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POSITION PAPER - UST COMPLIANCE

Date: October 9, 2020

Subject: Overfill Prevention Equipment Testing and Inspection requirements in accordance with SC UST Control Regulations, R.61-92, Section 280.35.

Regulation background/history: Federal regulation CFR 280.35 and SC UST Control Regulation, R.61-92, Part 280, Section 35(a)(2), state that overfill prevention equipment must be inspected at least once every three (3) years. At a minimum, the inspection must ensure that overfill prevention equipment is set to activate at the correct level specified in Section 280.20(c) and will activate when regulated substance reaches that level. Inspections must be conducted in accordance with one of the criteria in paragraph (a)(1)(ii)(A) through (C) of Section 280.35.

Discussion: The SC UST Management Division understands the only industry standard publication that provides guidance for inspecting overfill prevention equipment is referenced in EPA's UST Regulations and the SC UST Regulations as the following note after Section 280.35(a)(2):

> Note to paragraphs (a)(1)(ii) and (a)(2). The following code of practice may be used to comply with paragraphs (a)(1)(ii) and (a)(2) of this section: Petroleum Equipment Institute Publication RP1200, "Recommended Practices for the Testing and Verification of Spill, Overfill, Leak Detection and Secondary Containment Equipment at UST Facilities".

Options: Although Section 280.35(a)(2) does not specify how overfill prevention devices must be inspected, the Division agrees with the regulation reference to PEI RP1200 as the most protective of the environment. Therefore, all overfill prevention equipment devices must be removed from the tank for adequate inspection of all components, appropriate volumetric measurements ensuring acceptable operation, and proper height installation requirements at three (3) year intervals. The initial testing was required on or before May 26, 2020. Initial inspection at a new installation or routine inspections of overfill prevention devices conducted after May 26, 2017 may be utilized to start the three (3) year cycle. At a minimum the inspection of all overfill equipment devices must include:

- Visual inspection of the overfill prevention device for any damage or corrosion that inhibits the functionality of the device, and remove any debris and foreign objects,
- Inspection of all parts for original equipment intactness,
- Manual manipulation of all moving parts for ease of operability verifying functionality as originally designed,
- Inspection for proper height setting by measuring existing device activation level location inside the tank and compare to measured tank dimensions to determine adequate volumetric location to meet the standard in accordance with Section 280.35(a)(2).

Note: If a ball float vent valve is inaccessible with no finished grade access, it may be left in place and another viable overfill prevention method/equipment must be installed, that is set at a volume activation level significantly lower than 90% in order to prevent product from being released to the environment through the existing ball float vent valve assembly. If the ball float is not operational or the ball is missing, a release may occur when fuel level reaches the point where the ball is supposed to seat in the assembly opening due to tank pressurization during fuel delivery. This will prevent the ball float vent valve from interfering with the operation of a drop tube shut-off, if this type of device is installed.

Note: If problems with the ball float vent valve are found that would inhibit the functionality of the device and it cannot be repaired in accordance with a code of practice developed by a nationally recognized association or an independent testing laboratory in accordance with Section 280.33, the device must be replaced with another viable overfill prevention device. Per Section 280.20(c)(3), ball float vent valves may not be installed or replaced after May 26, 2017.