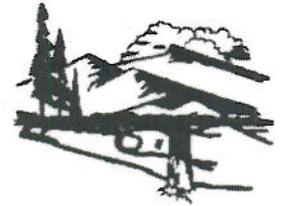




# Department of Environmental Quality



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

July 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 (April 1, 2009 – June 30, 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:

	4/1/2009	7/1/2009
Total STP Facilities – Statewide Regardless of Status	3,840	3,842
Total Number of <i>Systems</i> of all types (includes non-federally regulated systems)*	10,584	10,590
Total Number of UST <i>Systems</i>	10,025	10,030
Total Number of AST <i>Systems</i>	559	560
Total Number of UST Facilities not Permanently Out of Use (POU)	754	751
Total Number of UST <i>Systems</i> not POU	1,947	1,939
Total Number of UST <i>Systems</i> Temporarily Out of Use (TOU)	119	130
Total Number of AST Facilities not POU	91	88
Total Number of AST <i>Systems</i> not POU	218	200
Total Number of AST <i>Systems</i> TOU	13	18
Total Number of Petroleum UST <i>Systems</i> (only federally regulated systems)*	9,960	9,963
Total Number of Active Petroleum UST <i>Systems</i> (Not POU)	1,949	1,942
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 overflow 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 2,139 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 687 USTs in Wyoming that are protected against corrosion using *sacrificial anodes*. This number includes both currently in use (CIU) and TOU tanks. As of July 1, 2009, only 30 of these tanks had not been tested within the last 3 years. These tanks are located at 14 facilities. This is a 95.6% compliance rate.

There are 462 tanks in Wyoming that are protected against corrosion by *impressed current systems*. Only 33 tanks at 11 locations have not been tested within the last 3 years. This is a 92.9% compliance rate.

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 130 USTs at 53 facilities that are TOU.

LINE PRESSURE TESTING: There are 1,588 pressurized lines in Wyoming. Of the 1,581 pressurized lines, 575 are monitored with sump sensors on double wall pipe, 763 are monitored with mechanical line leak detectors, and 327 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 April 1, 2009, through June 30, 2009, the STP conducted 93 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 383 compliance inspections during the past 12 months.

SOC-1: The STP identified 39 violations at 37 facilities that fit the definition for SOC-1, which is a 90.3% compliance rate.

SOC-2: The STP identified 20 violations at 20 facilities that fit the definition for SOC-2, which is a 94.8% compliance rate.

SOC-3: The STP identified 59 violations at 51 facilities that fit the definition for SOC-3, which is an 86.7% 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 July 1, 2008, and July 1, 2009, operators conducted, documented, and reported 683 inspections.

CLEANUP OF CONTAMINATED SITES: As of July 1, 2009, there are a total of 757 unresolved contaminated sites in Wyoming. There are 409 sites that are not in corrective action and are not resolved. Corrective action is underway at 348 sites. We have resolved 902 contaminated sites. Eighteen sites were resolved between October 1, 2008, and June 30, 2009 (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 sixteen Notices of Violation. During the current quarter, the STP issued seven red-tags and has lifted 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.
- *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. This is done and we should have the revised version on the website by July 30, 2009. This list will be updated every quarter.
- *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 July 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