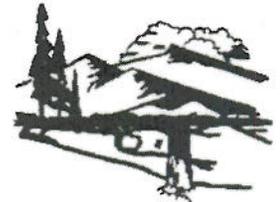




# Department of Environmental Quality



To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.

Dave Freudenthal, Governor

John Corra, Director

April 1, 2009

Ms. Francisca M. Chambus  
US Environmental Protection Agency  
1595 Wynkoop Street MC: 8P-W-GW  
Denver, CO 80202-1129

RE: Wyoming Storage Tank Program  
Quarterly Status Report (January 1, 2009 – March 31, 2009)

Dear Ms. Chambus:

**BACKGROUND:** The Wyoming Storage Tank Program (STP) regulates underground storage tanks (USTs) and aboveground storage tanks (ASTs). The definition of an UST is the same as the federal definition. ASTs are defined as aboveground storage tanks used by a fuel dealer to dispense gasoline or diesel to the public. The following table shows an overview of the STP in Wyoming:

	1/7/2009	4/1/2009
Total STP Facilities – Statewide Regardless of Status	3,837	3,840
Total Number of <i>Systems</i> of all types (includes non-federally regulated systems)*	10,575	10,584
Total Number of UST <i>Systems</i>	10,018	10,025
Total Number of AST <i>Systems</i>	557	559
Total Number of UST Facilities not Permanently Out of Use (POU)	749	754
Total Number of UST <i>Systems</i> not POU	1,942	1,947
Total Number of UST <i>Systems</i> Temporarily Out of Use (TOU)	111	119
Total Number of AST Facilities not POU	91	91
Total Number of AST <i>Systems</i> not POU	219	218
Total Number of AST <i>Systems</i> TOU	13	13
Total Number of Petroleum UST <i>Systems</i> (only federally regulated systems)*	9,952	9,960
Total Number of Active Petroleum UST <i>Systems</i> (Not POU)	1,942	1,949
Total Number of Hazardous Substance UST <i>Systems</i>	29	29
Total Number of Active Hazardous Substance UST <i>Systems</i> (Not POU)	6	6

\*There are 43 non-federally regulated systems (pre-law tanks); all are POU USTs.

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All USTs must have a leak detection method for the tank and another one for all pressurized lines. All USTs must have spill prevention equipment and overfill prevention equipment. Suction lines that have no foot valve in the tank are exempt for all leak detection work and are referred to as safe suction or exempt suction. Suction lines with foot valves are required to be pressure tested every 3 years and are referred to as U.S. suction or non-exempt suction. By far, most of the tanks in Wyoming are equipped with pressurized lines.

Owners and/or operators of ASTs are required to register their tanks and to pay an annual fee. ASTs that are used to dispense gasoline or diesel to the public are the only ones covered by the program and these owners receive all program benefits.

TANK AND CONTAMINATED SITE FEES: Tank fees and contaminated site fees are due January 1 of each year. Under our Storage Tank Act of 2007, there is a late fee of \$100.00 per tank for all fees not paid by April 1. Owners who do not pay fees by January 1 are not current with State of Wyoming storage tank fees and thus are also not current with federal financial responsibility requirements. All 2,165 tank systems are subject to tank fees regardless of tank type. Owners of contaminated sites are also required to pay contaminated site fees to remain eligible for the state fund. Storage tank fees were due January 1, 2009. Installation fees and new tank fees are invoiced after the final inspection is done.

CATHODIC PROTECTION TESTS: One of our most important requirements is to have every cathodic protection system inspected once every 3 years by a cathodic protection tester to insure that the steel tanks and/or lines remain protected against corrosion. This is the only requirement in the tank program that is designed to prevent leaks before they occur. Cathodic protection can be provided by either a sacrificial anode (galvanic anodes) system or by an impressed current system.

There are 700 USTs in Wyoming that are protected against corrosion using *sacrificial anodes*. This number includes both currently in use (CIU) and TOU tanks. As of April 1, 2009, only 32 of these tanks had not been tested within the last 3 years. These tanks are located at 16 facilities. This is a 95% compliance rate.

There are 457 tanks in Wyoming that are protected against corrosion by *impressed current systems*. Only 33 tanks at 12 locations have not been tested within the last 3 years. This is a 93% compliance rate.

In 2007, the State of Wyoming passed the Storage Tank Act of 2007. W.S. 35-11-1429(a) of that statute states: "(a) Cathodic protection shall be installed and operated on all internally lined underground storage tanks no later than June 30, 2008." There are only two facilities in Wyoming that have internally lined USTs. Those are the Spring Creek Conoco in Laramie and Stag Oil Company in Cheyenne.

TOU TANKS: Tanks can be placed in TOU status at any time. TOU tanks must be emptied within 1-inch of the bottom within 3 months of being placed in TOU status. Tanks that are TOU and empty are exempt from all leak detection requirements but not cathodic protection requirements. There are 119 USTs at 50 facilities that are TOU.

LINE PRESSURE TESTING: There are 1,588 pressurized lines in Wyoming. Of the 1,588 pressurized lines, 563 are monitored with sump sensors on double wall pipe, 783 are monitored with mechanical line leak detectors, and 319 are monitored using electronic line leak detectors. Many of the lines have both sump sensors and mechanical line leak detectors.

INSPECTIONS: There were 205 facilities due for state inspection during calendar year 2009. This includes inspections scheduled at less than the 3-year interval because of violations during the last inspection, all aboveground storage tank facilities, and any new facilities that have not yet been inspected for the first time. We expect to make all or nearly all of these inspections without a problem. From January 1, 2009, through March 31, 2009, the STP conducted 83 on-site compliance inspections.

SIGNIFICANT OPERATIONAL COMPLIANCE (SOC) MEASURES: SOC measures are calculated over the past 12 months; therefore, that is the number the STP uses to calculate percent compliance for the three measures. The STP conducted 425 compliance inspections during the past 12 months.

SOC-1: The STP identified 45 violations at 43 facilities that fit the definition for SOC-1, which is a 90% compliance rate.

SOC-2: The STP identified 24 violations at 24 facilities that fit the definition for SOC-2, which is a 94% compliance rate.

SOC-3: The STP identified 69 violations at 60 facilities that fit the definition for SOC-3, which is an 86% compliance rate.

OPERATOR'S ANNUAL INSPECTIONS: When Chapter 17 was amended in 2005, a provision was placed in rule that requires the operator of the station to conduct their own annual inspections. During an operator's annual inspection, the operator is required to complete all tasks the STP would do during a field inspection and to fully document the inspection in a report to the department. Between April 1, 2008, and April 1, 2009, operators conducted, documented, and reported 714 inspections.

CLEANUP OF CONTAMINATED SITES: As of April 1, 2009, there are a total of 760 unresolved contaminated sites in Wyoming. There are 438 sites that are not in corrective action and are not resolved. Corrective action is underway at 322 sites. We have resolved 895 contaminated sites. Twelve sites were resolved between October 1, 2008, and March 31, 2008 (during the current federal fiscal year).

ENFORCEMENT: The Storage Tank Program pursued an active enforcement program. Since the beginning of the current federal fiscal year, the program has issued eight Notices of Violation. During the current quarter, the STP issued four red-tags and has lifted all four.

UNDERGROUND STORAGE TANK COMPLIANCE ACT OF 2005: This section of the Energy Policy Act requires states to perform a number of functions:

- *Inspect every facility not inspected since December 22, 1998:* This has been completed.
- *Inspect every facility on a three (3) year schedule:* We are on track with this work.
- *Write compliance report of government owned tanks:* This was completed on schedule and updated on schedule. This report is available on our website.
- *Require new tanks and lines within 1,000 feet of a community water supply or a potable water supply well to be installed as double wall tanks and lines:* The state statute was amended to require double wall tanks and lines regardless of distance from a water system.

Ms. Fran Chambus

April 1, 2009

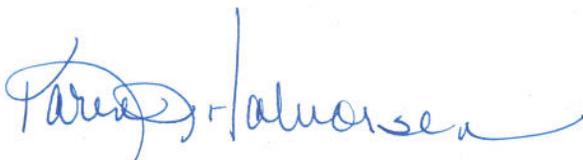
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- *Make available a list of all facilities and underground tanks, statewide:* This list is available on our website. We are also working to eventually have the entire database available on the web. We are currently revising the information posted to the website to conform with the EPA guidance document.
- *All states must have the ability to prohibit deliveries to non-compliant tanks:* This rule was passed into law by the Governor on August 1, 2008.
- *States must require that operators of underground storage tanks be certified:* The STP chose to require operators to pass either the International Code Council - Underground Storage Tank Operator's Test (U6) or the International Code Council - Wyoming State Specific test (W7). The rule was passed into law by the Governor on November 10, 2008.

SUMMARY: At this time, the Wyoming STP has an excellent compliance rate. Corrective action is proceeding as quickly as possible, given the financial and technical constraints that we work under. The STP is on schedule to meet the requirements of the Underground Storage Tank Compliance Act of 2005.

Numbers presented in this report were obtained from the STP database as of April 1, 2009. Lists generated as a result of the database queries are on file with the STP and are available upon request.

Sincerely,



Karen L. Halvorsen, P.E.  
Storage Tank Program Manager  
Solid and Hazardous Waste Division