United States Department of State

Assistant Secretary of State
for Administration

Washington, D.C. 20520

RECEIVED
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OFFICE OF THE
EXECUTIVE SECRETARIAT

July 28, 2006

Dear Administrator Johnson:

In accordance with Section 9007(b) (1) of Subtitle 1, created by the Underground Storage Tank Compliance Act of 2005, we hereby submit the attached compliance strategy report for the Department of State.

The report provides the requested data for the underground storage tanks (USTs) owned and/or operated by the Department at domestic facilities that either the Department owns or for which we have delegated authority from the General Services Administration to operate. The thirteen federally regulated USTs described in the report are used to store fuel for emergency power generators. A state regulator inspected three USTs in May 2005; no other inspections have occurred.

All of our USTs are double-wall fiberglass except one that is double-wall steel installed in a concrete vault. All tanks have overfill and spill prevention equipment. Seven USTs are equipped with automatic tank gauging systems, and automatic tank gauging systems will be installed for the remaining six USTs during FY 2007.

The associated piping systems are steel suction lines for seven of the USTs. Piping for the other six systems are pressure lines of double-wall fiberglass or flexible piping with interstitial leak sensors.

Annual site-specific training in release prevention, detection, response, and corrective action is provided to agency and contract staff responsible for the operation of all but one of the UST systems at domestic facilities. Training at this facility will be conducted following completion of the piping upgrade project during FY 2007.

Administrator Stephen Johnson
U.S. Environmental Protection Agency,
1200 Pennsylvania Avenue, NW, MC0001,
Washington, DC 20460-0001.

Spill Prevention, Control, and Countermeasure (SPCC) plans were developed for each of our facilities with USTs except one. That SPCC plan will be developed following completion of the piping upgrade project.

The Department of State believes that the thirteen UST systems are in compliance with all aspects of the underground storage tank program with the exception of training at the one facility mentioned above.

Please feel free to contact us further on this matter. Specific technical questions should be addressed to Harry Mahar, Chief of the Domestic Environmental and Safety Division, on (202) 647-6100.

Sincerely,

Raj Chellaraj

Enclosure:
As stated.

cc: Director Cliff Rothenstein, EPA - OSWER/OUST
Director Dave Kling, EPA - OECA/FFEO

UST Compliance Report

	UST Characteristics										Operator Training		Current Compliance Status	UST Inspection Data			Non-Compliance Information					Comments
Fed Fac	Fed Agy	POC Name	POC Data	UST ID No	Loc Addr	Loc Type	UST Own By Agy	UST Own Oth	UST Op By Agy	UST Nonfed O/O Fed Man Land	Op Trng Provided	Op Trng Types		UST Inspect By Reg	UST Last Inspect Type	UST Date Last Inspect	UST Non Comp Status	Non Comp Determiner	Non Comp Violations	Non Comp Violations Stat	Non Comp Strategy	
Harry S Truman Building	DOS	DESD	202-647-6001 DESD@state.gov 2201 C Street NW (Room B2A61) Washington DC 20520-0099	C Street 6K	2201 C. Street NW, Washington DC 20520-0099	Physical UST Address	No	GSA	Yes	No	Yes	Release Prevention, Detection, Response, and Corrective Action	Compliant	No								Double wall fiberglass UST, double wall fiberglass piping & ATGS (1998), SPCC (2005)
Harry S Truman Building	DOS	DESD	202-647-6001 DESD@state.gov 2201 C Street NW (Room B2A61) Washington DC 20520-0099	North 12K	2201 C. Street NW, Washington DC 20520-0099	Physical UST Address	No	GSA	Yes	No	Yes	Release Prevention, Detection, Response, and Corrective Action	Compliant	No								Double wall fiberglass UST, double wall flexible piping, & ATGS (2004); SPCC (2005)
Harry S Truman Building	DOS	DESD	202-647-6001 DESD@state.gov 2201 C Street NW (Room B2A61) Washington DC 20520-0099	South 12K	2201 C. Street NW, Washington DC 20520-0099	Physical UST Address	No	GSA	Yes	No	Yes	Release Prevention, Detection, Response, and Corrective Action	Compliant	No								Double wall fiberglass UST, double wall flexible piping, & ATGS (1998); SPCC (2005)
Beltsville Information Management Center	DOS	DESD	202-647-6001 DESD@state.gov 2201 C Street NW (Room B2A61) Washington DC 20520-0099	Tank #1	8101 O'Dell Road Beltsville, MD 20705-4110	Physical UST Address	Yes		Yes	No	No		Compliant	No								Double wall fiberglass UST, double wall fiberglass piping (1997); ATGS, SPCC, & Op Trng @ upgrade completion (FY 07)
Beltsville Information Management Center	DOS	DESD	202-647-6001 DESD@state.gov 2201 C Street NW (Room B2A61) Washington DC 20520-0099	Tank #2	8101 O'Dell Road Beltsville, MD 20705-4110	Physical UST Address	Yes		Yes	No	No		Compliant	No								Double wall fiberglass UST, double wall fiberglass piping (1997); ATGS, SPCC, & Op Trng @ upgrade completion (FY 07)
Beltsville Information Management Center	DOS	DESD	202-647-6001 DESD@state.gov 2201 C Street NW (Room B2A61) Washington DC 20520-0099	Tank #3	8101 O'Dell Road Beltsville, MD 20705-4110	Physical UST Address	Yes		Yes	No	No		Compliant	No								Double wall fiberglass UST, double wall fiberglass piping (1997); ATGS, SPCC, & Op Trng @ upgrade completion (FY 07)
Beltsville Information Management Center	DOS	DESD	202-647-6001 DESD@state.gov 2201 C Street NW (Room B2A61) Washington DC 20520-0099	Tank #4	8101 O'Dell Road Beltsville, MD 20705-4110	Physical UST Address	Yes		Yes	No	No		Compliant	Yes	State Regulator	5/11/2005	Yes	State Regulator	Release Detection (Subpart D)	Correction Action Completed	Completed	Double wall fiberglass UST (1990); double wall flexible piping & ATGS (2005); SPCC (FY 07)

Current Compliance Status as of July 31, 2006 based on 40 CFR 280
ATGS - Automatic Tank Gauging System
SPCC - Spill Prevention, Control, and Countermeasure Plan

UST Compliance Report

	UST Characteristics										Operator Training		Current Compliance Status	UST Inspection Data			Non-Compliance Information					Comments
Fed Fac	Fed Agy	POC Name	POC Data	UST ID No	Loc Addr	Loc Type	UST Own By Agy	UST Own Oth	UST Op By Agy	UST Nonfed O/O Fed Man Land	Op Trng Provided	Op Trng Types		UST Inspect By Reg	UST Last Inspect Type	UST Date Last Inspect	UST Non Comp Status	Non Comp Determiner	Non Comp Violations	Non Comp Violations Stat	Non Comp Strategy	
Beltsville Information Management Center	DOS	DESD	202-647-6001 DESD@state.gov 2201 C Street NW (Room B2A61) Washington DC 20520-0099	Tank #5	8101 O'Dell Road Beltsville, MD 20705-4110	Physical UST Address	Yes		Yes	No	No		Compliant	Yes	State Regulator	5/11/2005	Yes	State Regulator	Release Detection (Subpart D)	Correction Action Completed	Completed	Double wall fiberglass UST (1990); double wall flexible piping & ATGS (2005); SPCC (FY 07)
Beltsville Information Management Center	DOS	DESD	202-647-6001 DESD@state.gov 2201 C Street NW (Room B2A61) Washington DC 20520-0099	Tank #6	8101 O'Dell Road Beltsville, MD 20705-4110	Physical UST Address	Yes		Yes	No	No		Compliant	Yes	State Regulator	5/11/2005	Yes	State Regulator	Release Detection (Subpart D)	Correction Action Completed	Completed	Double wall fiberglass UST (1990); double wall flexible piping & ATGS (2005); SPCC (FY 07)
International Chancery Center	DOS	DESD	202-647-6001 DESD@state.gov 2201 C Street NW (Room B2A61) Washington DC 20520-0099	UST1	3507 International Place, NW Washington, DC 20008-3025	Physical UST Address	Yes		Yes	No	Yes	Release Prevention, Detection, Response, and Corrective Action	Compliant	No								Double wall steel UST within concrete vault (1987); ATGS (2004); SPCC (2005)
National Foreign Affairs Training Center	DOS	DESD	202-647-6001 DESD@state.gov 2201 C Street NW (Room B2A61) Washington DC 20520-0099	G-350BT	4000 Arlington Blvd. Arlington, VA 22204-1586	Physical UST Address	Yes		Yes	No	Yes	Release Prevention, Detection, Response, and Corrective Action	Compliant	No								Double wall fiberglass UST, double wall fiberglass piping (1992); ATGS & SPCC (2005)
National Foreign Affairs Training Center	DOS	DESD	202-647-6001 DESD@state.gov 2201 C Street NW (Room B2A61) Washington DC 20520-0099	G-200A	4000 Arlington Blvd. Arlington, VA 22204-1586	Physical UST Address	Yes		Yes	No	Yes	Release Prevention, Detection, Response, and Corrective Action	Compliant	No								Double wall fiberglass UST, double wall fiberglass piping (1992); ATGS & SPCC (2005)
Charleston Regional Center	DOS	DESD	202-647-6001 DESD@state.gov 2201 C Street NW (Room B2A61) Washington DC 20520-0099	UST	1969 Dyess Avenue Charleston, SC 29408-2621	Physical UST Address	Yes		Yes	No	Yes	Release Prevention, Detection, Response, and Corrective Action	Compliant	No								Double wall fiberglass UST, ATGS (1992); SPCC (2005)

Current Compliance Status as of July 31, 2006 based on 40 CFR 280
ATGS - Automatic Tank Guaging System
SPCC - Spill Prevention, Control, and Countermeasure Plan

Attachment 3

Background on the Underground Storage Tank Compliance Report

- On August 8, 2005 President Bush signed the Energy Policy Act of 2005. Subtitle B of Title XV established the Underground Storage Tank Compliance Act of 2005 (USTCA).
- The USTCA substantially changes the underground storage tank program. Some of major changes affecting Federal agencies include:
  - Waiver of Sovereign Immunity
  - Compliance Reports
  - Inspection Frequency
- For the USTs owned or operated by the Department the report requires that we:
  - List the location of each UST;
  - List all noncompliant USTs;
  - Specify the date of the last State or Federal inspection of each UST;
  - List each violation of Subtitle B of Title XV associated with any UST;
  - Describe the compliance actions taken for non-compliant USTs.
- Agencies do not have to submit information about any exempt UST (that is, those used exclusively for the storage of heating oil). The EPA deferred emergency power generator tanks from release requirements, but recommends agencies provide information in the report to the extent the USTs are regulated under Federal regulations.
  - Of the fifteen USTs owned/operated by the Department, two are used exclusively to store heating oil and thirteen are used to store emergency power generator fuel. Of these thirteen tanks, six at the Beltsville Information Management Center (BIMC) store fuel for both generators and boilers. The report will include details of these thirteen tanks.
- The UST Compliance Act of 2005 provisions only apply to USTs located in the United States or one of its territories. Our report provides the required information for those USTs owned and/or operated by Department of State at domestic facilites either owned by the Department or for which the Department has delegated authority from GSA to operate.
  - We have shared with the U.S. International Boundary & Water Commission (USIBWC) the reporting requirements, but the report

contains no information about any USIBWC tanks. IBWC is an independent organization that coordinates with the Department on diplomatic issues affecting Mexican and Canadian border water issues. The Department is not responsible for IBWC regulatory compliance.

- We have no knowledge of any USTs within the embassy compounds that comprise the International Chancery Center. The report contains no information about these embassies.

- Besides providing the required UST information, the Department's report to the EPA and Congressional Committees will state that we think our USTs are compliant with Federal regulations and requirements. We have installed state-of-the-art equipment, impelmented a comprehensive training program, and thoroughly analyzed the spill/leak risks in order to safely and effectively manage the fuel storage systems.
- All of the USTs are equipped with an automatic tank gauging system (ATGS) that offers the highest level of environmental protection and inventory control by:
  - Continuously monitoring the fuel level in the tank and recording real-time changes
  - Providing visual/audio alarms before the product level exceeds tank capacity during fuel deliveries, and if there is a leak in the tank wall.
  - Performing routine and annual tank integrity testing as required by the EPA.
- The ATGS at BIMC will be installed in conjunction with an upgrade project to be completed this FY.
- Annual site-specific training in release prevention, detection, response, and corrective action is provided to FMS and contract staff responsible for UST operations. Training at BIMC will commence following completion this FY of the fuel piping upgrade project. Spill Prevention, Control, and Countermeasure (SPCC) Plans were developed for each of our facilities with USTs (the Plan for BIMC will also be completed this FY following the fuel piping upgrade project). These Plans identify and rank the risk of a spill or leak of fuel into the environment, establish procedures for minimizing the risks, and recommend spill response equipment and procedures specific to the facility.

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

FEB - 1 2006

Dear Federal Agency Environmental Executive:

As you are aware, Section 9007(b)(1) of Subtitle I, created by the Underground Storage Tank Compliance Act of 2005, requires each Federal agency that owns or operates one or more Underground Storage Tanks (USTs) or manages land on which one or more USTs are located to submit a report about these USTs to the EPA Administrator and Congress by August 8, 2006. To help Federal agencies meet this deadline EPA developed **"Guidance for Underground Storage Tank Compliance Act 2005 Federal Facility Compliance Reporting."** EPA appreciates all the comments and input received from all the Federal agencies on the document. The guidance provides direction on the type of information Federal agencies should report to address the requirements of Section 9007(b)(1). It is structured to provide direction on reporting to Federal agencies that plan to use the Federal Facility and Lands UST Data System being developed on www.fedcenter.gov (or ***FedCenter***). All agencies should follow the format and directions provided in this Guidance even if they decide not to use the data system on ***FedCenter***.

Federal agencies which do not have existing UST information management systems capable of fulfilling the requirements of Section 9007(b)(1) are encouraged to use ***FedCenter***. We currently anticipate that the database will be ready by February 22, 2006. If you are considering using ***FedCenter***, please have your UST workgroup representative send an e-mail to Melanie Garvey so that we can start to set up access for your agency. EPA will provide assistance to your Agency to ensure that the guidance and ***FedCenter*** meet your needs. During the last week of February, EPA also plans to hold a meeting to provide a tutorial on the ***FedCenter*** data system. More information on that meeting will be forthcoming.

If you have questions on the guidance or on any issues related to the Act, please contact Melanie Garvey in EPA's Federal Facilities Enforcement Office at 202-564-2579/garvey.melanie@epa.gov or Steven McNeely in EPA's Office of Underground Storage Tanks at 703-603-7164/ mcneely.steven@epa.gov.

Sincerely,

Cliff L. Rothenstein, Director
Office of Underground Storage Tanks
Office of Solid Waste and
Emergency Response (5401G)

David J. Kling, Director
Federal Facilities Enforcement Office
Office of Enforcement and
Compliance Assurance (2261A)

Enclosure

cc: UST Federal Agency Workgroup Contacts
EO 13148 Interagency Environmental Leadership Work Group
Edwin Pinero, Federal Environmental Executive
Regional EPA Federal Facility Senior Managers
EPA Federal Facility Program Managers
EPA UST/LUST Regional Program Managers
Melanie Garvey, EPA
Steven McNeely, EPA

Guidance for Underground Storage Tank Compliance Act 2005 Federal Facility Compliance Report Data System

Section 9007(b)(1) of Subtitle I, created by the Underground Storage Tank Compliance Act of 2005 (the Act), requires each covered Federal agency to submit a "compliance strategy report" ("report"). Each report must provide the information described below for USTs that are Federally regulated ("Federally regulated USTs"). The reports are to be submitted to the EPA Administrator and Congress by August 8, 2006. In order to provide each Federal agency adequate time to collect and report on the required information, each Federal agency should complete the data system requirements described in this document with information it has available as of March 31, 2006.

Under the Act, each Federal agency must report information on all Federally regulated USTs owned, operated or located on Federal lands. Therefore, if a tank is owned by one Federal agency and operated by another agency, both Federal agencies are required to report. Similarly, if a tank is on Federal lands of one agency and owned or operated by a different Agency, both agencies are required to report. To facilitate this process and to allow the identification of the same tank being reported by two or more Federal agencies and preclude double counting of tanks, Federal agencies should coordinate reporting to ensure that the same UST identification number is used by each agency reporting for that tank.

Also under the Act, each Federal agency must report certain information on all Federally regulated USTs that it owns or operates or all USTs located on lands that the agency manages. The regulatory definition of UST can be found in 40 CFR § 280.12:

> The term "underground storage tank" or "UST" means any one or combination of tanks (including underground pipes connected thereto) that is used to contain an accumulation of regulated substances, and the volume of which (including the volume of underground pipes connected thereto) is 10 percent or more beneath the surface of the ground. This term does not include any:
>
> (a) Farm or residential tank of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes;
> (b) Tank used for storing heating oil for consumptive use on the premises where stored;
> (c) Septic tank;
> (d) Pipeline facility (including gathering lines) regulated under:
>
> (1) The Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1671, et seq.), or
> (2) The Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. App. 2001, et seq.), or

(3) Which is an intrastate pipeline facility regulated under state laws comparable to the provisions of the law referred to in paragraph (d)(1) or (d)(2) of this definition;

(e) Surface impoundment, pit, pond, or lagoon;
(f) Storm-water or wastewater collection system;
(g) Flow-through process tank;
(h) Liquid trap or associated gathering lines directly related to oil or gas production and gathering operations; or
(i) Storage tank situated in an underground area (such as a basement, cellar, mineworking, drift, shaft, or tunnel) if the storage tank is situated upon or above the surface of the floor.

The term "underground storage tank" or "UST" does not include any pipes connected to any tank which is described in paragraphs (a) through (i) of this definition.

In addition, EPA has exempted or deferred certain types of USTs from Federal UST regulation. EPA has exempted certain USTs from all of the requirements of 40 CFR Part 280. (See 40 CFR 280.10(b)). These exempt tanks would not be considered "Federally regulated USTs" and thus Federal agencies would not have to submit information for the report for these particular USTs.

EPA has also deferred certain USTs from certain requirements (i.e., requirements concerning the design, construction, installation and notification of USTs, Federal operating requirements, release detection requirements, and requirements concerning release reporting, investigation and confirmation). (See 40 CFR 280.10(c)). Finally, EPA has deferred emergency generator tanks from release detection requirements. (See 40 CFR 280.10(d)). EPA recommends that Federal agencies provide information for the report for deferred USTs to the extent that they are regulated under the Federal UST regulations.

All data fields in bold are required by the Act. Fields not in bold are optional but are requested to facilitate better management of the data. For Federally regulated USTs on federal lands that are not owned or operated by the Federal agency, provide information requested in fields 1-8 for each tank.

FOR EACH FEDERALLY REGULATED UNDERGROUND STORAGE TANK REPORTED, PROVIDE:

1. Facility Name: List the generally accepted name of the Federal facility or Federal lands on which the UST is owned or operated by the Federal agency, or on which the UST not owned or operated by the Federal agency is otherwise located.

2. Agency: Identify the Federal agency, bureau or service reporting for the UST. If necessary, designate "other" and place agency name in "narrative" field.

3. Contact: **Provide a point of contact for the UST including name, e-mail address, mail address and phone number. Agencies may provide the same point of contact for multiple tanks.**

4. UST Identification Information: **Identify the UST using an existing unique tank identification number (such as the tank serial number or UST registration number) or using a unique tank identification number assigned by the facility or agency. If the tank is not owned or operated by the facility or agency and is located on Federal lands the agency manages AND a number such as the tank serial number or UST registration number cannot otherwise by found, a unique tank identification number should be assigned to each tank by that agency. Indicate the source of the number being used.**

5. UST Location Information: **Provide a physical address for the UST including building name or number, street address, City, County, State and Zip+4. Do not provide Postal Box addresses. If providing a physical address of tank location is not reasonable, provide the primary street address of the Federal facility or Federal lands on which the UST is located.**

Optional: Enter in the location of the tank(s) using: Latitude Degrees, Latitude Minutes, Latitude Seconds and Longitude Degrees, Longitude Minutes, Longitude Seconds.

6. UST Federal Ownership Information: **Select Yes or No to indicate ownership of the UST by agency, bureau or service identified in field number 2 above. If no is chosen, then complete the narrative field which lists the owner(s) of the UST.**

7. UST Federal Operator Information: **Select Yes or No to indicate operator of the UST by agency, bureau or service identified in field number 2 above. If no is chosen, then complete the narrative field which lists the operator(s) of the UST.**

8. UST on Federally Managed Lands: **Select Yes or No to indicate a non-Federally owned or operated UST on Federally managed lands. ("Yes" indicates the UST is on Federally managed lands, but is neither owned nor operated by a Federal agency).**

If the UST is neither owned nor operated by the agency, bureau or service identified in field number 2 above, fields 9-15 may be left blank.

9. UST Operator Training: **Select Yes or No to indicate whether operator training was provided for the operator and other persons having primary daily on-site management responsibility for the operation of the UST. If yes is chosen, indicate all types of training provided: Release Prevention; Release Detection; Release Response and Corrective Action; State Required UST Training; or Other.**

Optional: Provide a description or more information on UST operator training provided.

10. Date of Last UST Inspection by Regulator: Enter date (dd/mm/yyyy) of last inspection of the UST and type of regulator who performed last inspection; State, Federal or Local. If the UST has never been inspected, select Never Inspected.

11. Non-compliant Status of UST: Indicate whether the UST was determined to be non-compliant when last inspected based on, at a minimum, written information from the most recent regulatory inspection of the UST. If UST has not been determined to be non-compliant, indicated undetermined. Select Not Applicable only if tank has never been inspected by a regulator.

Optional: Indication of non-compliant UST may be based on other information available to the facility or agency such as agency lead compliance audit. If using this option, ensure response to field 12 is consistent.

If response to field 11 does not indicate non-compliant tank, do not complete fields 12-15.

12. Determination of Non-Compliant UST: Indicate whether non-compliance for the UST was determined by State, Federal or Local Regulator Inspection (Recommended minimum), Internal agency or facility Audit (optional), or Other (optional).

13. UST Violation Information: List all violations for the UST. Fields are provided listing common violation types based on Federal regulations; check all violation types that apply to each tank. Violation types include: UST System Requirements: Design, Construction, Installation and Notification (Subpart B); General Operating Requirements (Subpart C); Release Detection (Subpart D); Release Reporting, Investigation and Confirmation (Subpart E); Release Response and Corrective Action (Subpart F); Out of Service UST Systems and Closure (Subpart G); and Other).

14. Status of UST Violation(s): Indicate current status of actions to address each type of violation identified in field 13 above for the UST including: Corrective Action in Progress; Corrective Action Completed; Corrective Action Completed—waiting on Regulatory Concurrence; Corrective Action Not Started or other. If other, provide explanation in comment section.

15. Status of UST Compliance Strategy: Describe the compliance actions taken or planned for the non-compliant federally owned or operated UST.

16. Comments (Optional): Provide comments as desired on information provided in other fields and any other desired information.

This guidance and any internal procedures adopted for its implementation are intended solely as guidance for Federal agencies. Such guidance and procedures do not constitute rule making by the Agency and may not be relied upon to create a right or benefit, substantive or procedural, enforceable at law or in equity, by any person.