

Additional Information

Staged commencement dates do not apply for new storage systems. In most cases the requirements for new systems commence prior to, or on commencement of, the system being used.

Groundwater Protection Zones are expected to be set in late 2010 to protect groundwater resources. Infrastructure owners of registered storage systems will be notified when this occurs.

Abandoned storage systems are systems not in use on 31 March 2010. There are no requirements to decommission these systems by a set date but conditions apply if a system is to be decommissioned.

There are provisions for applying for an exemption from the requirements of one or more of the regulations.

More information and a copy of the regulations are available at www.environment.tas.gov.au/upss.

The UPSS regulations are additional to the current requirements under the *Environmental Management and Pollution Control Act 1994*. This includes the requirement to report contaminated sites and environmental harm to the Director, EPA or local council.

It should also be noted that, under the Act, if a site with a UPSS is sold, the liability of the polluter is ongoing. However, if the polluter cannot be found, the purchaser may become liable for the cleanup of contamination.



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For further information

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New Environmental Regulations for Underground Petroleum Storage Tanks

Commenced 31 March 2010

- **Prevent Leaks**
- **Detect Leaks**
- **Stop Contamination**
- **Save Money**



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New Regulations for Underground Fuel Tanks

Underground Petroleum Storage Systems (UPSS) can leak and, as the systems are buried, it is difficult to detect the loss. The resulting contamination can be very expensive to clean up and can cause extensive damage to the environment.

The intent of the new *Environmental Management and Pollution Control (Underground Petroleum Storage System) Regulations 2010* is to prevent systems leaking to the greatest extent practicable and to ensure that leaks are detected promptly. The regulations commenced on 31 March 2010.

The regulations should have a minimal impact on the day-to-day running of a site where the underground fuel tanks are operated in an environmentally responsible manner.

The regulations apply to underground tanks that contain fuels such as petrol, diesel, biodiesel, high ethanol fuels, kerosene, heating oil and used (waste) oil. UPSS containing gases such as LPG are not included.

Summary of Requirements

The regulations require system operators, infrastructure owners or landowners to take on certain responsibilities. These are listed below. The regulations should be referred to for full details of the requirements.

All parties must keep records relating to the UPSS and its environmental management.

System Operator – a person who manages the day-to-day operations of the storage system (eg site manager). If there is no person who manages the day-to-day operation of the storage system (i.e. an unmanned site), the system operator is taken to be the infrastructure owner.

A system operator must ensure that:

- loss monitoring commences prior to 31 March 2011;
- the interstitial space in double-walled tanks is monitored six monthly;
- an initial loss investigation is undertaken if a potential loss is detected; and
- water in groundwater monitoring wells (in groundwater protection zones) is checked for contamination six monthly.

Infrastructure Owner – an owner of the equipment in the UPSS. This may be the landowner by virtue of the underground storage system being a fixture on the land.

An infrastructure owner must ensure that:

- the storage system is compatible with the petroleum stored;
- mandatory equipment is installed in new systems or where a tank is replaced. Such equipment includes double walled, non-corrodible tanks and lines, overfill protection, tank pit and observations wells;
- an equipment integrity test is conducted when a new UPSS is installed or a UPSS is upgraded or repaired. The system must pass this test before it is used;

- an environmental site assessment is conducted if contamination is present in an excavation exposed when a UPSS, fill point and/or piping are replaced;
- loss verification is undertaken if a potential loss is detected;
- an environmental site assessment is conducted if a loss is confirmed;
- groundwater monitoring wells are installed if the UPSS is in a Groundwater Protection Zone. Wells must be installed two years after the Zone is defined;
- groundwater monitoring wells are maintained;
- an environmental site assessment is conducted if petroleum is detected in a groundwater monitoring well;
- where UPSS are permanently or temporarily decommissioned, they are managed in accordance with the regulations; and
- an assessment is undertaken when a UPSS is decommissioned to determine whether the surrounding soil and/or groundwater are contaminated by petroleum.

Landowner – an owner of the land in which the UPSS is situated.

A landowner must ensure that:

- their site containing UPSS is registered by 30 September 2010; and
- the Director, EPA is notified if a system operator or infrastructure owner changes.