

Mark Your Calendars: April 14, 2020

Annual NASAP Meeting



The 22nd Annual NISTM International

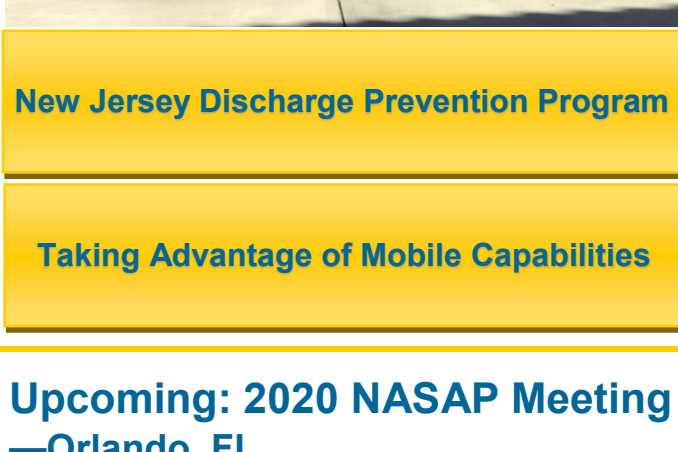
AST Conference & Trade Show

Orlando, FL April 15-17, 2020

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Upcoming Events

NISTM International AST Conference, Orlando, FL—April 15-17 2020

NISTM Pennsylvania Storage Tank Conference, Washington, PA — May 7, 2020

NISTM Hawaii Storage Tank Conference — July, 2020 (TBD)

NISTM New Jersey/New York Storage Tank Conference — Summer, 2020 (TBD)

NISTM Minnesota Storage Tank Conference, Bloomington, MN—September, 2020 (TBD)

Upcoming: 2020 NASAP Meeting —Orlando, FL

—Chris Bashor

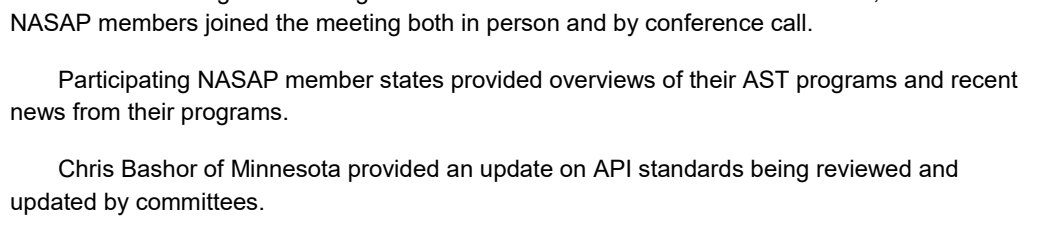
Plans are underway for the 2020 NASAP Annual Meeting! Once again it will be held in conjunction with the [NISTM International AST Conference](#) in Orlando, scheduled for April 15-17. We anticipate holding the NASAP meeting the afternoon of April 14th. NASAP attendees can join us for the state regulators meeting only, or stay on for part or all of the AST technical conference over the following days.

We anticipate another interesting agenda, with updates from state AST programs, EPA SPCC/FRP, and API/STI liaisons, and discussion topics of common interest between programs. Contact Sarah Moore sarah.moore@alaska.gov with agenda suggestions.

As of press time, travel funding to attend the meeting has been confirmed. Travel funding will be limited to states with existing AST programs, with some funding reserved for a state actively developing an AST program. Our goal is to initiate the application process in mid-January. Contact Chris Bashor at chris.bashor@state.mn.us with questions.

There will be a conference line to the meeting for those unable to attend in person. Past attendees will attest, though, that the technical presentations and face-to-face interactions with other states, petroleum industry representatives, and AST service companies provide an excellent learning experience.

Recap: 2019 NASAP Meeting —Orlando, FL



Left to Right: Alex Eckman, David Keating, Brad Barzin, Chris Bashor, John Chitala, Ruth Porter, Eric Mauzy, Cleve Honaker, Chuck Corliss, Chris Lucien, Juraj Masiar

On April 1, 2019, NASAP held its annual meeting, co-located with the 21st Annual NISTM International Aboveground Storage Tank Conference and Trade Show in Orlando, Florida. NASAP members joined the meeting both in person and by conference call.

Participating NASAP member states provided overviews of their AST programs and recent news from their programs.

Chris Bashor of Minnesota provided an update on API standards being reviewed and updated by committees.

Mark Howard of EPA gave updates on EPA rulemakings, including changes to the definition of Waters of the United States. Howard stated that, among other things, EPA intended to remove ephemeral features from the definition of WOTUS. At the time of the meeting, the final rulemaking was expected in August 2019. Per EPA, the final rule will become effective on December 23, 2019.

Attending NASAP members had a roundtable discussion regarding the following:

- Methods for improving compliance at regulated facilities. The conversation centered around regulatory agencies maintaining frequent contact with the regulated community and strategies for doing so.
- Creating incentives for owners of regulated facilities to upgrade tank systems, particularly release prevention barriers.
- Potential benefits of an online collection of leak detection evaluations for ASTs, similar to that on NWGLDE.
- NASAP members also proposed that EPA consider providing FRP and SPCC courses online periodically.

Before the conclusion of the meeting, attending NASAP members discussed association business, including website layout and content, and timing of conference calls and newsletters.

After the formal meeting, and during the remainder of the days of the Conference and Trade Show, NASAP members had frequent opportunities to interact with one another socially and professionally, with regular ad hoc discussions about AST regulations and technical presentations.

NASAP Member Spotlight: New Jersey Discharge Prevention Program

—Chris Lucien



The Discharge Prevention Program, in the New Jersey Department of Environmental Protection, operates under the authority of the New Jersey Spill Prevention and Control Act, N.J.S.A. 58:10-23.11. The requirements of the program are codified under N.J.A.C. 7:1E, which became effective in its current form in September 1991. All facilities and individuals in the State, even homeowners, are subject to the telephone reporting requirements of N.J.A.C. 7:1E-5 should a discharge of a hazardous substance occur. However, the majority of the regulatory requirements apply only to "major facilities" that have a storage capacity of 20,000 gallons or more of N.J.A.C. 7:1E-Appendix A non-petroleum hazardous substances (currently approximately 1,600 chemicals and chemical categories), or 200,000 gallons of regulated hazardous substances including petroleum products. This is a total combined aggregate of all hazardous substances stored on-site whether those solids, liquids, or gases be in other container storage tanks (ASTs), underground storage tanks (USTs), drums, totes, and above containers over 5 gallons. Process vessels do not count toward storage capacity unless they are being used for storage. Once a facility is a regulated major facility, all equipment on-site that stores, refines, produces, holds, handles, transfers, or processes hazardous substances or petroleum is regulated, not just ASTs. This includes process tanks, aboveground and underground piping, and tank trucks/tank cars/marine transfer areas. USTs are regulated under N.J.A.C. 7:14B. Major facilities must prepare Discharge Prevention Containment and Countermeasure (DPCC) and Discharge Cleanup and Removal (DCR) plans in which the major facility describes how they achieve compliance with the requirements of N.J.A.C. 7:1E.

The Discharge Prevention Program performs environmental inspections and audits of major facilities. Documentation of visual inspections, employee training, standard operating procedure, storage tank integrity testing, emergency response, local emergency planning committee agreements, and financial responsibility are reviewed.

The Discharge Prevention Program performs the following:

- Reviews Discharge Prevention Containment and Countermeasure (DPCC) and Discharge Cleanup and Removal (DCR) plans
- Inspects regulated facilities
- Administers enforcement actions
- Reviews transmission pipeline registrations
- Conducts storage capacity inspections

Want your state to be featured in an upcoming newsletter?

Submit an article describing your state's AST program or developments impacting it to Alex Eckman at eckman@pa.gov to be included in a future publication of the NASAP newsletter.

Taking Advantage of Mobile Capabilities

Mobile devices and mobile application technologies present regulatory agencies with numerous opportunities to be more dynamic, agile, and efficient in their inspection practices. These technologies may allow field inspectors to completely document an inspection, file a report, and make official requests of a facility owner before they leave the site, improving the speed at which violations are discovered, reported, and resolved.

A survey of NASAP member states revealed that many of the state AST programs have or are developing mobile inspection applications for the use of their field personnel.

NASAP States with Planned or Active Mobile Inspection Applications

Colorado
Missouri
New York
Pennsylvania
West Virginia
Wisconsin

Below is a brief synopsis of the mobile inspection platforms developed by respondents to the survey:

Colorado

Since April 2018, Colorado's Department of Labor and Employment (CDLE) has conducted AST inspections using a mobile application. In addition to conducting inspections, requesting records, and managing violations from the field, CDLE state inspectors can map their inspection territories, and review inspection due dates and facility risks. State inspectors can also use the application to automatically generate and email inspection certificates to facility owners. Currently, Colorado's mobile application allows facility and tank information to be viewed offline, but not edited. Plans are in place to address this limitation in the near future.

Missouri

Missouri's Department of Agriculture (MDA) uses Win-Wam, a fully-developed weights and measures software suite developed by an outside vendor. MDA's mobile application was expanded for their use to include UST and AST inspections, including facility safety and environmental compliance. MDA's state inspectors can interface with the state's database remotely to document inspections and generate inspection reports. Inspection reports are automatically generated, and violations are automatically assigned and closed based upon the answers given in pre-written question modules.

New York

The New York State Department of Environmental Conservation (NYSDEC) is in the process of conceptualizing a department-wide mobile platform for use by all divisions in their agency. NYSDEC envisions an application that will increase the efficiency of their State inspection staff and provide those inspectors with mobile access to the agency's databases.

Pennsylvania

In August 2019, Pennsylvania's Department of Environmental Protection (PA DEP) went live with their mobile application. PA DEP's mobile application provides state inspectors with access to detailed facility and tank system information, and it allows them to complete inspections, assign and manage violations, and generate inspection reports. Violations are assigned based upon pre-written question modules which are designed to guide the inspector through the inspection process. The application also allows the use of GIS mapping functions. PA DEP administers a third-party certification and inspection program and is in the process of developing an inspection application for certified (non-state) inspectors that will be transmitted directly to the state database upon review by DEP personnel.

West Virginia

Since November 2018, the West Virginia Department of Environmental Protection (WVDEP) has utilized a mobile application for UST inspections. WVDEP expects to roll out their AST inspection module by the end of 2020. West Virginia's mobile application allows state inspectors and corrective action project managers to document inspections, manage violations, update the state database remotely, and generate inspection reports. The application also allows inspectors to access detailed information about storage tank systems and facility owners from the field. WVDEP's mobile app has a unique site diagram tool which allows tank equipment and comments to be superimposed onto aerial photographs which can be attached to the inspection report.

Wisconsin

The Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) launched their mobile application over two years ago, and it allows their state's petroleum system inspectors and contracted local program operators access to their DATCP database. Other capabilities of the Wisconsin application are pre-designed question modules which automatically assign violations, inspection planning and scheduling checklists, and generation of complete inspection reports. DATCP feels that they are somewhat constrained by sluggish software as a result of the size of the database from which it pulls.

Visit our website at <http://www.nasaptanks.org>

Questions or comments? Email NASAP at nasap-leadership@googlegroups.com