UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 10 1998

MEMORANDUM

SUBJECT: Underground Storage Tank 1998 Deadline Enforcement Strategy

FROM: Steven A. Herman, Assistant Administrator
Office of Enforcement and Compliance Assurance

Timothy Fields, Jr., Acting Assistant Administrator
Office of Solid Waste and Emergency Response

TO: Regional Administrators, Regions I-X

Attached is EPA's enforcement strategy for the upcoming 1998 underground storage tank (UST) deadline. This final document reflects comments we received from the Regions and State regulatory agencies. The strategy emphasizes actions EPA and the States will take to implement the UST requirements that go into effect on December 22, 1998. By this deadline, all sub-standard UST systems installed before December 22, 1988 that are not already protected against corrosion, spills, and overfills must be upgraded, replaced, or properly closed. These requirements are aimed at preventing leaks from underground storage tanks. Such leaks can and often do contaminate groundwater and thus pose a real threat to drinking water supplies. In many instances, leaks from these tanks have caused fires and explosions and released gasoline fumes into schools, homes, and other buildings.

EPA Administrator Carol Browner has repeatedly and publicly stated that the Agency will not extend the 1998 deadline. Under EPA's regulations, which have been in effect since December 1988, owners and operators have had 10 years to come into compliance.

The Agency has an obligation to ensure compliance with the UST regulations. While EPA considers States the primary enforcers, EPA's role will be to augment States' efforts, where necessary. In addition, EPA has the primary responsibility for enforcement of UST requirements in Indian Country.

The document also clarifies EPA's policy that sub-standard UST systems should not operate after December 22, 1998. Those who delay can be subject to monetary penalties of up to $11,000 per day for each violation throughout their period of non-compliance.

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If you have any further comments on this Enforcement Strategy please contact Joan Olmstead (202) 564-4018 in the Office of Enforcement and Compliance Assurance or Sammy Ng (703) 603-7166 in the Office of Underground Storage Tanks.

Attachment

cc: Enforcement Coordinators, Regions I-X
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UST/LUST Division Directors, Regions I-X
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