

A lush, green forest scene with a large tree in the foreground and its reflection in a body of water. The text is overlaid on the image.

Rulemaking Update

Annual Tanks Inspector Training Workshop

April 9, 2019



History

Chapters 62-761 and 62-762,
Florida Administrative Code (F.A.C.)

- **Previous Rule Amendments**
 - Adopted January 11, 2017
- **Current Rule Amendments**
 - Plan is for these revisions to be adopted summer of 2019



History

Chapters 62-761 and 62-762,
Florida Administrative Code (F.A.C.)

- **A Rule Development Workshop was held with industry stakeholders on June 20, 2018**
- **The comment period ended December 2018**



Chapters 62-761 and 62-762, F.A.C.

- The revisions are mainly clarifications to the 2017 rule amendments
- Suggestions were submitted by the regulated community, stakeholders, district subject matter experts, and our county and local programs



Chapters 62-761 and 62-762, F.A.C.

- **Chapter 62-761, F.A.C., will be referred to as the UST Rule (Underground Storage Tank)**
- **Chapter 62-762, F.A.C., will be referred to as the AST Rule (Aboveground Storage Tank)**



UST and AST Rule Revisions Definitions

- **Rules .200 and .201**
 - **Dates and citations were updated**
 - **Closure Integrity Evaluation was revised**
 - **Piping Sump was revised**
 - **New definition of the term Sump added in**



UST and AST Rule Revisions Reference Guidelines

- **Rules .210 and .211**
 - Updated reference documents to their current version at the time of rulemaking
 - Updated both UST and AST versions of Instructions for Conducting Sampling During Storage Tank Closure



UST and AST Rule Revisions Applicability

- **Rules .300 and .301**
 - **In Rule 62-761.300, F.A.C.**
 - Updated links, dates, and removed language
 - **In Rule 62-762.301, F.A.C.**
 - Removed the ammonia and chlorine requirement due to confusion under .301(1)(b)
 - Updated dates and removed language



UST and AST Rule Revisions Registration

- **Rules .400 and .401**
 - **Rule 62-761.400, F.A.C., added clarifying language under Certified Contractors Form [.400(2)(b)] and under placard revocation and also updated form dates.**
 - **Rule 62-762.401, F.A.C., updated form dates**



UST and AST Rule Revisions Notification

- **Rules .405 and .411**
 - Updated form dates and reference citations
 - Also added the potential requirement to contact the State Watch Office in addition to providing the DRF to both rules



UST and AST Rule Revisions Financial Responsibility

- **Rules .420 and .421**
 - For both rules, rearranged language to other sections, updated dates, and added information for government-owned facilities
 - Under subsection 62-762.421(3), F.A.C., added clarifying language



UST and AST Rule Revisions Incidents

- **Rules .430 and .431**
 - Added clarifying language and removed conflicting language
 - In UST Rule under paragraph 62-761.430(1)(a), F.A.C, added number “10” as a positive response which is currently in the AST rule



UST and AST Rule Revisions

Storage Tank System Requirements

- **Rules .500, .501, and .502**
 - For all, clarified language regarding testing in accordance with manufacturer's requirements and if none, then cite the appropriate reference guideline (e.g., PEI/RP1200)
 - Updated rule citation dates
 - UST Rule – added reference to AST Rule regarding bulk product piping
 - **Overfill Protection – applies to all three rules**
 - Will have to designate a primary overfill device. This device (only) must be registered and be tested annually
 - Any additional devices cannot interfere with the primary device
 - Added language regarding tanks that do not receive deliveries by mated tight fill adaptor



AST Rule Revisions

Shop Fabricated Storage Tank Systems

- **Rule 62-762.501(1)(b)9.**
 - **Added language for inspection of closed top dike double-walled UL 142 storage tanks with open interstice prior to being placed into service**



UST and AST Rule Revisions Repairs, Operation and Maintenance

- **Rules .700, .701, and .702**
 - Updated reference citations and added clarifying language
 - Specifically added language regarding repairs linking to out-of-service and closure requirements
 - Integrity Testing
 - In .701 and .702, removed term “below-grade” and replaced with “in contact with the soil” with the exception of spill containment devices due to language in other parts of the Rules and the AST Forms
 - In .700 and .701, added “over the surface waters of the state” in appropriate areas
 - In all, added “not to exceed 36 months” to the 3-year time-frame



UST and AST Rule Revisions

Out-of-Service and Closure Requirements

- **Rules .800, .801, and .802**
 - Added that out-of-service storage tanks systems require a registration update
 - Defined testing and inspection requirements not required while a storage tank system is out-of-service
 - Added repair language to the time period storage tanks can remain out-of-service
 - Added language that once a system has been properly closed, the facility must update the registration status as closed



UST and AST Rule Revisions Equipment Registration

- **Subsections .850(2) and .851(2)**
 - **Form date and name revised**



UST and AST Rule Revisions Storage Tank Forms

- **Rule .900 and .901**
 - Updated language and revised form dates



Storage Tank Forms

Minor Revisions to Forms



UST Forms Revised

- **Facility Registration Form**
- **Certified Contractors Form**
- **Closure Integrity Evaluation Form for USTs**
- **Limited Closure Integrity Evaluation Form for USTs**
- **Storage Tank System Equipment Registration Form**



AST Forms Revised

- **Facility Registration Form**
- **Closure Integrity Evaluation Form for ASTs**
- **Limited Closure Integrity Evaluation Form for ASTs**
- **Storage Tank System Equipment Registration Form**



Instructions for Conducting Sampling Documents Revised

- **Both DEP Reference Guidelines have been revised December 2018**
 - **Instructions for Conducting Sampling During Underground Storage Tank Closure**
 - **Instructions for Conducting Sampling During Aboveground Storage Tank Closure**



Rulemaking Documents

**All Rulemaking Documents can be
accessed online at:
[Storage Tank Systems Rulemaking](#)**



Rulemaking Questions

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