



Suspect and Confirmed Release Reporting

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Administrative Rules of Montana

17.56 Subchapter 5

- 17.56.501...owners and operators of UST systems must comply with the requirements of this subchapter. Owners and operators of PSTs **seeking reimbursement from the Montana Petroleum Tank Release Cleanup Fund must comply with the requirements of this subchapter.**





We should DEFINITELY notify DEQ!



**But what about the situations that
aren't quite as obvious?**

i.e. Suspect Releases

Scenario #1

- You're performing a Phase II ESA. You are on your final soil boring and encounter minor soil staining. You collect a sample for laboratory analysis. When should you notify DEQ of a suspect release?



- a. Within 24 hours of receiving soil analytical results from the lab
- b. Whenever you feel like it
- c. Within 24 hours of encountering the stained soils
- d. Neither, this would not be considered a suspect release based on ARM 17.56.502

The correct answer is C


Scenario #2

- You're performing a Phase II ESA. You are on your final soil boring and do NOT encounter stained soils. There is a slight petroleum odor in the boring so you collect a groundwater grab sample for laboratory analysis. When should you notify DEQ of a suspect release?



- a. Neither, this would not be considered a suspect release based on ARM 17.56.502
- b. Within hours 24 of observing a petroleum odor
- c. Within 24 hours of receiving groundwater analytical results from the lab
- d. Whenever you feel like it

The correct answer is B



17.56.502

What does the Rule say?

- REPORTING OF SUSPECTED RELEASES (1) Owners and operators, any person who installs or removes an UST, or who performs subsurface investigations for the presence of regulated substances, and any person who performs a tank tightness or line tightness test...
- (a) **visual or olfactory observations**, field monitoring results or other indicators of the presence of regulated substances in soil or nearby surface or ground water, or the presence of free product or vapors in basements, sewer or utility lines;

Scenario #3

- Let's say that you notified DEQ within 24 hours of your field observations (visual and/or olfactory) and reported a suspect release to DEQ. You are now awaiting analytical results from the lab. After you receive the results, within what time frame do you have to confirm the release with DEQ Petroleum Tank Cleanup Section?



- a. Within 7 days of receiving the analytical results from the lab
- b. Within 7 days of finding the analytical results in your email inbox
- c. Whenever you feel like it
- d. The release was confirmed when you called in the suspect report

The correct answer is A

17.56.507

- (b) When a release is confirmed from laboratory analysis of samples collected from a site, the release must be reported to the department by a method that ensures the department receives the information within seven days of release confirmation. **The date of release confirmation, for purposes of this rule**, is the date the owner, operator, installer, remover, or person who performs subsurface investigations for the presence of regulated substances **received notification of the sample results from the laboratory**. Laboratory analytical results that exceed the following values confirm that a release has occurred:

Soooo.... What's the big deal???

- **What do I risk by NOT following the rules?**

The PETRO FUND



You risk losing your client's fund eligibility!!!

Violation letters & Penalties

Going forward DEQ will be issuing formal violation letters and assessing penalties



Best Practices

- If you see or smell it (or if you think you see it or smell it) Call DEQ
- If you are unsure of the situation CALL DEQ
- It could be the “million dollar” phone call
- Hotline for reporting leaks:
1-800-457-0568
- After hours and holidays:
1-406-324-4777

Resources

- DEQ Website Links
 - <http://deq.mt.gov/Land/lust>
 - <http://deq.mt.gov/land/rem/authorit>

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**DEQ Petroleum Tank Cleanup
Section**

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Questions?

Thank You!