

TO: ALL COUNTY PERSONNEL

**FROM: VERDENIA C. BAKER
COUNTY ADMINISTRATOR**

PREPARED BY: FACILITIES DEVELOPMENT & OPERATIONS (FDO)

SUBJECT: POLLUTANT STORAGE TANK SYSTEMS

PPM#: CW-O-045

ISSUE DATE
December 19, 2018

EFFECTIVE DATE
December 19, 2018

PURPOSE:

To establish a policy for operation and maintenance of Pollutant Storage Tank systems to maintain environmental compliance and to minimize the risk and liabilities associated with Pollutant storage.

UPDATES:

Future updates to this PPM are the responsibility of the Director of Facilities Development & Operations (FDO).

AUTHORITY:

- Section 1524, Energy Policy Act of 2005, Pub. L. No. 109-58, 119 Stat. 594, as may be amended;
- 40 C.F.R. Part 112, as may be amended;
- Chapters 376 and 377, Fla. Stat., as may be amended;
- Chapters 62-761, 62-762, 62-777 and 62-780, Fla. Admin. Code, , as may be amended; and
- Sections 11-331 – 11-336, Palm Beach County Code, Palm Beach County Pollutant Storage Tank System Compliance Ordinance, as may be amended.

SCOPE:

This policy applies to all County Departments and County facilities wherein a Pollutant Storage Tank System is located.

DEFINITIONS:

1. **Financial Responsibility** - proof of the ability to pay for damage resulting from a discharge. This may be called third-party liability, and it may be demonstrated with an insurance policy or proof of self-insurance.
2. **Pollutant** - any petroleum or petroleum product, mineral acid, pesticide, ammonia, chlorine or chemical substance defined in Section 377.19(11), Fla.Stat., excluding liquified petroleum gas.
3. **Storage Tank System** - an underground or aboveground storage tank for a Pollutant with all of its components, including dispensing systems, spill containment devices, overfill protection devices, secondary containment systems, and any associated release detection systems.
4. **Tank** - an enclosed underground or aboveground stationary container that is designed or used to store a Pollutant.

BACKGROUND:

The County has many sites that utilize aboveground and/or underground Storage Tank Systems (ASTs/USTs) for routine operations. This PPM details the procedures for construction, operation and maintenance of these systems to comply with applicable laws, regulations and ordinances.

POLICY:

It is the policy of Palm Beach County to construct, operate and maintain County-owned Pollutant Storage Tank Systems in compliance with all applicable Federal, State, County and local laws, regulations and ordinances, and in a manner consistent with written management procedures established and approved by FDO.

RESPONSIBILITIES:

Department/Division Heads

Each Department/Division Head, who constructs, operates or maintains a Pollutant Storage Tank System, is responsible for ensuring the success of the Pollutant Storage Tank Policy in all operations under their control.

Department and Division Heads will assure that all immediate supervisors promulgate the procedures set forth in this policy.

PROCEDURES:

1. Operations

- a. It shall be the responsibility of each County department utilizing Pollutant Storage Tank systems to operate and maintain storage tank systems in compliance with all applicable Federal, State, County and local laws, regulations and ordinances, including all necessary monitoring and reporting.
- b. Departments/Divisions utilizing Pollutant Storage Tank Systems shall inform FDO of the presence of Pollutant Storage Tank Systems, including any additions, removals or physical changes. Upon notification, FDO shall:
 - i. Provide the Department/Division with appropriate forms and instruction to perform applicable recordkeeping, system inspections and monitoring of release detection equipment.
 - ii. Assist the Department/Division in contracting for routine maintenance, including but not limited to, system repair, leak testing when applicable, and annual certification of electronic release detection systems. Funding for the above is the responsibility of the user Department/Division.
 - iii. Assist in contracting and coordination for spill and discharge corrective action.
- c. Departments/Divisions seeking to place an existing Pollutant Storage Tank System out of service shall inform FDO to ensure the completion of all proper requirements and coordination.
- d. FDO will assist the user Department/Division with implementation of the above identified items to help ensure compliance with Federal, State, County and local laws, regulations and ordinances.

2. Construction

- a. Prior to ordering, placing a purchase order or entering into any contract, plans and specifications for new storage tank installations and/or upgrades shall be submitted to FDO for verification of compliance with applicable storage tank regulations. Plans for abandonment or removal of Storage Tank Systems shall be provided to FDO and the Florida Department of Environmental Protection (FDEP) for verification of compliance with applicable storage tank regulations.
- b. Advance notification of construction commencement for Storage Tank System installation, upgrading and/or abandonment/removal shall be provided to the

Property & Casualty Manager in the Risk Management Department, FDEP and FDO for inspection scheduling purposes. Written notification shall be provided at least 30 to 45 days prior to installation/upgrading and/or abandonment/removal of a Storage Tank System. At least 48 to 72 hours prior to commencement, verbal notification of commencement of installation/upgrading and/or abandonment/removal shall be provided to the Property & Casualty Manager in the Risk Management Department, FDEP and FDO.

- c. It shall be the responsibility of FDO to provide technical assistance in the design and construction of Pollutant Storage Tank Systems and in the preparation of plans and specifications for installation, upgrading and/or abandonment/removal projects.

3. Inspection

- a. The Energy Policy Act of 2005 established training requirements for operators of underground storage tanks. To satisfy this requirement each County Department/Division that operates an underground storage tank(s) shall designate a minimum of one person that is primarily responsible for operation of the underground storage tanks (i.e. a single point of contact) to complete applicable operator training. That person shall coordinate with FDO for purposes of identifying and completing the proper training. Funding, for the above, is the responsibility of the user department.
- b. Departments/Divisions utilizing Pollutant Storage Tank Systems shall conduct inspections of the accessible portions of all Storage Tank Systems including tanks, piping, dispensers, secondary containment, corrosion protection systems, and leak detection equipment on a monthly basis (not exceeding 35 days). A minimum of three (3) years of inspection records shall be maintained at the facility or in a central location such as the applicable user Department/Division headquarters at all times. FDO shall provide applicable forms and training to complete the inspections for the Storage Tank System(s) at the facility.
- c. Pollutant Storage Tank Systems compliance inspections at each County storage tank facility shall be conducted semi-annually by FDO. FDO will provide notification to and otherwise coordinate with the Department/Division prior to timely conducting the inspections. Additional inspections may be conducted during tank installation, system upgrading and/or during tank removal/abandonment. FDO shall utilize FDEP guidelines for the compliance inspections. The user Department/Division Director or designee shall be notified of deficiencies discovered during the inspection and shall take all appropriate action to correct identified deficiencies.
- d. All release detection devices shall be tested annually to ensure proper operation. Single-walled spill containment systems shall be tested annually and double-

walled spill containment systems, piping sumps and dispenser sumps shall be tested every three (3) years to ensure that they are liquid tight. All tests shall be conducted according to manufacturer's specifications and shall include a determination of whether the device/containment system/sump operates as designed and intended. The user Department/Division is responsible for payment of all costs associated with the testing.

4. Fee Payment

Departments/Divisions utilizing Pollutant Storage Tank Systems shall be responsible for payment of any and all required registration fees, permit fees, license fees or similar fees or charges required by Federal, State, County or local law, regulation or ordinance.

5. Financial Responsibility

State regulations require that the owner or operator of a Storage Tank System containing petroleum products demonstrate financial responsibility to the FDEP. Storage Tank Systems containing non-petroleum Pollutants may also be required to demonstrate financial responsibility under Federal law. It shall be the joint responsibility of FDO and Risk Management to coordinate proof of financial responsibility and to make application to the State or Federal government as necessary. It shall be the responsibility of the Departments/Divisions utilizing the Pollutant Storage Tank Systems to provide information or assistance to FDO and Risk Management to obtain financial responsibility and to verify that financial responsibility has been obtained prior to operating the Pollutant Storage Tank System.

6. Spill Response/Discharge Reporting

a. Spill Response Plan

- 1) Facilities that have an aggregate aboveground storage capacity of 1,320-gallons or greater, or an underground storage tank capacity greater than 42,000 gallons of petroleum products that could have a reasonable expectation of discharge into or upon navigable waters of the United States or adjoining shorelines are required to have a Spill Prevention, Control and Countermeasure (SPCC) Plan prepared for use in any instance of need. FDO will assist the Department/Division in the determination of facilities required to have SPCC Plans. FDO will contract for the preparation and implementation of SPCC Plans. The user Department/Division is solely responsible for payment of all contract costs associated with preparation of the SPCC Plan.
- 2) FDO will provide each Department/Division using Pollutant Storage Tanks Systems not described above, a spill response plan which describes

step-by-step actions that will be taken in the event of a pollutant spill or discharge at the facility. The plan will include, but is not limited to, a description of spill containment methods that will be implemented in the event of a Pollutant leak or spill.

- 3) Employees operating or responsible for the operation of a Storage Tank System shall be trained in the implementation of the spill response plan including personal protection measures and health and safety procedures. It shall be the responsibility of the Director of the Department/Division utilizing the Pollutant Storage Tank System to ensure that the training is provided. FDO will assist in the coordination of appropriate training for the designated personnel.

b. Incident Reporting & Response - Emergency

- 1) All Pollutant discharges exceeding 25 gallons from county-owned Storage Tank Systems shall be reported immediately to the County Warning Point at (561) 712-6428. Discharges less than 25 gallons should be reported if the Pollutant is not immediately recovered, if any potential health and safety violation exists, or if waters of the State are impacted. A record of the incident shall be maintained at the facility or at the user Department/Division headquarters. The record shall include, at a minimum, the type and quantity of Pollutant discharged, the source of the release, and a description of actions taken in response to the spill. FDO shall report spills to the Property & Casualty Manager in the Risk Management Department and applicable regulatory agencies, as required, unless the discharge was previously reported by the user Department/Division.

All Pollutant discharges associated with non-County owned Storage Tank Systems located on County owned property shall be reported by the storage tank owner/operator to emergency/regulatory agencies as required. FDO shall also be notified of Pollutant discharges associated with non-County owned Storage Tank Systems on County owned land.

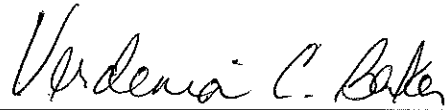
- 2) Discovery of a free floating petroleum product(s) or other Pollutants associated with a discharge in stormwater conduits, manholes, utility lines, other underground structures or surface water bodies shall be reported to the County Warning Point at (561) 712-6428 and treated as a potential emergency situation.

c. Incident Reporting & Response - Non-Emergency

- 1) In the event that a leak is suspected from a County-owned tank or product

line, the storage system should be immediately taken out of service and a leak investigation initiated. The leak investigation may require tightness testing of the tank and/or product lines. Upon verification that a leak condition exists, the user Department/Division shall immediately make arrangements to remove as much of the stored Pollutant from the system as is necessary to prevent further release to the environment. FDO and County Fire Rescue should be contacted for technical assistance as needed. If fire, explosion or vapor hazards exist or are suspected, emergency reporting procedures shall be followed. FDO shall report spills to applicable regulatory agencies, as required, if not reported by the user Department/Division.

- 2) Any observance of contaminated soil or contaminated groundwater, any activation of a leak detection device, including free product or vapors in monitoring wells and/or containment areas, or any similar type of discovery associated with County owned Storage Tank Systems, shall be reported to FDO as soon as practical following discovery. FDO will contract for, and the user Department/Division will be responsible for payment of costs associated with, but not limited to, assessment, cleanup and monitoring activities as required.



VERDENIA C. BAKER
COUNTY ADMINISTRATOR

Supersession History:

PPM#CW-O-045, effective 8/1/1992
PPM#CW-O-045, effective 4/1/2008
PPM#CW-O-045, effective 8/19/2013