

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 335 Department or Agency Environmental Management  
Rule No. 335-6-15-.15  
Rule Title: Release Detection Requirements For Petroleum UST Systems

New  Amend  Repeal  Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety?

YES

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare?

YES

Is there another, less restrictive method of regulation available that could adequately protect the public?

NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree?

NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule?

NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public?

YES

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Does the proposed rule have an economic impact?

NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of section 41-22-23, Code of Alabama 1975.

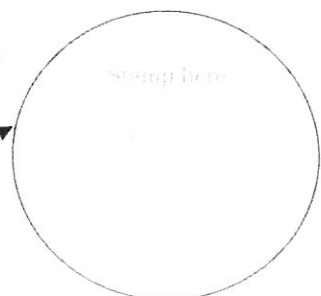
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Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer Marilyn Elliott

Date 11-7-13

Date Filed



APA-2  
11/96

**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
WATER DIVISION**

**NOTICE OF INTENDED ACTION**

**AGENCY NAME:** DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

**RULE NO. & TITLE:** 335-6-15-.15 Release Detection Requirements for Petroleum UST Systems (Amend)

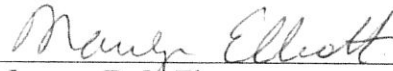
**INTENDED ACTION:** The Alabama Department of Environmental Management proposes to amend Administrative Code Rule 335-6-15-.15.

**SUBSTANCE OR PROPOSED ACTION:** A revision is being proposed to this rule to allow tanks up to a nominal 1000 gallon capacity to use weekly tank gauging as a stand-alone method of leak detection. Also, revisions are being proposed to this rule to clarify that piping interstitial monitoring must be performed monthly, and to clarify the last installation date where other piping leak detection options are allowed.

**TIME, PLACE, MANNER OF PRESENTING VIEWS:** Comments may be submitted in writing or orally at a public hearing to be held at 1:00 p.m., January 9, 2014, in the ADEM Main Hearing Room, 1400 Coliseum Boulevard, Montgomery, Alabama 36110.

**FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:** January 9, 2014

**CONTACT PERSON AT AGENCY:** Sonja Massey (334) 271-7832



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Lance R. LeFleur  
Director

**335-6-15-.15 Release Detection Requirements For Petroleum UST Systems.** Owners and operators of petroleum UST systems must provide release detection for tanks and piping as follows:

(a) USTs. USTs installed beginning August 6, 2007 and thereafter, must perform interstitial monitoring monthly in accordance with rule 335-6-15-.17(g). Otherwise, USTs must be monitored at least every 30 days for releases using one of the methods listed in rule 335-6-15-.17(d) through (h) except that:

1. UST systems that meet the performance standards in rules 335-6-15-.06 or 335-6-15-.07, and the monthly inventory control requirements in rule 335-6-15-.17(a) or (b), may use tank tightness testing [conducted in accordance with rule 335-6-15-.17(c)] on USTs installed or upgraded under rule 335-6-15-.07(2) until January 16, 2013;

2. UST systems that do not meet the performance standards in rules 335-6-15-.06 or 335-6-15-.07 may use monthly inventory controls (conducted in accordance with rule 335-6-15-.17(a) or (b) and annual tank tightness testing (conducted in accordance with rule 335-6-15-.17(c) until December 22, 1998, when the tank must be upgraded under rule 335-6-15-.07 or permanently closed under rule 335-6-15-.34; and

3. Tanks with nominal capacity of ~~550~~1000 gallons or less may use weekly tank gauging (conducted in accordance with rule 335-6-15-.17(b).

(b) Piping. Underground piping that routinely contains regulated substances must be monitored for releases in a manner that meets one of the following requirements:

1. Pressurized Piping. Underground piping that conveys regulated substances under pressure must:

(i) Be equipped with an automatic line leak detector conducted in accordance with rule 335-6-15-.18(a); and

(ii) Pressurized underground piping installed beginning August 6, 2007 and thereafter, must perform monthly interstitial monitoring in accordance with rule 335-6-15-.18(c) and as described in rule 335-6-15-.17(g). ~~Otherwise, it~~ Pressurized underground piping installed before August 6, 2007 must have an annual line tightness test conducted in accordance with rule 335-6-15-.18(b) or have monthly monitoring conducted in accordance with rule 335-6-15-.18(c).

2. Suction Piping. Underground piping that conveys regulated substances under suction installed on or after April 25, 2008 must perform monthly interstitial monitoring in accordance with rule 335-6-15-.18(c) and as described in rule 335-6-15-.17(g). ~~Otherwise, it~~ Underground piping that conveys regulated substances under suction installed before April 25, 2008 must either have a line tightness test conducted at least every 3 years and in

accordance with rule 335-6-15-.18(b), or use a monthly monitoring method conducted in accordance with rule 335-6-15-.18(c). No release detection is required for suction piping that is designed and constructed to meet the following standards:

(i) The below-grade piping operates at less than atmospheric pressure;

(ii) The below-grade piping is sloped so that the contents of the pipe will drain back into the storage tank if the suction is released;

(iii) Only one check valve is included in each suction line;

(iv) The check valve is located directly below and as close as practical to the suction pump; and

(v) A method is provided that allows compliance with subparagraphs (ii) through (iv) above, to be readily determined.

(c) Any petroleum UST systems installed prior to August 6, 2007 which are: located within 1000 feet of a public water supply well; located within 300 feet of a private domestic water supply; or which are located in an area which the Department has determined to be exceptionally vulnerable to groundwater contamination, may be required to take additional measures to prevent contamination of groundwater. Such measures may include: the installation of a release detection in accordance with one of the methods in rule 335-6-15-.17(d) through (h) for tanks and (e) through (h) for piping and/or the implementation of more frequent monitoring of release detection systems.

**Author:** Sonja Massey.

**Statutory Authority:** Code of Alabama 1975, § 22-36-3.

**History:** April 5, 1989.

**Amended:** October 2, 2003; August 6, 2007; April 25, 2008; January 16, 2012; XXXXXX, 2014.