

ENVIRONMENTAL QUALITY

CHAPTER 56

UNDERGROUND STORAGE TANKS
PETROLEUM AND CHEMICAL SUBSTANCES

Subchapter 4

Release Detection

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Subchapter 4

Release Detection

17.56.401 GENERAL REQUIREMENTS FOR ALL UST SYSTEMS

(1) Owners and operators of new and existing UST systems shall provide a method, or combination of methods, of release detection that:

(a) can detect a release from any portion of the tank and the connected underground piping that routinely contains product;

(b) is installed and calibrated, in accordance with the manufacturer's instructions;

(c) meets the performance requirements in ARM 17.56.407 or 17.56.408, with any performance claims and their manner of determination described in writing by the equipment manufacturer or installer. In addition, methods listed in ARM 17.56.407(1)(b) through (d), (h) and (i); in ARM 17.56.408(1)(a) and (b); or in ARM 17.56.1601 must be capable of detecting a leak rate or quantity specified for that method in ARM 17.56.407(1)(b) through (d), (h) and (i); in ARM 17.56.408(1)(a) and (b); or in ARM 17.56.1601 with a probability of detection of 0.95 and a probability of false alarm of 0.05; and

(d) beginning on October 13, 2021, the release detection method or a combination of methods must be operated and maintained, and electronic and mechanical components must be tested for proper operation, in accordance with one of the following:

(i) manufacturer's instructions;

(ii) a code of practice developed by a nationally recognized association or an independent testing laboratory;

(iii) the Petroleum Equipment Institute Publication RP1200 "Recommended Practices for the Testing and Verification of Spill, Overfill, Leak Detection and Secondary Containment Equipment at UST Facilities;" or

(iv) requirements determined by the department to be no less protective of human health and the environment than the two options listed in (d)(i) and (d)(ii).

(2) A test of the proper operation of leak detection equipment must be performed at least annually and, at a minimum, as applicable to the facility, cover the following components and criteria:

(a) automatic tank gauge and other controllers:

(i) test alarm;

(ii) verify system configuration; and

(iii) test battery backup.

- (b) probes and sensors:
 - (i) inspect for residual buildup;
 - (ii) ensure floats move freely;
 - (iii) ensure shaft is not damaged;
 - (iv) ensure cables are free of kinks and breaks; and
 - (v) test alarm operability and communication with controller.
- (c) automatic line leak detector:
 - (i) test operation to meet applicable criteria in ARM 17.56.408(1)(a) by simulating a leak.
- (d) vacuum pumps and pressure gauges:
 - (i) ensure proper communication with sensors and controller.
 - (e) hand-held electronic sampling equipment associated with groundwater and vapor monitoring:
 - (i) ensure proper operation.
- (3) When a release detection method operated in accordance with the performance standards in ARM 17.56.407 and 17.56.408 indicates a release may have occurred, owners and operators shall notify the department in accordance with subchapter 5.
- (4) Any UST system that cannot apply a method of release detection that complies with the requirements of this subchapter must complete the closure procedures in ARM Title 17, chapter 56, subchapter 7. (History: 75-11-505, MCA; IMP, 75-11-505, MCA; NEW, 1989 MAR p. 1912, Eff. 11/23/89; TRANS, from DHES, 1995 MAR p. 2259; AMD, 2003 MAR p. 1079, Eff. 5/23/03; AMD, 2010 MAR p. 1888, Eff. 8/27/10; AMD, 2016 MAR p. 1694, Eff. 9/24/16; AMD, 2018 MAR p. 1954, Eff. 10/6/18.)

17.56.402 REQUIREMENTS FOR PETROLEUM UST SYSTEMS

- (1) Except as provided in (3), owners and operators of petroleum UST systems shall provide release detection for tanks and piping as follows:
 - (a) tanks must be monitored at least every 30 days for releases using one of the methods listed in ARM 17.56.407(1)(d) through (h) except that:
 - (i) UST systems that meet the performance standards in ARM 17.56.201 or 17.56.202, and the 30-day inventory control requirements in ARM 17.56.407(1)(a) or (b), may use tank tightness testing (conducted in accordance with ARM 17.56.407(1)(c)) at least every five years until ten years after the tank was installed;
 - (ii) tanks with capacity of 550 gallons or less and tanks with a capacity of 551 to 1,000 gallons that meet the tank diameter criteria in ARM 17.56.407(1)(b) in Table 1 may use manual tank gauging (conducted in accordance with ARM 17.56.407(1)(b)); and

(iii) farm or residential tanks of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes installed prior to November 26, 2009, and a tank of 1,100 gallons or less capacity used for storing heating oil for consumptive use on the premises where stored installed prior to November 26, 2009, may use manual tank gauging (conducted in accordance with ARM 17.56.407(1)(b)); and

(b) underground piping that routinely contains regulated substances must be monitored for releases in a manner that meets one of the following requirements:

(i) underground piping that conveys regulated substances under pressure must:

(A) be equipped with an automatic line leak detector conducted in accordance with ARM 17.56.408(1)(a); and

(B) have an annual line tightness test conducted in accordance with ARM 17.56.408(1)(b) or monitor at least every 30 days using a method in accordance with ARM 17.56.408(1)(c); and

(ii) underground piping that conveys regulated substances under suction must either have a line tightness test conducted at least every three years and in accordance with ARM 17.56.408(1)(b), or monitor at least every 30 days using a method conducted in accordance with ARM 17.56.408(1)(c). No release detection is required for suction piping that is designed and constructed to meet the following standards:

(A) the below-grade piping operates at less than atmospheric pressure;

(B) the below-grade piping is closed so that the contents of the pipe will drain back into the storage tank if the suction is released;

(C) only one check valve is included in each suction line;

(D) the check valve is located directly below and as close as practical to the suction pump; and

(E) a method is provided that allows compliance with (1)(b)(ii)(B) through (D) to be readily determined;

(iii) underground piping connected to heating oil tanks with a capacity of 660 gallons or less is exempt from the requirements of (1)(b)(i) and (ii) provided that:

(A) the new primary underground piping has secondary containment;

(B) liquid released into the interstitial space will move not more than 20 feet before being detected in a standpipe or sump;

(C) the interstice is visually monitored for released liquid once every 30 days; and

(D) the test results are maintained for at least one year; and

(iv) new underground piping connected to underground heating oil tanks with a capacity of 660 gallons or less shall slope back towards tanks that do not have foot valves.

(2) All leak testing results required by this rule must be observed by the owner, operator, or facility employee and the owner or operator shall document and retain the results.

(3) Terminal piping that is connected to aboveground storage tanks and not associated with an airport hydrant system, is exempt from the requirements of ARM 17.56.204(2) and (3), 17.56.304(3)(g)(i), 17.56.408(1)(a) through (d), 17.56.504(1)(a), and 17.56.701(4)(b)(ii) and (d)(ii). The department may exempt other associated piping that is connected to aboveground storage tanks and is not associated with airport hydrant systems, on a case-by-case basis, if the department determines the exemption would not cause harm to human health or the environment.

(4) The exempt piping referenced in (3) must be annually leak tested using:

(a) the procedures described in American Petroleum Institute Recommended Practice 1110, "Recommended Practice for Pressure Testing of Steel Pipelines for the Transportation of Gas, Petroleum Gas, Hazardous Liquids, Highly Volatile Liquids or Carbon Dioxide," with the following exceptions:

(i) the minimum leak test pressure ratios may not be less than 1.0;
(ii) the leak test duration may not be less than one hour; and
(iii) leak acceptance criteria must be based on 5 percent decrease in pressure of the pipeline segment during the test period; or

(b) another leak test procedure approved by the department.

(5) The department adopts and incorporates by reference the version in effect on July 1, 2013, of American Petroleum Institute Recommended Practice 1110, "Recommended Practice for Pressure Testing of Steel Pipelines for the Transportation of Gas, Petroleum Gas, Hazardous Liquids, Highly Volatile Liquids or Carbon Dioxide," which sets forth guidelines for pressure testing steel pipelines for the transportation of gas, petroleum gas, hazardous liquids, highly volatile liquids, or carbon dioxide, a copy of which may be obtained from Global Engineering Documents, 15 Inverness Way East, M/S C303B, Englewood, CO 80112-5776, (303) 397-7956. (History: 75-11-302, 75-11-505, MCA; IMP, 75-11-302, 75-11-505, MCA; NEW, 1989 MAR p. 1912, Eff. 11/23/89; TRANS, from DHES, 1995 MAR p. 2559, Eff. 7/1/95; AMD, 1995 MAR p. 2488, Eff. 11/23/95; TRANS, from DHES, 1995 MAR p. 2259; AMD, 2003 MAR p. 1079, Eff. 5/23/03; AMD, 2008 MAR p. 2475, Eff. 11/27/08; AMD, 2009 MAR p. 2247, Eff. 11/26/09; AMD, 2010 MAR p. 1888, Eff. 8/27/10; AMD, 2011 MAR p. 145, Eff. 2/11/11; AMD, 2016 MAR p. 1694, Eff. 9/24/16; AMD, 2018 MAR p. 1954, Eff. 10/6/18.)

17.56.403 REQUIREMENTS FOR HAZARDOUS SUBSTANCE UST SYSTEMS

(1) For hazardous substance UST systems installed after October 13, 2018, owners and operators shall provide containment that meets the following requirements and monitor these systems pursuant to ARM 17.56.407(1)(g) at least every 30 days:

(a) secondary containment systems must be designed, constructed, and installed to:

(i) contain regulated substances leaked from the primary containment until they are detected and removed;

(ii) prevent the release of regulated substances to the environment at any time during the operational life of the UST system; and

(iii) be checked for evidence of a release at least every 30 days.

(b) double-walled tanks must be designed, constructed, and installed to:

(i) contain a leak from any portion of the inner tank within the outer wall; and

(ii) detect the failure of the inner wall;

(c) external liners (including vaults) must be designed, constructed, and installed to:

(i) contain 100 percent of the capacity of the largest tank within its boundary;

(ii) prevent the interference of precipitation or ground water intrusion with the ability to contain or detect a release of regulated substances; and

(iii) surround the tank completely (i.e., it is capable of preventing lateral as well as vertical migration of regulated substances).

(d) underground piping must be equipped with secondary containment that satisfies the requirements of (1)(a) (e.g., trench liners, double-walled pipe). In addition, underground piping that conveys regulated substances under pressure must be equipped with an automatic line leak detector in accordance with ARM 17.56.408(1).

(2) For hazardous substance UST systems installed on or before October 13, 2018, owners and operators may use:

(a) other methods of release detection if owners and operators:

(i) demonstrate to the department that an alternate method can detect a release of the stored substance as effectively as any of the methods allowed in ARM 17.56.407(1)(b) through (i) can detect a release of petroleum;

(ii) provide information to the department on effective corrective action technologies, health risks, and chemical and physical properties of the stored substance, and the characteristics of the UST site; and

(iii) obtain approval from the department to use the alternate release detection method before the installation and operation of the new UST system; or

(b) the methods of release detection set forth in 40 CFR 265.193 (2011), Containment and Detection of Releases.

(3) The department adopts and incorporates by reference 40 CFR 265.193 (2011), which sets forth standards for containment and detection of releases. A copy may be obtained from the Superintendent of Documents, Government Printing Office, Washington, DC 20402, (202) 783-3238. Copies are also available for public inspection and copying at the Department of Environmental Quality, 1520 E. 6th Ave., P.O. Box 200901, Helena, MT 59620-0901. (History: 75-11-505, MCA; IMP, 75-11-505, MCA; NEW, 1989 MAR p. 1912, Eff. 11/23/89; TRANS, from DHES, 1995 MAR p. 2259; AMD, 2007 MAR p. 1189, Eff. 8/24/07; AMD, 2010 MAR p. 1888, Eff. 8/27/10; AMD, 2018 MAR p. 1954, Eff. 10/6/18.)

Rules 17.56.404 through 17.56.406 reserved

17.56.407 METHODS OF RELEASE DETECTION FOR TANKS (1) Each method of release detection for tanks used to meet the requirements of ARM 17.56.402 must be conducted in accordance with the following:

(a) product inventory control (or another test of equivalent performance) must be conducted monthly to detect a release of at least 1.0 percent of flow-through plus 130 gallons on a monthly basis in the following manner:

(i) inventory volume measurements for regulated substance inputs, withdrawals, and the amount still remaining in the tank are recorded each operating day;

(ii) the equipment used is capable of measuring the level of product over the full range of the tank's height to the nearest one-eighth of an inch;

(iii) the regulated substance inputs are reconciled with delivery receipts by measurement of the tank inventory volume before and after delivery;

(iv) deliveries are made through a drop tube that extends to within one foot of the tank bottom;

(v) product dispensing is metered and recorded within for an accuracy of six cubic inches for every five gallons of product withdrawn; and

(vi) the measurement of any water level in the bottom of the tank is made to the nearest one-eighth of an inch at least once a month;

(b) manual tank gauging must meet the following requirements:

(i) tank liquid level measurements are taken at the beginning and ending of a period of at least 36 hours during which no liquid is added to or removed from the tank;

(ii) level measurements are based on an average of two consecutive stick readings at both the beginning and ending of the period;

(iii) the equipment used is capable of measuring the level of product over the full range of the tank's height to the nearest one-eighth of an inch;

(iv) a release is suspected and subject to the requirements of ARM Title 17, chapter 56, subchapter 5 if the variation between beginning and ending measurements exceeds the weekly or monthly standards in the following table:

Table 1:

Nominal Tank Capacity	Minimum Duration Of Test	Weekly Standard (One Test)	Monthly Standard (Four Test Average)
550 gallons or less	36 hours	10 gallons	5 gallons
551-1,000 gallons (when tank diameter is 64 inches)	44 hours	9 gallons	4 gallons
551-1,000 gallons (when tank diameter is 48 inches)	58 hours	12 gallons	6 gallons
551 – 1,000 gallons (also requires periodic tank tightness testing)	36 hours	13 gallons	7 gallons
1,001 – 2,000 gallons (also requires periodic tank tightness testing)	36 hours	26 gallons	13 gallons

(v) tanks of 550 gallons or less nominal capacity and tanks with a nominal capacity of 551 to 1,000 gallons that meet the tank diameter criteria in Table 1 may use this method as the sole method of release detection. All other tanks with a nominal capacity of 551 to 2,000 gallons may use the method in place of inventory control in (1)(a). Tanks of greater than 2,000 gallons nominal capacity may not use this method to meet the requirements of this subchapter; and

(vi) tanks listed in ARM 17.56.402(1)(a)(iv) may use this method of release detection as the sole method of annual tank tightness testing;

(c) tank tightness testing (or another test of equivalent performance) must be capable of detecting a 0.1 gallon per hour leak rate from any portion of the tank that routinely contains product while accounting for the effects of thermal expansion or contraction of the product, vapor pockets, tank deformation, evaporation or condensation, and the location of the water table;

(d) equipment for automatic tank gauging that tests for the loss of product or conducts inventory control must meet the following requirements:

(i) the automatic product level monitor test can detect a 0.2 gallon per hour (gph) leak rate from any portion of the tank that routinely contains product;

(ii) after December 31, 2010, if the automatic tank gauging equipment has the capability, the leak detection console must be set to temporarily disable the pumping system after a failed 0.2 gph leak test. The owner or operator may not restart the pumping system until:

(A) an investigation of the UST system alarm condition is conducted in accordance with the leak detection equipment manufacturer's requirements and ARM Title 17, chapter 56, subchapter 5; and

(B) the owner or operator determines that a release to the environment has not occurred;

(iii) inventory control (or another test of equivalent performance) is conducted in accordance with the requirements of (1)(a); and

(iv) the test must be performed with the system operating in one of the following modes:

(A) in-tank static testing is conducted at least once every 30 days; or

(B) continuous in-tank leak detection operating on an uninterrupted basis or operating within a process that allows the system to gather incremental measurements to determine the leak status of the tank at least once every 30 days.

(e) testing or monitoring for vapors within the soil gas of the excavation zone may only be used as a leak detection method until October 13, 2023, to meet the requirements of ARM 17.56.402 and must meet the following requirements:

(i) the materials used as backfill are sufficiently porous (e.g., gravel, sand, crushed rock) to readily allow diffusion of vapors from releases into the excavation area;

(ii) the stored regulated substance, or a tracer compound placed in the tank system, is sufficiently volatile (e.g., gasoline) to result in a vapor level that is detectable by the monitoring devices located in the excavation zone in the event of a release from the tank;

(iii) the measurement of vapors by the monitoring device is not rendered inoperative by the ground water, rainfall, or soil moisture or other known interferences so that a release could go undetected for more than 30 days;

(iv) the level of background contamination in the excavation zone will not interfere with the method used to detect releases from the tank;

(v) the vapor monitors are designed and operated to detect any significant increase in concentration above background of the regulated substance stored in the tank system, a component or components of that substance, or a tracer compound placed in the tank system;

(vi) in the UST excavation zone, the site is assessed to ensure compliance with the requirements in (1)(e)(i) through (iv) and to establish the number and positioning of monitoring wells that will detect releases within the excavation zone from any portion of the tank that routinely contains product;

(vii) monitoring wells are clearly marked and secured to avoid unauthorized access and tampering; and

(viii) after December 31, 2010, if the vapor monitoring equipment has the capability, the leak detection console must be set to temporarily disable the pumping system after a failed leak test. The owner or operator may not restart the pumping system until:

(A) an investigation of the UST system alarm condition is conducted in accordance with the leak detection equipment manufacturer's requirements and ARM Title 17, chapter 56, subchapter 5; and

(B) the owner or operator determines that a release to the environment has not occurred;

(f) testing or monitoring for liquids on the ground water may only be used as a leak detection method until October 13, 2023, to meet the requirements of ARM 17.56.402 and must meet the following requirements:

(i) the regulated substance stored is immiscible in water and has a specific gravity of less than one;

(ii) ground water is never more than 20 feet from the ground surface and the hydraulic conductivity of the soil(s) between the UST system and the monitoring wells or devices is not less than 0.01 cm/sec (e.g., the soil should consist of gravels, coarse to medium sands, coarse silts, or other permeable materials);

(iii) the slotted portion of the monitoring well casing must be designed to prevent migration of natural soils or filter pack into the well and to allow entry of regulated substance on the water table into the well under both high and low ground water conditions, as well as all conditions between the high and low ground water conditions;

(iv) monitoring wells shall be sealed from the ground surface to the top of the filter pack;

(v) monitoring wells or devices intercept the excavation zone or are as close to it as is technically feasible;

(vi) the continuous monitoring devices or manual methods used can detect the presence of at least one-eighth of an inch of free product on top of the ground water in the monitoring wells;

(vii) within and immediately below the UST system excavation zone, the site is assessed to ensure compliance with the requirements in (1)(f)(i) through (v) and to establish the number and positioning of monitoring wells or devices that will detect releases from any portion of the tank that routinely contains product;

(viii) monitoring wells are clearly marked and secured to avoid unauthorized access and tampering;

(ix) monitoring wells must be accessible for the sampling purposes of ARM 17.56.503; and

(x) after December 31, 2010, if the ground water monitoring equipment has the capability, the leak detection console must be set to temporarily disable the pumping system after a failed leak test. The owner or operator may not restart the pumping system until:

(A) an investigation of the UST system alarm condition is conducted in accordance with the leak detection equipment manufacturer's requirements and ARM Title 17, chapter 56, subchapter 5; and

(B) the owner or operator determines that a release to the environment has not occurred;

(g) interstitial monitoring between the UST system and a secondary barrier immediately around or beneath it may be used, but only if the system is designed, constructed, and installed to detect a leak from any portion of the tank that routinely contains product and also meets one of the following requirements:

(i) for double-walled UST systems:

(A) the sampling or testing method can detect a release through the inner wall in any portion of the tank that routinely contains product; and

(B) after December 31, 2010, if the interstitial monitoring equipment has the capability, the leak detection console must be set to temporarily disable the pumping system after a failed leak test. The owner or operator may not restart the pumping system until:

(I) an investigation of the UST system alarm condition is conducted in accordance with the leak detection equipment manufacturer's requirements and ARM Title 17, chapter 56, subchapter 5; and

(II) the owner or operator determines that a release to the environment has not occurred;

(ii) for UST systems with a secondary barrier within the excavation zone, the sampling or testing method used can detect a leak between the UST system and the secondary barrier;

(A) the secondary barrier around or beneath the UST system consists of artificially constructed material that is sufficiently thick and impermeable (at least 10^{-6} cm/sec for the regulated substance stored) to direct a leak to the monitoring point and permit its detection;

(B) the barrier is compatible with the regulated substance stored so that a leak from the UST system will not cause a deterioration of the barrier allowing a release to pass through undetected;

(C) for cathodically protected tanks, the secondary barrier must be installed so that it does not interfere with the proper operation of the cathodic protection system;

(D) the ground water, soil moisture, or rainfall will not render the testing or sampling method used inoperative so that a release could go undetected for more than 30 days;

(E) the site is assessed to ensure that the secondary barrier is always above the ground water and not in a 25-year flood plain, unless the barrier and monitoring designs are for use under such conditions; and

(F) monitoring wells are clearly marked and secured to avoid unauthorized access and tampering; and

(iii) for tanks with an internally fitted liner, an automated device can detect a leak between the inner wall of the tank and the liner, and the liner is compatible with the substance stored; and

(h) release detection methods based on the application of statistical principles to inventory data must meet the following requirements:

(i) report a quantitative result with a calculated leak rate;

(ii) be capable of detecting a leak rate of 0.2 gallon per hour or a release of 150 gallons within 30 days; and

(iii) use a threshold that does not exceed one-half the minimum detectible leak rate.

(i) any other type of release detection method, or combination of methods, can be used if it can detect a 0.2 gallon per hour leak rate or a release of 150 gallons within 30 days with a probability of detection of 0.95 and a probability of false alarm of 0.05.

(2) UST systems installed, modified, or replaced after November 26, 2009, must employ interstitial monitoring and meet the requirements in ARM 17.56.306(3), ARM 17.56.204, and applicable recordkeeping requirements in ARM 17.56.409. (History: 75-11-505, MCA; IMP, 75-11-505, MCA; NEW, 1989 MAR p. 1912, Eff. 11/23/89; TRANS, from DHES, 1995 MAR p. 2259; AMD, 2003 MAR p. 1079, Eff. 5/23/03; AMD, 2007 MAR p. 1189, Eff. 8/24/07; AMD, 2009 MAR p. 2247, Eff. 11/26/09; AMD, 2018 MAR p. 1954, Eff. 10/6/18.)

17.56.408 METHODS OF RELEASE DETECTION FOR PIPING (1) Each method of release detection for piping used to meet the requirements of ARM 17.56.402 must be conducted in accordance with the following:

(a) automatic line leak detectors, which include methods that alert the operator to the presence of a leak by restricting or shutting off the flow of regulated substances through piping or triggering an audible or visual alarm, may be used only if they detect leaks of three gallons per hour at ten pounds per square inch line pressure within one hour and an annual test of the operation of the leak detector is conducted in accordance with ARM 17.56.401. If an automatic line leak detector fails the annual test at 3.0 gallons per hour at 10 pounds per square inch line pressure within 1 hour, it must be replaced;

(b) line tightness testing, including periodic test of piping, may be conducted only if it can detect a 0.1 gallon-per-hour leak rate at 1 1/2 times the operating pressure; and

(c) tank methods designed to detect a release from any portion of the underground piping that routinely contains regulated substances. These methods include those set forth in ARM 17.56.407(1)(e) through (i) and (2).

(2) After December 31, 2010, if the leak detection monitoring equipment has the capability, an owner or operator of an UST system that conducts pipe leak detection pursuant to ARM 17.56.408(1)(a) or (d) shall set the leak detection console to temporarily disable the pumping system after a failed leak test. An operator may not restart the pumping system until:

(a) an investigation of the UST system alarm condition is conducted in accordance with the leak detection equipment manufacturer's requirements and ARM Title 17, chapter 56, subchapter 5; and

(b) the owner or operator determines that a release to the environment has not occurred.

(3) An owner or operator of an UST system, existing prior to November 26, 2009, employing piping interstitial monitoring as the primary leak detection method pursuant to this chapter shall meet the requirements of ARM 17.56.306(3) and ARM 17.56.204.

(4) UST systems installed, modified, or replaced after November 26, 2009, must employ piping interstitial monitoring and meet the requirements in ARM 17.56.306(3) and ARM 17.56.204. (History: 75-11-505, MCA; IMP, 75-11-505, MCA; NEW, 1989 MAR p. 1912, Eff. 11/23/89; TRANS, from DHES, 1995 MAR p. 2259; AMD, 2003 MAR p. 1079, Eff. 5/23/03; AMD, 2007 MAR p. 1189, Eff. 8/24/07; AMD, 2009 MAR p. 2247, Eff. 11/26/09; AMD, 2010 MAR p. 1888, Eff. 8/27/10; AMD, 2018 MAR p. 1954, Eff. 10/6/18.)

17.56.409 RELEASE DETECTION RECORDKEEPING (1) All UST system owners and operators shall maintain records in accordance with ARM 17.56.305 demonstrating compliance with all applicable requirements of this subchapter. These records must include the following:

(a) all written performance claims pertaining to any release detection system used, and the manner in which these claims have been justified or tested by the equipment manufacturer or installer, must be maintained for the operating life of the release detection system;

(b) the results of any sampling, testing, or monitoring must be maintained for at least one year, or another reasonable period of time determined by the department, except as follows:

(i) the results of annual tests of proper operation of leak detection equipment conducted in accordance with ARM 17.56.401(2) must be maintained for three years minimum. The results must list each component tested, indicate whether each component tested meets the criteria in ARM 17.56.401(2) or needs to have action taken, and describe any action taken to correct an issue;

(ii) the results of tank tightness testing conducted in accordance with ARM 17.56.407(1)(c) must be retained until the next test is conducted; and

(iii) the results of line tightness testing and vapor monitoring using a tracer compound placed in the tank system conducted in accordance with ARM 17.56.1601(1)(a)(iii) must be retained until the next test is conducted;

(iv) written documentation of all calibration, maintenance, and repair of release detection equipment permanently located on-site must be maintained for at least one year after the servicing work is completed, or for another reasonable time period determined by the department; and

(v) any schedules of required calibration and maintenance provided by the release detection equipment manufacturer must be retained for five years from the date of installation.

(c) an owner or operator of an UST system existing prior to November 26, 2009, who conducts interstitial monitoring as the primary leak detection method pursuant to this subchapter shall document the communication of all sensors with the console at least monthly, and maintain the record onsite of each monthly sensor test for the previous 12 months.

(d) UST systems installed, modified, or replaced after November 26, 2009, shall document the communication of all sensors with the console at least monthly, and maintain the record onsite of each monthly sensor test for the previous 12 months.

(e) UST systems installed, modified or replaced after October 13, 2018, shall maintain records of site assessments conducted under ARM 17.56.407(1)(e) or (f) as long as the leak detection methods are used.

(f) records of site assessments conducted under ARM 17.56.407(1)(e) or (f) after October 13, 2018, must be signed by a professional engineer or professional geologist, or equivalent licensed professional with experience in environmental engineering, hydrogeology, or other relevant technical discipline acceptable to the department. (History: 75-11-505, MCA; IMP, 75-11-505, MCA; NEW, 1989 MAR p. 1912, Eff. 11/23/89; TRANS, from DHES, 1995 MAR p. 2259; AMD, 2003 MAR p. 1079, Eff. 5/23/03; AMD, 2010 MAR p. 1888, Eff. 8/27/10; AMD, 2018 MAR p. 1954, Eff. 10/6/18.)

