




LEPC Meeting September 27, 2023

TCEQ Small Business & Local Government Assistance Section (SBLGA)

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Today's Agenda




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graph LR; A[SBLGA – Who we are and what we do] --> B[PSTs - Some of the TCEQ regulations]; B --> C[Spills – When and how to report a spill]
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SBLGA – Who we are and what we do

PSTs - Some of the TCEQ regulations

Spills – When and how to report a spill



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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Small Business and Local Government Assistance (SBLGA)



FREE AND CONFIDENTIAL ENVIRONMENTAL ASSISTANCE **TexasEnviroHelp.org**
A program of the Texas Commission on Environmental Quality

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SBLGA Programs Offer:

- Technical Assistance
with understanding the rules and meeting requirements
- One to One Help
- Compliance Tools
- Free & Confidential



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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Help for Smaller Entities

Small Business

- Independently owned and operated company with **100 or fewer** employees across all locations



Small Local Government

- City of 50,000 or Fewer
- County of 100,000 or Fewer
- ISD with 100,000 or Fewer Students



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SBLGA Programs

Hotline

EnviroMentor

Regional Staff

The Advocate
Electronic
Newsletter

GovDelivery
Groups

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Getting Help



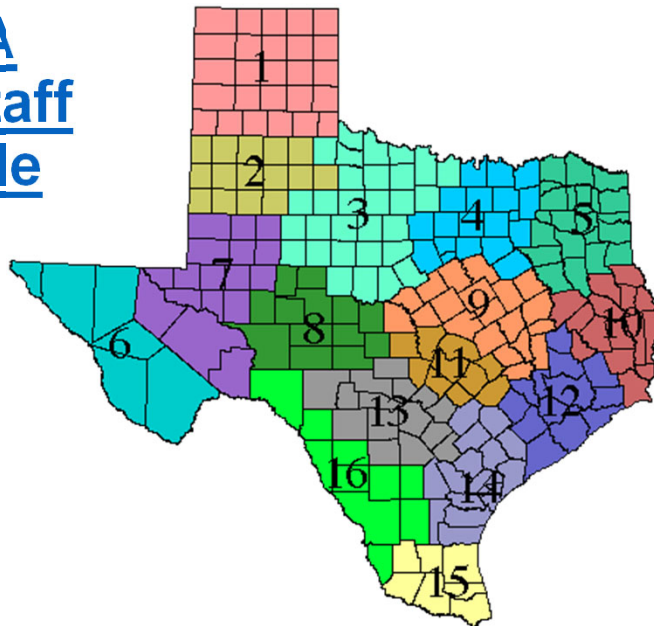
Hotline 1-800-447-2827
Monday-Friday 8:00 am-5:00 pm

TexasEnviroHelp@tceq.texas.gov

www.TexasEnviroHelp.org

Contact Regional Office

SBLGA Local Staff Available



Compliance Assistance Specialists by Region

SMALL BUSINESS AND LOCAL GOVERNMENT COMPLIANCE ASSISTANCE TEAM MEMBERS IN TCEQ REGIONS

REGION 1 – AMARILLO
Brittany Crawford, 806-468-0515

REGION 2 – LUBBOCK
Hailey Clark, 806-796-7636
Courtney Lanier, 806-796-7092

REGION 3 – ABILENE
Adam Liuzza, 325-698-6104

REGION 4 – DFW
Katie Cunningham, 817-588-5907
Kristen Fenati, 817-588-5827
Luke Calder, 817-588-5927

REGION 5 – TYLER
Theresa Carr, 903-535-5165
Mackenzie Maserang, 903-535-5158

REGION 6 – EL PASO
Vanessa Duenas, 915-834-4974

REGION 7 – MIDLAND
Hailey Clark, 806-796-7636
Courtney Lanier, 806-796-7617

REGION 8 – SAN ANGELO
Diana Steele (team leader) 325-481-8061
Rachel McMath, 325-481-8054

REGION 9 – WACO
Regan White, 254-761-3039
Charles Mortensen, 254-761-3072

REGION 10 – BEAUMONT
Lori Palmer, 409-899-8789
Yvonne Rodriguez, 409-899-8731

REGION 11 – AUSTIN
Julia Holland, 512-239-3545

REGION 12 – HOUSTON
Becky Costigan de la Cerda, 713-767-3693
Theodora Jacobs, 713-767-3726
Stephen Scalise, 713-767-3510

REGION 13 – SAN ANTONIO
Priscilla Hudson, 210-403-4017
John Mikus, 210-403-4015

REGION 14 – CORPUS CHRISTI
Vacant

REGION 15 – HARLINGEN
Imelda Peña Sanchez, 956-389-7427
Yadira Trevino, 956-389-7425

REGION 16 – LAREDO
Carmen Ramirez, 956-721-8457



EnviroMentor Program



Volunteer
Program
Offering
Technical
Assistance

Consultants

Engineers

Operators

Lawyers



GovDelivery Groups

[Sign up here!](#)

- Stormwater
- Municipal Solid Waste
- Petroleum Storage Tank
- Public Water Systems
- On Site Sewage Facilities
- Wastewater
- Landscape Irrigator
- Oil & Gas Activity



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The Advocate

Rule changes, workshops, webinars, compliance initiatives

Sign up	Search	View
<p><u>Sign Up!</u> Receive e-mail or text alerts when each new article is available</p>	<p>Online archive of past topics</p>	<p>Articles By Media: Air Water Waste</p>



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TCEQ PST Regulations



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Some of the PST Regulations

- Registration and Self-Certification
- Financial assurance
- Corrosion protection
- Tank release detection
- Piping release detection
- Spill and overfill prevention
- Construction and Maintenance
- Operator training
- Temporarily out of service USTs
- Stage I vapor recovery
- Miscellaneous records
- Release reporting

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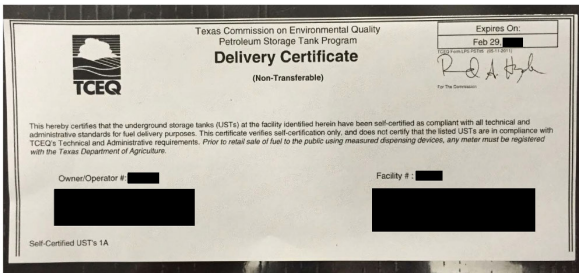
Registration and Self-Certification Requirements

- Annual self-certification for USTs containing motor fuel
- Report changes within 30 days
 - ownership/operator
 - operational status
 - stored substance
 - internal/external corrosion protection,
 - spill and overfill prevention equipment, and
 - release detection methods or equipment



Registration and Self-Certification

Delivery Certificate Example



Registration Form-0724

Tank Release Detection Requirements

- Tanks monitored for leaks at least once every 30 days
- Method must be able to detect a release of 0.2 gallon per hour (gph)
- Conduct in accordance with third-party certification requirements/limitations
 - [Third-party certifications link](#)
 - Keep all release detection records for at least five years

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Table 2. Release Detection Methods for Tanks

Release Detection Method	Required Records	Frequency
Automatic Tank Gauging (ATG)	Copies of passing ATG tests ^c Copies of 30-day inventory control records	Within 30 days of last passing test
Statistical Inventory with Reconciliation (SIR) ^d	Results from an SIR vendor stating "Pass," "Fail," or "Inconclusive" Copies of 30-day inventory control records	You must receive results within 15 days following the 30-day period
Interstitial Monitoring ^e	30-day log sheet showing the status of the sensor ^f Records showing interstitial monitoring is your primary method of 30-day release detection (if applicable)	30 days
Groundwater or Vapor Monitoring ^g	Results of the monitoring well Written statement from the well installer that a release from any part of the system will be detected in at least 30 days	Within 30 days of the last reading
30-Day Tank Gauging or Secondary Containment Barriers	Periodic monitoring results	Every 30 days
Manual Tank Gauging	Monitoring results with weekly and 30-day deviations	Every week
30-Day Electronic Leak Monitoring	Test results (receipt from the electronic monitoring equipment)	Every 30 days

c. Tanks must have enough product to conduct a valid test.

d. SIR vendors must use a third-party certified method.

e. Tanks installed or replace on or after January 1, 2009 must use interstitial monitoring as the primary release detection method.

f. Also required for any tank or piping with secondary containment, regardless of release detection method.

g. Monitoring and observation wells must be secured to prevent unauthorized substances from entering them.

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Tank Release Detection: Walk-through Inspections

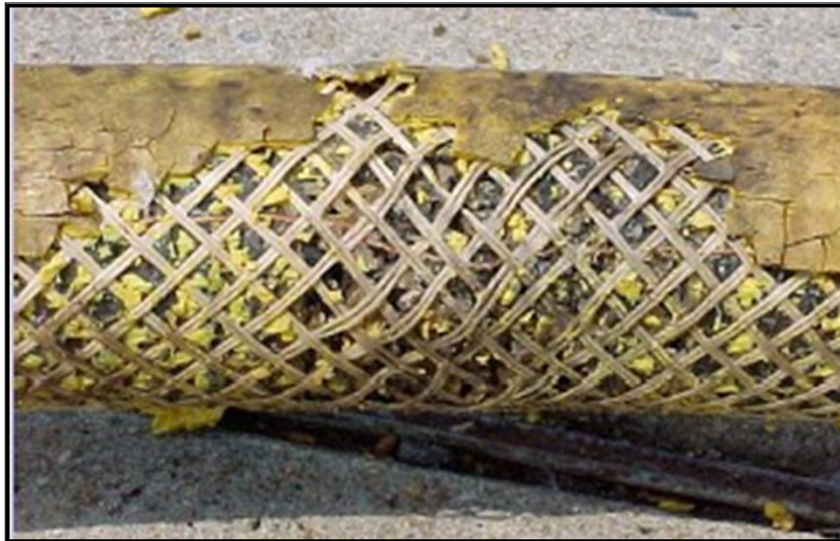
Every 30-days

- Perform 30-day walkthrough inspections for release detection equipment:
 - Check for alarms
 - Review records
 - Check for unusual operating conditions
 - Dispensing equipment behaving erratically
 - Sudden loss of product from system
 - Unexplained water in the tank

Every Year

- Annually test release detection equipment
- Perform annual walkthrough inspections of handheld release detection equipment for operability
 - Examples: tank gauge sticks, groundwater bailers

Piping Release Detection



Methods for Piping Release Detection

Table 5. Release Detection Methods for Piping

Release Detection Method	Required Records	Frequency
Piping tightness test	Test results	Pressurized systems: every year Suction systems: every 3 years
Groundwater or vapor monitoring	Logs of dates monitored and any results	Every 30 days
Interstitial monitoring (secondary containment)	Logs of dates monitored and any results	Every 30 days for monitoring logs.
Statistical Inventory with Reconciliation (SIR) ¹	Results from an SIR vendor stating "Pass," "Fail," or "Inconclusive" and inventory control records	Every 30 days
Electronic leak monitoring	Logs of dates monitored and any results	Every 30 days

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Overfill Device and Spill Prevention Equipment



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Spill Prevention Equipment Requirements

- Tight fill fitting
- Liquid tight spill bucket
 - Walkthrough inspections every 30 days
 - Tightness tested every 3 years **OR** Double-walled and inspect every 30 days
- All containment sumps:
 - Annual walkthrough inspections
- Containment Sumps with Interstitial Monitoring (primary release detection method after 1/1/09)
 - Test for liquid tightness every 3 years **OR** Double-walled and inspect every 30 days



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Overfill Device Records

- Automatic shutoff device
 - Visually verifiable by investigator
 - Installation records
 - Repairs records
 - Triennial test results
- Flow restrictor
 - Installation records
 - Triennial test results
 - May not be installed or replaced after Sep 1, 2018



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Table 6. Spill and Overfill Equipment Record Requirements

Type of Equipment	Required Records	Frequency
Spill bucket	Inspection logs and either proof of double-walled construction or tightness test results.	Every 30 days for inspections. Every 3 years for tightness testing.
Containment sumps and manways used for secondary containment	Inspection logs and proof of double-walled construction or tightness test results.	Every 30 days for inspections. Every 3 years for tightness testing.
All containment sumps	Walkthrough inspection logs.	Every year
All spill prevention equipment	Repair records and their test results. Records showing you removed any debris, contaminated water, and fuel within 96 hours of discovery and showing its proper disposal.	Within 30 days of repairs. As needed for cleaning and disposal.
Automatic shutoff device ^k	Installation records, repair records and their test results, and test results showing the device is set to activate at the appropriate level.	Within 30 days of repairs. Every 3 years for activation tests.
Flow restrictor ^l	Test results showing the device is set to activate at the appropriate level and records showing change in service from flow restrictor to automatic shutoff device ^m if replaced.	Every 3 years for activation tests.

k. Find automatic shutoff devices in the fill port.

l. Find flow restrictors in the vent line.

m. Flow restrictors cannot be used if you install or replace overfill equipment on or after September 1, 2018.

Construction and Maintenance Requirements

[Construction notification form TCEQ-0495](#)

- Installing tanks or piping
- Removing USTs or returning to service
- Repairing, upgrading, or improving UST
- Integrity assessment
- Entering a UST



Operator Training Requirements

- Train and designate A/B and C operators for each facility
 - [List of approved A/B operator training courses](#)
 - Training certificate expires after 3 years
- All operators must know:
 - Procedures for addressing a spill
 - Location of emergency shut off
 - Contact information for the A/B operator
 - When to call “911”
- Unmanned Facility have a weather-resistance



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Temporarily Out of Service (TOOS)



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TOOS - Records

Empty

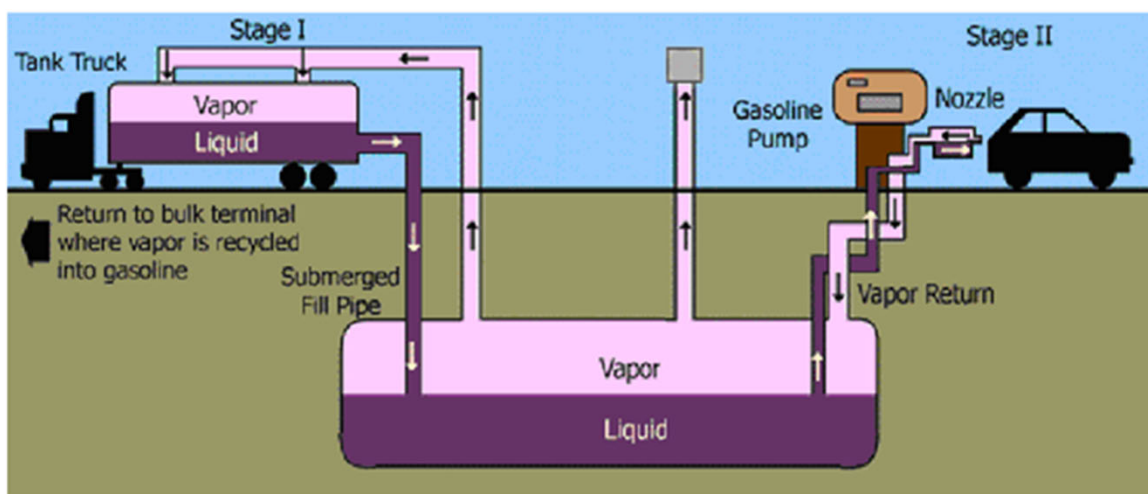
- Corrosion Protection
- Operator Training
- Empty Documentation
- *Financial Assurance
 - No financial assurance if site check was completed
 - Documentation of Site Check

Not Empty

- Corrosion Protection
- Operator Training
- Financial Assurance
- Annual Self Certification
- Release detection records
- Report Suspected Releases

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Stage I and Stage II Vapor Recovery



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SBLGA's PST Assistance Tools

PST Super Guide ([RG-475](#))

Petroleum Storage Tanks (PST): [Compliance Resources webpage](#)

UST Compliance Notebook for Texas ([RG-543](#))

UST Rule Summary ([link](#))

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Spills – What to do and how to report



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Report Spills or Discharges

- **State of Texas Spill-Reporting Hotline and the SERC: 1-800-832-8224—24 hours a day**
- **TCEQ Regional Office, Monday-Friday, 8:00 a.m.–5:00 p.m.**
- **Federal National Response Center : 1-800-424-8802 (notifying the NRC does not constitute notice to the state)**
- **Other State Agencies**
 - GLO, RRC, DSHS, TPWD, DPS, TDEM

Report Spills or Discharges in Texas to 1-800-832-8224

The Who, What, and Where of Spill Reporting

A responsible party must report a spill of a reportable quantity (RQ) as soon as possible but not later than 24 hours after the discovery of the spill or discharge to the Texas Spill Reporting Hotline at 1-800-832-8224 or the appropriate regional office of the TCEQ during normal office hours.

The RQ depends on the substance released and where it was released. To determine whether you must report and under what rule, see the [Reportable Quantities Table](https://www.tceq.texas.gov/response/spills/), <https://www.tceq.texas.gov/response/spills/>, or <https://www.tceq.texas.gov/response/spills/>.

Depending on location and type of spill, reporting could be to another state agency, such as the Texas General Land Office or the Railroad Commission of Texas.

What to include in the Initial Report Contact Information:

- The name, address and telephone number of the person making the telephone report.
- If different from above, the name, address, and telephone numbers of the responsible person and the contact person at the location of the discharge or spill.

What and where:

- The date, time, and location of the spill or discharge.
- A specific description or identification of the oil, petroleum product, hazardous substance or other substance discharged or spilled.
- An estimate of the quantity discharged or spilled and the duration of the incident.
- The source of the discharge or spill.
- The name of the surface water or a description of the waters in the state affected or threatened by it.
- A description of the extent of actual or potential water pollution or harmful impacts to the environment and an identification of any environmentally sensitive areas or natural resources at risk.
- Any known or anticipated health risks.
- A description of any actions that have been taken, are being taken, and will be taken to contain and respond to the discharge or spill.

Response and action:

- The identity of any governmental representatives, including local authorities or third parties, responding to it.
- Any other information that may be significant to the response action.

For additional information on initial notification requirements, refer to Title 30, Texas Administrative Code Section 327.1.

Summary of What to Do After a Spill

Answer these questions:

- What type of material spilled?
 - Oil, petroleum product, and used oil will be in gallons.
 - Hazardous substances and industrial solid waste will be in pounds.
- Was the spill onto land or into waters of the state?
 - If so, what is the appropriate agency to report the spill to?

Mitigate, contain, and remediate all spills and discharges.

Examples of Reportable Quantities

Kind of Spill	Where Discharged	Reportable Quantity	Agency
Petroleum product, used oil (e.g. hydraulic fluid)	Onto land, or onto land from a non-exempt PST facility	25 gallons	TCEQ
Petroleum product, used oil	*Onto land, from an exempt PST facility	210 gallons (five barrels)	TCEQ
Any oil	Into coastal waters	As required by the Texas General Land Office	Texas General Land Office (1-800-832-8224)
Industrial solid waste (e.g. lime slurry)	Into waters in the state	100 pounds	TCEQ
Hazardous substance (e.g. 2,4-D herbicide)	Onto land	see Table 302.4 in 40 CFR §302.4	TCEQ

For the [Spills and Discharges website](https://www.tceq.texas.gov/response/spills/), <https://www.tceq.texas.gov/response/spills/>, call 1-800-832-8224, or visit our website. Distribution equipment and transformers; petrochemical plants; petroleum refineries; bulk loading facilities; and pipelines that are exempt from the Aboveground Storage Tank (AST) program under 30 TAC, Subsection 334.123(a)(9) and (b), and 30 TAC, Subsection 334.124(a)(4).

Spills – Reportable Quantities (RQ)

Examples of Reportable Quantities

Kind of Spill	Where Discharged	Reportable Quantity	Agency
Petroleum product, used oil (e.g. hydraulic fluid)	Onto land, or onto land from a non-exempt PST facility	25 gallons	TCEQ
Petroleum product, used oil	*Onto land, from an exempt PST facility	210 gallons (five barrels)	TCEQ
Any oil	Into coastal waters	As required by the Texas General Land Office	Texas General Land Office (1-800-832-8224)
Industrial solid waste (e.g. lime slurry)	Into waters in the state	100 pounds	TCEQ
Hazardous substance (e.g. 2,4-D herbicide)	Onto land	see Table 302.4 in 40 CFR §302.4	TCEQ

* Petroleum storage tank (PST) exempted facilities are electric service facilities including generation, transmission, distribution equipment and transformers; petrochemical plants; petroleum refineries; bulk loading facilities; and pipelines that are exempted from the Aboveground Storage Tank (AST) program under 30 TAC, Subsection 334.123(a)(9) and (b), and 30 TAC, Subsection 334.124(a)(4).

Initial phone call information

- The date and time
- Material identity or chemical name (hazardous)
- Quantity released or spilled and duration
- The exact location of the spill (waterbodies)
- Water pollution.
- Source of the release or spill.
- Contact information for the responsible party
- Steps to contain and clean
- Injuries (if any), health risks (medical attention)
- Possible hazards to the environment
- Government or private-sector representatives responding at the scene.



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Spills - 30-Day Follow-up

- Status of spill
- Response timeline
- Weather during response
- Injuries
- Remediation of contamination
- Sampling analysis
- Waste classification and disposal



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Spills – Cleanup

- The person responsible for cleaning up a spill is:
 - owner or operator of a **facility** from which a spill emanates;
 - owner, operator, or demise charterer of a **vessel** from which a spill emanates; or
 - any other person who **causes, suffers, allows, or permits** a spill or discharge
- Return to pre-spill or background conditions and no more than 180 days
- [Texas Risk Reduction Program](#)
- [Perform Affected Property Assessment](#) and submit an Affected Property Assessment Report (Form-10325) to Regional office

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Thank you!

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Small Business & Local Government Assistance
1-800-447-2827 www.TexasEnviroHelp.org



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