

# Overview of Arizona's UST Release Investigation Regulations

Chino Valley Town Council Study Session

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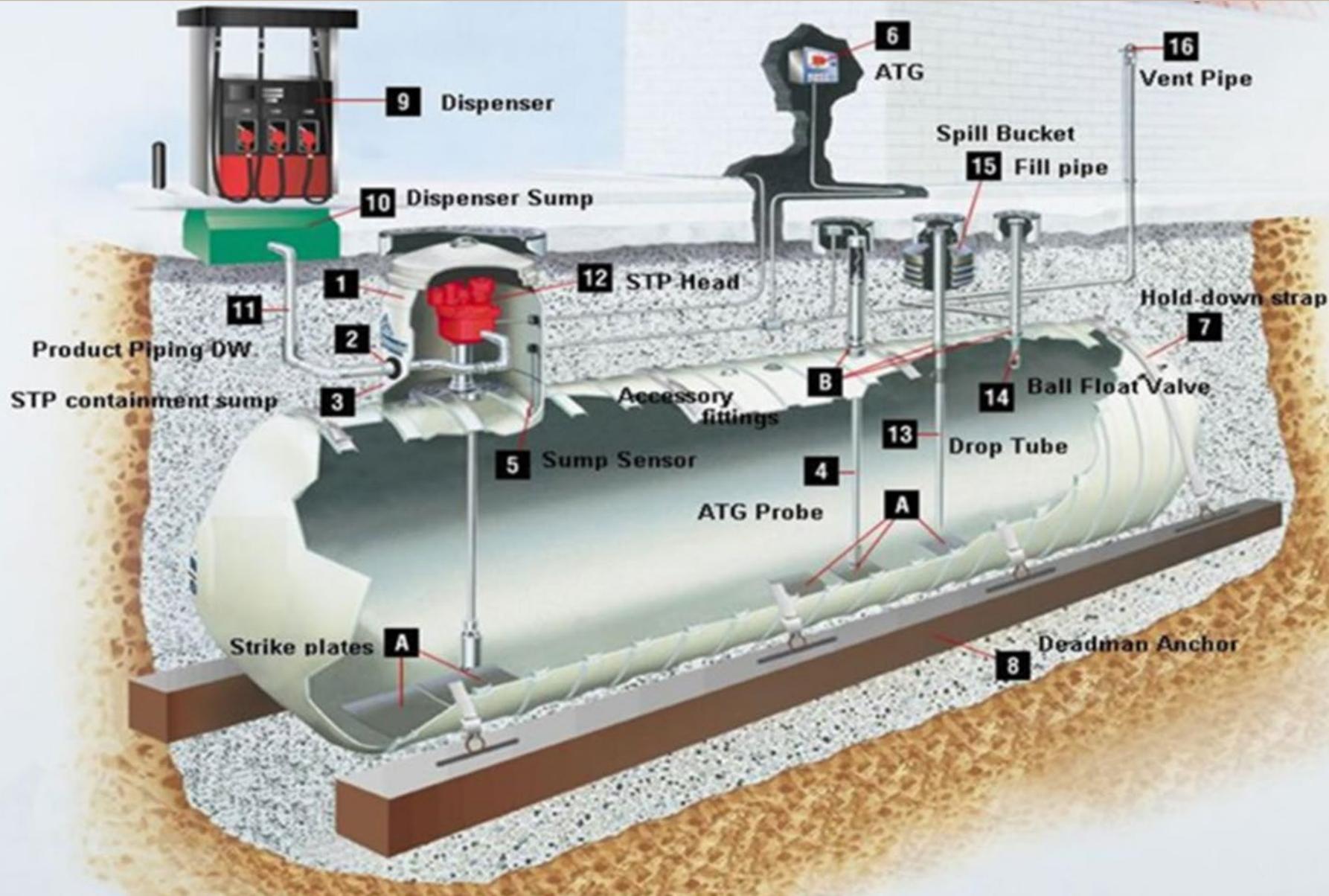
Joey Kiker, RG (UST-LUST Section Manager)



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# Getting to Know Underground Storage Tanks (USTs)



USTs consist of a storage tank and connected piping, fittings, valves, and containment units.

*Note: this image is a generalized view. Not all tanks include hold down straps and deadman anchors*

## Federal UST Regulations: 40 CFR Chapter 1 Part 280

- National minimum requirements for what must be included in state regulations
- [ecfr.gov/current/title-40/chapter-I/subchapter-I/part-280](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-I/part-280)

## Arizona UST Regulations:

- Arizona Revised Statutes (A.R.S.) Title 49, Chapter 6
  - Set the structure for program requirements & grant authority to implement enforcement action
  - [azleg.gov/arsDetail/?title=49](https://azleg.gov/arsDetail/?title=49)
- Arizona Administrative Code (A.A.C.) Title 18, Chapter 12
  - Provide additional detail on requirements and authorities for enforcement action
  - [apps.azsos.gov/public\\_services/Title\\_18/18-12.pdf](https://apps.azsos.gov/public_services/Title_18/18-12.pdf)

***ADEQ UST Program's role is to ensure that owners and operators comply with these regulations as part of the agency mission to protect and enhance public health and the environment.***

***So what happens when there appears to be an issue with a UST system?***

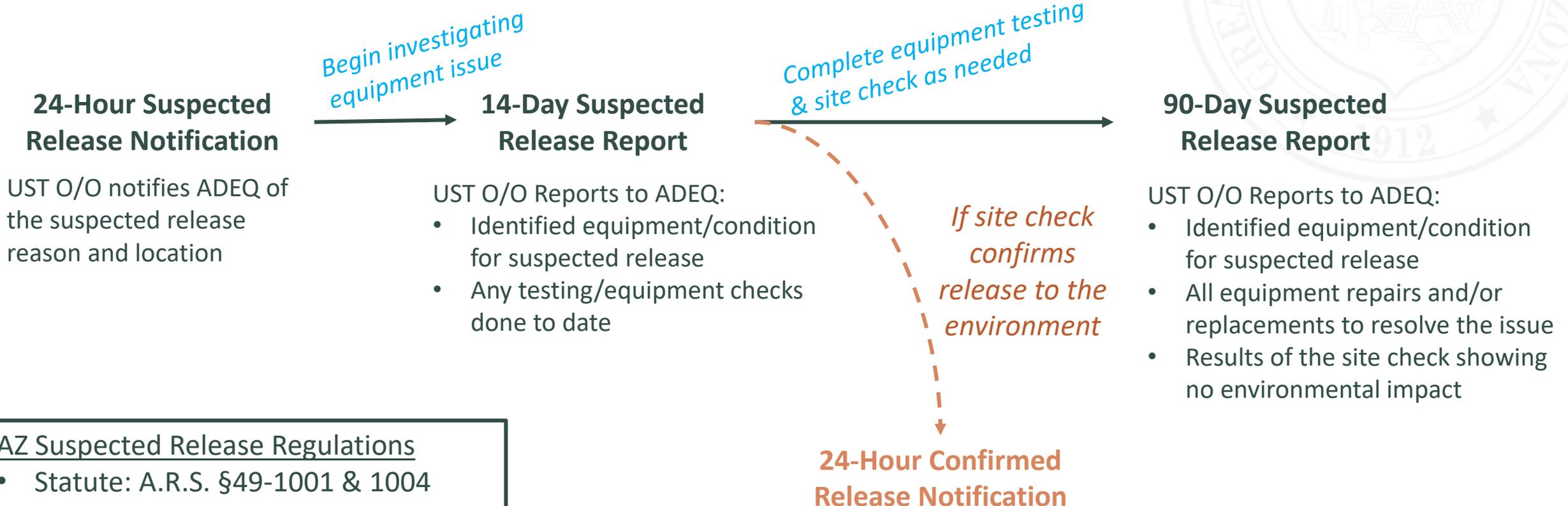
**Suspected Release:** When evidence suggests that a UST equipment issue/failure has occurred in a way that a release of a regulated substance to the environment is suspected

**Confirmed Release:** When analytical data has confirmed that a regulated substance has been released to the environment from a UST system

# Suspected Release Investigation Process

When conditions indicate a suspected release, the UST Owner/Operator (UST O/O) is required to notify ADEQ and immediately begin this process:

*Common Suspected Release Indicators: equipment alarms, failed equipment testing, erratic operation, etc.*



AZ Suspected Release Regulations

- Statute: A.R.S. §49-1001 & 1004
- Rule: A.A.C. R18-12-251

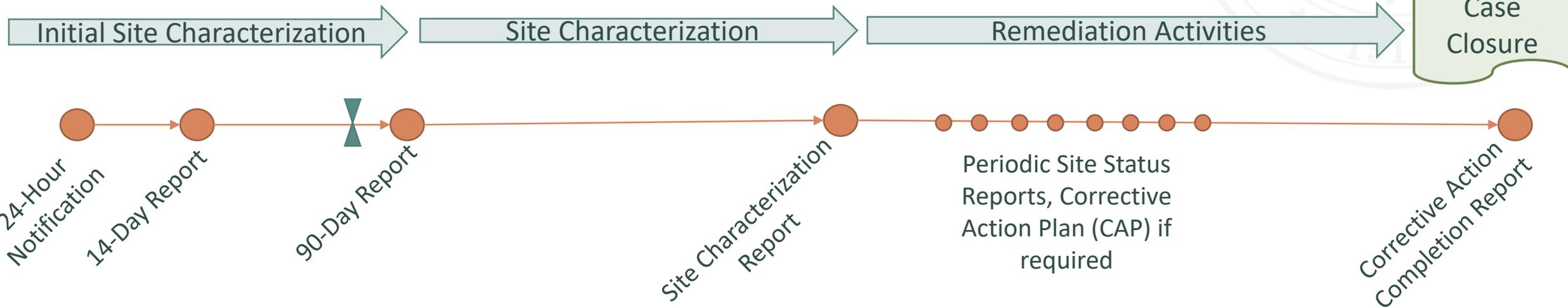
# Confirmed Release Investigation & Cleanup Process

**When a UST O/O receives data that confirms a release, they must immediately notify ADEQ and begin the cleanup process:**

*Initial response and abatement to stop the release and identify nearest potential receptors*

*Fully define the extent of contamination and all potential routes of human exposure*

*Conduct cleanup actions to restore the site to its maximum beneficial use*



**AZ Confirmed Release Regulations**

- Statute: A.R.S. §49-1001, 1004, & 1005
- Rule: A.A.C. R18-12-260 through 264

⚡ Current stage of the investigation for the Circle K confirmed release 5953.01; 90-Day Report Due 5/21/2024

## *Can the release be closed if there is still a risk to local groundwater?*

For UST releases to be closed, regulations require a demonstration that ensures there are no current or future threats of harmful human exposure

- Soil must be cleaned up to the extent that:
  - Groundwater will not be threatened now or in the future as a drinking water resource
  - There is no threat of exposure from inhaling vapors or direct contact with contaminated soil
- Groundwater must be restored to its maximum beneficial use (drinking water resource)

### Key Regulations:

UST: A.R.S. §49-1005(D); A.A.C. R18-12-263.03 & 263.04

Soil: A.R.S. §49-152; A.A.C. R18-7-203

Water: A.R.S. §49-224; A.A.C. R18-11-405 & 406

# ADEQ Contact Information

For any additional information regarding this case:

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