were cleaned up. This has allowed thousands of abandoned tank sites and old gas stations to be converted to new uses, boosting local economies. EPA research has improved our ability to track underground leaks and to clean them up. The agency’s information materials for tank owners and operators, used by multiple partners, are lauded for their clarity. This is particularly helpful at service stations and convenience stores where staff may not be familiar with complicated EPA regulations.

### **Funding for the Underground Storage Tank Program**

FY2016 Baseline Budget: \$1.498 million

FY2017 President’s Budget Proposal: \$2.498 million

FY2017 Amount Appropriated: \$1.495 million

FY2018 President’s Budget Proposal: \$0

FY2018 Amount Appropriated: \$1.488 million

FY2019 President’s Budget Proposal: \$0

FY2019 Amount Appropriated: \$1.498 million

FY2020 President’s Budget Proposal: \$0