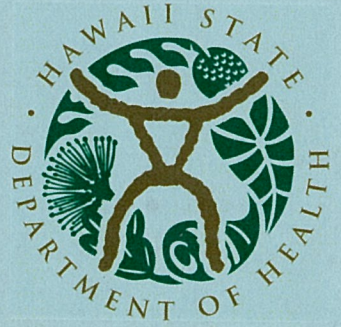


PLAN ACCORDINGLY!

2028 REGULATORY DEADLINE

Pursuant to Hawaii Administrative Rules 11-280.1-21. **Upgrading UST Systems.**

"UST systems...: Not later than **July 15, 2028**, tanks and piping installed before August 9, 2013 must be 1) provided with secondary containment that meets the requirements of section 11-280.1-24 AND 2) monitored for releases at least every 31 days in accordance with 11-280.1-43(7) for tanks and 11-280.1-41(b) (2) for piping. "



292 TANKS FROM 112 FACILITIES ARE SINGLE WALL TANKS THAT WILL NEED TO BE UPGRADED

IMPORTANT CONSIDERATIONS!

- 1) Hire a contractor. There are limited companies that are able to complete this in Hawaii and you will be competing with the other 112 facilities that need to upgrade.
- 2) Schedule so that all work will be completed by July 15, 2028, including shipping of new tanks to Hawaii and getting your Modification Permit approved prior to work. Given the 10 year lead time, no extension will be granted.
- 3) Submit Modification Permit at least 60 days in advance of any work. You will not be able to proceed with the upgrade until the Modification Permit has been approved.
- 4) Anticipate possible site assessments and possible release response activities depending on the upgrade method selected and whether the fuel is present when old tanks are removed. This may include over excavation, confirmation sampling and active remediation.
- 5) If you currently have secondary containment system, you need to ensure that you are using interstitial monitoring for your tanks and piping no later than July 15, 2028. The "Notification for Underground Storage Tank" (Form 1) needs to be submitted.
- 6) **START EARLY! Tanks not upgraded by the deadline will be required to permanently close pursuant to: HAR 11-280.1-40(c).**

Hawaii Department of Health, Solid & Hazardous Waste Branch, Underground Storage Tank Program (808) 586-4226 <http://health.hawaii.gov/shwb/underground-storage-tanks/>
Section Supervisor: Roxanne Kwan, Environmental Health Specialists: Roy Ilaga, Richard Takaba and Thu Perry.

11/1/2023 Regulatory Deadline flyer



EPA Website: <https://www.epa.gov/ust/underground-storage-tank-technical-compendium-about-2015-ust-regulation>

Question: Would EPA discuss these tank systems, also referred to as retrofits: lining system, installed to address compatibility; co-structural system that relies on existing tank infrastructure, installed to construct a secondary containment system; and structural system that does not rely on existing tank infrastructure? (Added: August 2017)

Answer: Below EPA discusses these tank system retrofits: lining system, co-structural system, and structural system.

Lining System

The existing UST system must continue to meet all applicable regulatory requirements, including:

- Requirements of 40 CFR 280.20 or 280.21 at the time of the modification.
- Corrosion protection requirements in the UST regulations.

The lining system applied to the existing UST system must: be made of materials that are compatible with the substance to be stored in the UST system according to 40 CFR 280.32 and meet applicable installation standards. As of July 2017, EPA is aware of only one nationally recognized standard, Underwriters Laboratories (UL) 1856, Outline of Investigation for Underground Fuel Tank Internal Retrofit Systems that adequately addresses installation of these type systems for UST applications. UL 1856 may be used to meet the installation requirement in § 280.20.

An owner is not required to close a previously installed UST system because adding a lining system is a retrofit and not a new installation. Modifying the previously installed UST system with the lining constructed inside does not have to meet the secondary containment and interstitial monitoring requirements if the previously installed UST system did not have to meet these requirements.

For example, EPA anticipates there may be circumstances where owners have installed a tank to meet the secondary containment requirement at 40 CFR 280.20, but want to address compatibility raised by a new fuel introduced in the market. An owner may use a lining system in these tanks, but must continue to meet the secondary containment and interstitial monitoring requirements.

Co-Structural System

The existing UST system must continue to meet all applicable regulatory requirements, including:

- Requirements of 40 CFR 280.20 or 280.21 at the time of the modification.
- Corrosion protection requirements in the UST regulations.

The co-structural system must meet requirements of 40 CFR 280.20 at the time of the modification. As of July 2017, EPA is aware of only one nationally recognized standard, UL 1856, Outline of Investigation for Underground Fuel Tank Internal Retrofit Systems that adequately addresses installation of these type systems for UST applications. UL 1856 may be used to meet the installation requirement in 40 CFR 280.20.

An owner is not required to close a previously installed UST system because adding a co-structural system is a retrofit and not a new installation. While this provides the opportunity to use interstitial monitoring, interstitial monitoring is not required because the original tank was installed before April 11, 2016.

Structural System

For a structural system, EPA considers this a new tank. An owner must meet the permanent closure requirement at 40 CFR 280.71 for the existing UST system. An owner may have a new structural system installed within the permanently closed UST shell.

An owner must have a site assessment if an UST system is permanently closed. In the UST regulation at 40 CFR 280.71(b), EPA allows flexibility by not requiring the existing UST be filled with a solid, inert material. EPA considers the old tank shell to be a by-product that was used only to construct the new structural system. The old tank shell is not relied on for secondary containment, structural integrity, or other purpose.

To be allowed as a regulated UST system, the new structural system must meet all applicable regulatory requirements, including:

- Performance standards for new UST systems at 40 CFR 280.20. As of July 2017, EPA is aware of only one nationally recognized standard, UL 1856, Outline of Investigation for Underground Fuel Tank Internal Retrofit Systems that adequately addresses installation of these type systems for UST applications. UL 1856 may be used to meet the installation requirement in 40 CFR 280.20.
- Be secondarily contained and use interstitial monitoring.
- Notification requirement at 40 CFR 280.22.

Corrosion protection of the permanently closed tank shell is not required.