

**NEWMOA Hazardous Waste Conference Calls
May 23, 2017**

Topic: Tank Integrity Assessments: What Are the Qualifications and Documentation for Integrity Assessments; Clarifying Requirements

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Participants: CT DEEP (4 people); ME DEP (2 people); Mass DEP (4 people); NH DES (5 people); NJ DEP (2 people); NYS DEC (18 people); EPA Region 1 (2 people); NEWMOA (1 person)

Call leader: Connecticut DEEP

Note-taker: Maine DEP

Paul Franson, CT DEEP led the call. DEEP approached the questions from the point of view of inspectors that had found violations. The enforcement requires documentation that a new tank installation was done correctly to bring the facility into compliance. (note: they were not talking about UST installations.)

40 CFR 265.192 - Design and Installation of New Tank Systems or Components

265.192(a) Related Questions:

- *Do the states have specific formats that they use in conjunction with the written assessment requirement?*
All states responded that they do not have a state-specific format for written assessments.

NJ stated that it would specify exactly what was expected, but its engineering group would be responsible for evaluating a new tank setup.

- *Do you expect that the industry standards being used to support the certification are specifically identified in the written assessment?*

ME, MA, and NY all stated that the design standards should be included in the written assessment.

- *With respect to the “corrosion expert” requirement in 265.192(a)(3), do states require the qualifications of the “corrosion expert” be identified in the written assessment?*

Most states agreed that the certifier should document his/her qualifications, but did not have a different definition from EPA on what makes someone a “corrosion expert.” EPA defines it as being NACE certified or a Professional Engineer (PE) with certification in corrosion control. NY pointed out that a PE putting his/her stamp on a report is not supposed to certify anything outside their area of expertise.

265.192(b) Related Question:

- *With respect to the “qualified tank inspector” requirement in 265.192(b), do states require specific qualification/credentials for a “qualified tank inspector”?*

Most States said that they would expect a “qualified tank inspector” to be an “independent qualified registered PE” or “independent qualified installation inspector” as defined by EPA. NY stressed that independent meant that the expert could not be directly employed by the facility but must be a third party or contractor.

265.192(d) Related Questions:

- *Do states have specific tightness testing methodology that are required to be used for tanks and/or for ancillary equipment? Does the entity performing the tightness testing have to hold a certain credential?*

MA requires a method approved by its Fire Marshal or by MA DEP. NY said the method to test would depend on the type of tank and the material being stored. CT, ME, and NH stated that they do not specify the testing methodology for new tanks. ME does require annual pressure testing of tanks and piping and the use of an approved ME DEP method.

General 265.192 Related Question:

- *Do you typically see one consolidated assessment/report covering all of the **265.192** requirements?*

CT, ME, and NH said they would expect one consolidated report, but it is not required. MA said it would probably be in separate pieces.

There was a discussion at the end of the call about identifying sites with hazardous waste tanks. One State uses manifests to identify bulk shipments as a clue to look for hazardous waste storage tanks. Other States reported seeing them during inspections.