



Division of
Underground
Storage Tanks



April 2021

Tennessee Tank Talk



[New Rule Revisions Adopted](#)

[New Rules Contractor / Vendor Webinars](#)

[Standardized Inspection Manual Revisions](#)

[Alternative Fuels Compatibility Rule Change](#)

[Helpful Resources](#)

[Division Staff Phone Number's Have Changed!](#)

Welcome!

Welcome to the ninth edition of *Tennessee Tank Talk*. Our continuing purpose is to bring you information about the implementation of the Tennessee Division of Underground Storage Tanks (UST) Rules that became effective October 13, 2018. As always, we encourage your feedback and input so that we can have the most meaningful Rules for all Tennesseans.

Let us know what you think of this newsletter by emailing us at Tanks.UST@tn.gov. Send us your ideas and suggestions to help us continually improve.

A handwritten signature in black ink, appearing to read "Stan Boyd".

Stan Boyd

Director

TN UST New Rule Revisions – Effective June 15, 2021

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On February 3, 2021, the Underground Storage Tank and Solid Waste Disposal Control Board adopted rule revisions by a unanimous vote concerning: 1) 5-year tank fee suspension, 2) fund deductibles and 3) temporarily out of service UST system clarification of spill and overfill requirements. These rule revisions were subsequently approved by the Attorney General's Office and filed with the Secretary of State on March 17, 2021. These rule revisions will take effect on June 15, 2021.

The rule revisions are:

1. 5 Year Annual Tank Fee Suspension – The annual tank fees will be suspended from July 1, 2021 through June 30, 2026.
2. Fund Deductible - All fund eligible releases will be entitled to reimbursement from the fund; however, an owner or operator's compliance status will now determine the amount of the fund deductible.
3. Temporarily Out of Service UST Systems - Spill and Overfill equipment is required.

Under the current rules, fund coverage for a fund eligible release is dependent upon an owner or operator's compliance history with certain rules. Currently, if a fund eligible release is approved for fund coverage, the deductible is \$20,000 for cleanup and third-party claims.

Under the new rule revision, the deductible for a fund eligible release will be \$5,000 for cleanup and third-party claims but can be increased to \$10,000, \$20,000 or \$30,000 depending on the owner or operator's compliance status at the time of the release.

If you have any questions regarding these upcoming changes, please email Tanks.UST@tn.gov or contact your local field office staff.

General New Rules Overview Webinars

For TN Tank Owners and Operators

The Division is pleased to offer two upcoming opportunities to participate in one-hour new rules general overview webinar developed specifically for tank owners and operators. The webinars will focus on the new rule requirements and record-keeping responsibilities from the tank owner/operator perspective to maintain compliance with the October 13, 2018/2021 new rules UST system equipment testing and record-keeping. The webinars will be provided at no cost to participants and are solely designed to help our regulated community maintain compliance and continue an open dialogue and communication between Division personnel and our tank owners and operators. A question and answer period will be held at the end of the webinar presentation for further clarification of the new rule requirements.

The previously completed series of October 13, 2018/2021 new rules webinars for contractors and vendors were developed to be an in-depth discussion about UST equipment, approved testing methods, acceptable field practices, and all of the new rule requirements from a more technical perspective will be offered live again later this year. These completed webinars can be accessed from the new rules section of our [website](#).

The schedule and registration links for the upcoming new rule general overview webinars for tank

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Ronda Johnson - Monday, May 3, 2021 | 10 a.m. ET/ 9 a.m. CT | New Rule General Overview
[Registration](#) **OPEN**

Mitzie Berry - Monday, June 7, 2021 | 10 a.m. ET/ 9 a.m. CT | New Rule General Overview
[Registration](#) **OPEN**

Upon request, the Division can provide onsite and/or remote meetings and webinars for tank owners/operators and interested parties on any regulatory requirements. If you have a question, comment or suggestion email us at Tanks.UST@tn.gov.

[CLICK HERE TO VIEW AND DOWNLOAD PAST WEBINARS!](#)

Revised TN UST Standardized Inspection Manual

Public Comment Period Extended - June 11, 2021

The implementation of the October 13, 2018, new rules provided an opportunity for the Division to update and make necessary revisions to the existing October 1, 2015, Standardized Inspection Manual (SIM). The Division has worked diligently on each technical chapter of the SIM document to incorporate the new rules, new requirements, and updated inspection policies and procedures. The Division has also updated existing compliance forms and created new compliance forms as necessary for use to maintain compliance with the new rule requirements.

The draft versions of the revised and new Standardized Inspection Manual (SIM) technical chapters and compliance forms are all available for review on our website. The Division is providing these draft documents for review; and welcomes comments, feedback and participation from stakeholders, tank owners and/or operators, and service providers.

All of these draft documents can be accessed and reviewed on the new rules page on the [Division's website](#).

The Division encourages you to take this opportunity to review these draft documents and to submit your feedback to Tanks.UST@tn.gov prior to **June 11, 2021**.

New 2018/2021 Rule Change

Alternative Fuel Compatibility for New and Existing UST Systems

Ethanol and Biodiesel Blends - Requirements and Recordkeeping

New Rule Requirement: All UST systems used to store regulated substances blended with greater than 10% ethanol or greater than 20% biodiesel must comply with the requirements for fuel

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Tank Owner Responsibility: Notify the Division 30 days prior to storing biofuels greater than 10% ethanol or 20% biodiesel. Provide documentation showing the compatibility of the UST system components including tank, piping, containment sumps, transition sumps, dispensing equipment, release detection equipment, spill, and overfill equipment.

The Division rules require that prior to placing a newly installed UST system into service that is designed to store ethanol-blended fuels greater than 10% ethanol or a biodiesel blend, tank owners must complete and submit an Ethanol Equipment Compatibility Checklist ([CN-1285](#)) and a Statement of Compatibility ([CN-1283](#)) indicating the UST system components will be compatible with the alternative fuel product stored.

It is important to remember that not all components of existing UST systems were designed to store and dispense alternative fuels. The product compatibility requirement for all components and ancillary equipment is important to the integrity of the existing UST systems. This applies to **all** repairs and replacement of any UST system components and ancillary equipment.

For more information, please feel free to contact your local field office or visit the Division's Alternative Fuel Section of our [website](#).

Helpful Resources

[UST- New Rules Web Page](#)

[Contact Your Local Field Office](#)

[2018 Federal Rule Change Quick Reference Guide](#)

[Current Tennessee UST Rules](#)

[EPA -Must For USTs](#)

[TDEC Underground Storage Tanks Home Page](#)

[EPA- Underground Storage Tanks Home Page](#)



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