

## § 280.40

## 40 CFR Ch. I (7–1–11 Edition)

### Subpart D—Release Detection

#### § 280.40 General requirements for all UST systems.

(a) Owners and operators of new and existing UST systems must provide a method, or combination of methods, of release detection that:

(1) Can detect a release from any portion of the tank and the connected underground piping that routinely contains product;

(2) Is installed, calibrated, operated, and maintained in accordance with the manufacturer's instructions, including routine maintenance and service checks for operability or running condition; and

(3) Meets the performance requirements in § 280.43 or 280.44, with any performance claims and their manner of determination described in writing by the equipment manufacturer or installer. In addition, methods used after the date shown in the following table corresponding with the specified method except for methods permanently installed prior to that date, must be capable of detecting the leak rate or quantity specified for that method in the corresponding section of the rule (also shown in the table) with a probability of detection (Pd) of 0.95 and a probability of false alarm (Pfa) of 0.05.

Method	Section	Date after which Pd/Pfa must be demonstrated
Manual Tank Gauging.	280.43(b)	December 22, 1990.
Tank Tightness Testing.	280.43(c)	December 22, 1990.
Automatic Tank Gauging.	280.43(d)	December 22, 1990.
Automatic Line Leak Detectors.	280.44(a)	September 22, 1991.
Line Tightness Testing.	280.44(b)	December 22, 1990.

(b) When a release detection method operated in accordance with the performance standards in § 280.43 and § 280.44 indicates a release may have occurred, owners and operators must notify the implementing agency in accordance with subpart E.

(c) Owners and operators of all UST systems must comply with the release detection requirements of this subpart by December 22 of the year listed in the following table:

#### SCHEDULE FOR PHASE-IN OF RELEASE DETECTION

Year system was installed	Year when release detection is required (by December 22 of the year indicated)				
	1989	1990	1991	1992	1993
Before 1965 or date unknown.	RD	P			
1965–69 ....		P/RD			
1970–74 ....		P	RD		
1975–79 ....		P		RD	
1980–88 ....		P			RD

New tanks (after December 22) immediately upon installation.

P=Must begin release detection for all pressurized piping as defined in § 280.41(b)(1).

RD=Must begin release detection for tanks and suction piping in accordance with § 280.41(a), § 280.41(b)(2), and § 280.42.

(d) Any existing UST system that cannot apply a method of release detection that complies with the requirements of this subpart must complete the closure procedures in subpart G by the date on which release detection is required for that UST system under paragraph (c) of this section.

[53 FR 37194, Sept. 23, 1988, as amended at 55 FR 17753, Apr. 27, 1990; 55 FR 23738, June 12, 1990; 56 FR 26, Jan. 2, 1991]

#### § 280.41 Requirements for petroleum UST systems.

Owners and operators of petroleum UST systems must provide release detection for tanks and piping as follows:

(a) *Tanks.* Tanks must be monitored at least every 30 days for releases using one of the methods listed in § 280.43 (d) through (h) except that:

(1) UST systems that meet the performance standards in § 280.20 or § 280.21, and the monthly inventory control requirements in § 280.43 (a) or (b), may use tank tightness testing (conducted in accordance with § 280.43(c)) at least every 5 years until December 22, 1998, or until 10 years after the tank is installed or upgraded under § 280.21(b), whichever is later;

(2) UST systems that do not meet the performance standards in § 280.20 or § 280.21 may use monthly inventory controls (conducted in accordance with § 280.43(a) or (b)) and annual tank tightness testing (conducted in accordance with § 280.43(c)) until December 22, 1998 when the tank must be upgraded under § 280.21 or permanently closed under § 280.71; and