

## **REGULATED STORAGE TANKS CORRECTIVE ACTION PROCESS REGULATIONS RELEASE REPORTING - Part 2**

The Storage Tank and Spill Prevention Act requires the Department of Environmental Protection (DEP) to adopt regulations establishing release confirmation, release reporting and corrective action requirements for owners and operators of regulated aboveground and underground storage tanks and other responsible parties. The Corrective Action Process (CAP) regulations include requirements for:

- confirming or disproving suspected releases;
- reporting releases;
- determining the extent of soil, sediment, surface water and groundwater contamination;
- taking necessary actions to abate risks to human health and the environment;
- taking steps to prevent further migration of the released substance into the environment;
- restoring or replacing affected or diminished water supplies; and
- storing contaminated soil at the site of the release.

This fact sheet and the companion fact sheet *Corrective Action Process Regulations Release Reporting - Part 1* discuss the reporting requirements found in Section 245.305 of the CAP regulations.

### ***What is a “reportable release”?***

The CAP regulations define a “reportable release” as:

“A quantity or an unknown quantity of regulated substance released to or posing an immediate threat to surface water, groundwater, bedrock, soil or sediment.”

There are, however, three specific situations when a release does not have to be reported:

- a release to the interstitial space of a double-walled aboveground or underground storage tank;
- a release of petroleum to an aboveground surface that is less than 25 gallons;
- a release of a hazardous substance to an aboveground surface that is less than its reportable quantity under CERCLA (the Comprehensive Environmental Response, Compensation and Liability Act of 1980) published at 40 CFR Part 302.

It is important to note that the three specific exclusions above only apply if the release meets all of the following criteria:

- it is under control at all times;
- it is completely contained; and
- it is cleaned up within 24 hours of its occurrence.

If any one of these conditions is not met or it is determined that any one will not be met, the release becomes reportable at that time.

### ***Are all releases from underground tanks and piping reportable?***

Yes. All releases to the subsurface are reportable, except for a release to the interstitial space of a double-walled underground storage tank or piping system that meets the exclusion criteria under “reportable release.”

### ***Are overfills that occur while filling storage tanks reportable?***

Overfills of 25 gallons or more of petroleum are reportable. Overfills of a hazardous substance equal to or greater than its reportable quantity under CERCLA are reportable. Information on reportable quantities is available on the DEP website at [www.depweb.state.pa.us](http://www.depweb.state.pa.us), keyword: Storage Tanks.

### ***Are petroleum spills that occur while filling vehicles reportable?***

Spills of 25 gallons or more are reportable.

### ***Is contamination that is discovered during closure of a storage tank reportable?***

Yes. If the site assessment conducted at the time of a storage tank closure indicates obvious contamination, DEP must be notified by telephone within 24 hours of its discovery. If the contamination is discovered as a result of soil or groundwater sampling and analysis, DEP must be notified within 24 hours of receipt of the laboratory analyses by the owner or operator. As is the case for any reportable release, the telephone notification must be followed by a written notification to the appropriate DEP regional office, DEP central office and each municipality impacted by the release within 15 days.

### **Are there any additional reporting requirements?**

Yes. Owners or operators of aboveground storage tank facilities with a total capacity greater than 21,000 gallons must immediately notify the following agencies when a release enters a surface water supply or threatens the surface water supply of downstream users:

- County Emergency Management Agency;
- Pennsylvania Emergency Management Agency (1-800-424-7362 or 717-651-2001); and
- the appropriate DEP regional office (see phone numbers at the end of the fact sheet).

In addition, owners or operators of aboveground storage tank facilities with a total capacity greater than 21,000 gallons must notify the following entities, within two hours, of a release that enters a surface water supply or threatens the surface water supply of downstream users:

- downstream water companies within 20 miles;
- downstream municipalities within 20 miles; and
- downstream industrial users within 20 miles.

Downstream water companies, downstream municipalities and downstream industrial users must be notified on a priority basis, with those downstream users closest to the release being notified first.

All owners or operators of storage tanks must immediately notify the local fire authority where fire, explosion or safety hazards exist at the site of the release.

Lastly, where releases pose an immediate threat to public health and safety, DEP or DEP in concert with the responsible party may disseminate information concerning the release to the general public. The dissemination of information could take the form of a notice in a newspaper of general circulation serving the area, or may involve other means of keeping the public informed on a regular basis, depending upon the level of severity and general public interest in the details of the release.

### **How do the release reporting requirements of the CAP regulations affect the notification requirements of Chapter 91 of DEP's Wastewater Management Regulations?**

The reporting requirements under Section 245.305 of the CAP regulations take precedence over the notification requirements of Chapter 91 for releases from storage tanks regulated by the Storage Tank and Spill Prevention Act. However, the Chapter 91 notification requirements apply to all other releases of polluting substances, including releases from non-regulated storage tanks, which cause or threaten pollution to the waters of the commonwealth.

Questions about release reporting may be directed to your DEP regional office or to the DEP Bureau of Waste Management, Division of Remediation Services at P.O. Box 8471, Harrisburg, PA 17105-8471, 717-783-9475 or through the PA AT&T Relay Service at 1-800-654-5984 (Telecommunications for the Deaf).

#### **To report "reportable releases," contact your DEP regional office:**

##### **Northwest Region**

230 Chestnut Street  
Meadville, PA 16335-3481  
814-332-6945  
(8:00 a.m. to 4:30 p.m., M-F)  
1-800-373-3398  
(after hours, weekends and holidays)

**Counties:** *Butler, Clarion, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Venango and Warren*

##### **Southwest Region**

400 Waterfront Drive  
Pittsburgh, PA 15222  
412-442-4091  
(8:00 a.m. to 4:30 p.m., M-F)  
412-442-4000  
(after hours, weekends and holidays)

**Counties:** *Allegheny, Armstrong, Beaver, Cambria, Fayette, Greene, Indiana, Somerset, Washington and Westmoreland*

##### **Northcentral Region**

208 W. Third Street, Suite 101  
Williamsport, PA 17701  
570-321-6525  
(8:00 a.m. to 4:30 p.m., M-F)  
570-327-3696  
(after hours, weekends and holidays)

**Counties:** *Bradford, Cameron, Clearfield, Centre, Clinton, Columbia, Lycoming, Montour, Northumberland, Potter, Snyder, Sullivan, Tioga and Union*

##### **Southcentral Region**

909 Elmerton Avenue  
Harrisburg, PA 17110  
877-333-1904  
(24-hour number including weekends and holidays)

**Counties:** *Adams, Bedford, Berks, Blair, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Mifflin, Perry and York*

##### **Northeast Region**

2 Public Square  
Wilkes-Barre, PA 18701-1915  
570-826-2511  
(24-hour number including weekends and holidays)

**Counties:** *Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Susquehanna, Wayne and Wyoming*

##### **Southeast Region**

2 East Main Street  
Norristown, PA 19401  
484-250-5900  
(24-hour number including weekends and holidays)

**Counties:** *Bucks, Chester, Delaware, Montgomery and Philadelphia*

For more information, visit [www.depweb.state.pa.us](http://www.depweb.state.pa.us), keyword: Tank Cleanup.