



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
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OFFICE OF
LAND AND EMERGENCY
MANAGEMENT

UST Program Facts

Data About The Underground Storage Tank (UST) Program

- Size of the UST universe (as of March 2021)
 - There are approximately 540,000 active petroleum USTs and 3,400 hazardous substance USTs (at approximately 194,000 facilities) which are regulated by the UST program
 - Since 1984, more than 1.9 million USTs have been properly closed
- Compliance with the UST requirements (as of March 2021)
 - 68.7 percent of UST facilities are in significant operational compliance with both the release prevention and leak detection requirements
 - 59.3 percent of UST facilities in states tracking compliance with the 2015 UST regulation meet the technical compliance rate requirements
- Corrective action at UST sites (as of March 2021)
 - 562,217 releases have been confirmed
 - 499,169 cleanups have been completed
 - 63,048 cleanups have not yet been completed
- Prevention program resources
 - In fiscal year 2020, Congress appropriated approximately \$25 million from the Leaking Underground Storage Tank (LUST) Trust Fund and \$1.5 million of State and Tribal Assistance Grants (STAG) for states and tribes to prevent UST releases
- Cleanup program resources
 - In fiscal year 2020, Congress appropriated approximately \$66 million from the LUST Trust Fund for corrective action activities, \$55 million of which is for states to assess and clean up UST releases or otherwise oversee and implement the LUST program
 - Approximately 40 states have UST cleanup funds which pay for most UST cleanups and are separate from the LUST Trust Fund; collectively states raise and spend more than \$1 billion annually on LUST cleanups
- State program approval
 - 39 states, plus the District of Columbia and Puerto Rico, have approved state programs; of those, 17 states have approved programs under the 2015 federal UST regulation

Background And History Of The UST Program

- In 1984, Congress responded to the increasing threat to groundwater posed by leaking underground storage tanks by adding Subtitle I to the Solid Waste Disposal Act (SWDA)
 - SWDA required EPA to develop a comprehensive regulatory program for USTs storing petroleum or certain hazardous substances to protect the environment and human health from UST releases
 - Federal UST regulations require preventive measures (such as spill, overfill, and corrosion protection), release detection monitoring, corrective action, and demonstration of financial resources to carry out corrective action
 - EPA's 1988 regulations set minimum standards for new tanks and required owners of existing tanks to upgrade, replace, or close them

- In 1986, Congress amended Subtitle I of SWDA and created the Leaking Underground Storage Tank (LUST) Trust Fund
 - It was established to:
 - Oversee cleanups by responsible parties
 - Enforce cleanups by recalcitrant parties
 - Pay for cleanups at sites where the owner or operator is unknown, unwilling, or unable to respond, or which require emergency action
 - The LUST Trust Fund is financed by a 0.1 cent federal tax on each gallon of motor fuel sold in the country
 - As of September 2020, the balance in the Fund was approximately \$909 million

- In August 2005, Congress amended Subtitle I of SWDA and created the Underground Storage Tank Compliance Act of 2005 (in Title XV, Subtitle B of the Energy Policy Act of 2005)
 - This legislation focused on further preventing releases
 - In particular, it expanded eligible uses of the LUST Trust Fund and included provisions regarding operator training, delivery prohibition, secondary containment and financial responsibility, and clean up of releases that contain oxygenated fuel additives

- In July 2015, EPA revised the 1988 federal underground storage tank (UST) regulations by increasing emphasis on properly operating and maintaining UST equipment. The revisions will help prevent and detect UST releases and help ensure all USTs in the United States, including those in Indian country meet the same minimum standards. In addition, EPA added new operation and maintenance requirements

- Because of the large regulated universe of USTs at the inception of the program (over 2 million tanks), EPA designed the UST program to be implemented by states
 - 39 states, plus the District of Columbia and Puerto Rico, have been approved to act in lieu of the federal program and may have more stringent UST requirements; of those, 17 states have approved programs under the 2015 federal UST regulation
 - The remaining states have agreements with EPA to be the primary implementing agency
 - States have reported that UST releases are the most common source of groundwater contamination and that petroleum is the most common contaminant

- For more information about the underground storage tank program, see EPA's website at: www.epa.gov/ust