



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105

**Certified Mail:  
Return Receipt Requested  
OMB Control No.**

Re: Request for Information on the Operation and Maintenance of Underground Storage Tanks

Dear

This letter is in follow-up to your underground storage tank (UST) operation and maintenance records for the UST facility at XXXXXX), located at XXXXXX. In accordance with XXXXXX, this letter requests that (Facility) submit all UST operation and maintenance records for this facility to EPA **within 30 days of receipt of this letter.**

The U.S. Environmental Protection Agency (EPA) is making this request in an effort to ensure continued operational compliance by your facility with the UST requirements of Subtitle I of the Resource Conservation and Recovery Act (RCRA). A brief summary of EPA's inspection of the UST facility on, as well as a list of the specific operation and maintenance records being requested today by EPA, are provided below.

**The findings of EPA's inspection of the UST system at (facility) on (date of last inspection)**

During EPA's compliance inspection of the UST system at (facility) on the following violations were cited: 1) failure to conduct annual line tightness tests; 2) failure to conduct annual tests of the line leak detectors; 3) failure to ensure that the cathodic protection system was tested every 3 years; 4) failure to comply with financial responsibility requirements; 5) installation of an improperly designed cathodic protection system for metal piping; 6) failure to investigate and clean up a spill/overflow; and 7) failure to provide a release detection method capable of detecting releases from USTs or piping that routinely contain product.

EPA acknowledges that the information (facility) produced to EPA subsequent to the inspection demonstrated that (facility) ***addressed all of the above-listed violations and returned to compliance.*** However, EPA wishes to ensure that the progress made by (the facility) has and will be continued into the future. In addition, EPA wishes to ensure that (the facility) is maintaining its UST operation and maintenance records at the facility in accordance with the Code of Federal Regulations (CFR) at 40 CFR § 280.34.

**EPA is requesting (the facility) submit the following documents within 30 days of receipt of this letter: (this is an example of the information that may be requested)**

1. Release detection records from the automatic tank gauge (ATG) for each UST for the past 12 months. These records may be in the form of passing monthly 0.2 gallon per hour leak tests (12 total for each UST), or complete 12-month leak test

histories for all three USTs (pursuant to the Code of Federal (CFR) at 40 CFR § 280.45).

2. Passing annual line tightness tests [pursuant to 40 CFR § 280.41(b)(1)(ii)].
3. Passing annual tests of the line leak detectors [pursuant to 40 CFR § 280.44(a)].
4. Passing cathodic protection tests, due every 3 years [pursuant to 40 CFR § 280.31(b)(1)].
5. Verification of annual functionality testing of the ATG [pursuant to 40 CFR § 280.45 (c)].
6. The most recent EPA UST Notification Form for the facility [pursuant to 40 CFR § 280.22(a)].
7. Reports of any suspected releases, or spills and overfills (pursuant to 40 CFR §§ 280.50 and 280.53).
8. Reports of any repairs (pursuant to 40 CFR § 280.33)

### **Regulatory Justification for EPA's information request**

Pursuant to Subtitle I of RCRA, 42 U.S.C. § 6991, *et seq.*, and the regulations promulgated at 40 CFR Part 280, EPA is authorized to request owners and operators of USTs to: 1) furnish information relating to such USTs, associated equipment, and contents; 2) conduct monitoring and testing; and 3) undertake corrective action with respect to any release of petroleum. See section 9005 of RCRA, (42 U.S.C. section 6991d), and 40 CFR § 280.34.

You are reminded that, in accordance with 40 CFR § 280.34, the owner and/or operator of an UST system is required to keep leak detection and closure records that are capable of demonstrating compliance with the leak detection and closure requirements under 40 CFR Part 280, Subparts D and G of the UST regulations. In addition, owners and operators must respond to confirmed releases from their UST systems, and comply with the release response and corrective action requirements found at 40 CFR Part 280, Subpart F.

All information submitted to EPA pursuant to this information request shall be available to the public, except upon a satisfactory showing of business confidentiality. Any claim of confidentiality must be asserted in accordance with section 9005(b) of RCRA, [42 U.S.C. section 6991d(b)], and 40 CFR Part 2.

(Once the IC is approved by OMB the control No. will be identified at the top of the information request letter).

**Please submit the information listed above within 30 days of your receipt of this letter to:**

U.S. EPA Region IX  
Underground Storage Tanks Program Office  
75 Hawthorne Street, WST-8  
San Francisco, CA 94105

Please be aware that refusal to provide the requested information by the specified deadline may constitute a violation of section 9005 of RCRA, (42 U.S.C. section 6991d), and may result in the development of a compliance assistance plan and/or EPA initiating discussions with the (entity) about potential enforcement relating to this request.

We appreciate your attention and cooperation. If you have any questions regarding this information request, please contact (the implementing agency).

Sincerely,

Steven Linder, Manager  
Underground Storage Tanks Program Office

cc: