



Paving the Way to New Federal Revised Underground Storage Tank Regulations

Montana DEQ proposing "Housekeeping" Rule Changes for the Underground Storage Tank Program

By Emily Ewart

Many of you have probably heard about the new Federal Revised Underground Storage Tank Regulations that were published July 15, 2015 (for more info go to <http://www2.epa.gov/ust>). Rest assured, Montana has some breathing room.

How much time do we have to comply with the new federal regulations? Montana has a state program approval (SPA), which gives the Montana Department of Environmental Quality (DEQ) until October 13, 2018, to revise regulations and submit a revised SPA application. Therefore, the new federal requirements do not immediately go into effect for underground storage tanks in Montana, except for those located in Indian Country and are administered by the EPA.

DEQ is currently working on "housekeeping" rule changes in order to establish a framework before tackling the new Federal Revised Underground Storage Tank Regulations. Once DEQ completes the "housekeeping" rule changes, it will begin working on revising state regulations in order to comply with the newly published federal regulations.

Why does Montana need "housekeeping" rule changes? Many changes in technology and business processes have occurred since the Underground Storage Tank rules were originally adopted. DEQ is proposing to update and clarify current rules in order to reflect these changes, including adopting, by reference, the latest version of underground storage tank standards, specifications, and publications. These "housekeeping rules" will make the regulatory process less burdensome for the regulated community by streamlining business processes, while remaining protective of human health and the environment.

Under these "housekeeping" rule changes, DEQ is also proposing to repeal rules pertaining to the Local Government Unit program because the department has not implemented the program due to the lack of personnel and funding. It would also avoid duplicating efforts with the third-party UST compliance inspection program. In addition, the department is proposing to add language regarding petroleum mixing

zones in order to be consistent with amendments made through Senate Bill 49 to 75-11-508(3), MCA by the 64th Legislature of Montana.

Stay tuned! MDEQ will contact interested persons once the "housekeeping" rule change process is officially underway. As with any rule change, the public will be given an opportunity to attend the public hearing and provide written and/or oral comments to the proposed "housekeeping" rule changes.

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