



Petroleum and Chemical Safety Division Fact Sheet UST Rules Update for UST Owners and Operators

The Office of the State Fire Marshal (OSFM) has adopted final changes to the underground storage tank (UST) program that may affect UST owners and operators. The changes are effective May 2, 2023.

What changes can UST Owners and Operators expect to see because of this rulemaking?

Illinois continues to phase in requirements for double-walled underground storage tank components.

On or After May 2, 2023:

- new and replaced spill containment equipment must be double-walled, except for single-walled horizontal spill containment cabinets which may continue to be installed;
- new linings for compatibility purposes will only be allowed for double-walled tanks;
- tank installation or replacement will require that any existing single-walled piping be upgraded to double-walled piping; and
- manifolded piping above a shear valve must be removed at the time of dispenser replacement.

Existing single-walled tanks may continue to be used if they comply with OSFM rules.

Facilities will greatly benefit from these upgrades, as most releases come from the UST piping. These changes will significantly reduce the odds of having a release that costs hundreds of thousands to millions of dollars to clean up, that makes an industrial site both unusable and unmarketable, or that creates substantial liability concerns.

Fleet dispensing in compliance with National Fire Protection Association codes.

- This rulemaking eliminates a 20-foot building separation requirement for indoor fleet dispensing of diesel, kerosene, and other Class II and III motor fuels so long as buildings and equipment remain in compliance with the adopted editions of NFPA 30A, NFPA 70 and NFPA 101.

Road Safety.

- This rulemaking prohibits the installation of new UST product piping under a road. This will lower the risk of road closures and manhole explosions resulting from gasoline leaks and vapors in sewer lines.

Unsafe venting configurations.

- This rulemaking requires that vents connected to a UST terminate outside buildings at least 15 feet from powered ventilation air intake devices. This reduces the chance of vapors being pulled into air intake devices.

This rulemaking further streamlines and simplifies forms and processes. For example, this rulemaking:

- Removes the obligation to submit a Notification for Underground Storage Tanks form upon the conclusion of the permitted work for a UST removal or abandonment-in-place.
- Eliminates a 10-foot setback for points where electrical conduit crosses the path of UST product piping, simplifying design for piping installs.
- Clarifies that it is permissible to disable only the ball float when a ball float vent valve has failed, leaving the remainder of the ball float vent valve in place--the owner will be allowed to ensure that the overfill prevention equipment used after that point limits or alarms at least 90%, avoiding a more complicated retrofit of a failed piece of equipment.
- Narrows the circumstances under which an inactive UST taken out of service will have to be removed due to the failure to maintain corrosion protection. USTs will only have to be removed for the failure to maintain (1) corrosion protection via an impressed current system or (2) corrosion protection via an anode system, but only if the anode fails the testing done for corrosion protection purposes. For example, a tank would not need to be removed if corrosion protection during the out of service period was needed only for the associated piping, or, if anodes on the tank subsequently pass the required testing.
- Eliminates the requirement to do a site assessment for a UST that has double-walled tanks and piping in order to remain out of service. A site assessment will be needed on a double-walled UST with double walled piping only when it is brought back into service or when it is removed.
- Eliminates the requirement for additional documentation from the UST contractor in the event no contamination is found in conjunction with the removal of a bunker tank (typically a heating oil tank located in a basement vault that is filled with sand and partitioned off from the rest of the basement).
- Provides for and requires electronic submission and processing of Notification for Underground Storage Tank forms; applications for permitted UST work; testing results and other forms; applications for Eligibility and Deductible determinations; and scheduling of inspections of permitted work. Fee payments may be made electronically or via check or money order made payable to the "Office of the State Fire Marshal". These will make submission of required applications and forms easier and expedite the OSFM's review and approval process.

Eligibility and Deductible determinations by the OSFM.

- This rulemaking includes a set of rules for Eligibility and Deductible (E & D) determinations by OSFM, implementing current statutory criteria for eligibility and deductible determinations previously found only at 415 ILCS 5/57.9.
- The rules as finalized include:
 - the statutory language that sets forth when a release is eligible to access the LUST fund;
 - information on how the deductible is generally calculated; and
 - information on how to submit the E & D application to the OSFM.

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