

Maine Department of Environmental Protection
Bureau of Remediation and Waste Management
Division of Oil & Hazardous Waste Facilities Regulation

Report to U.S. Environmental Protection Agency
Office of Underground Storage Tanks

Compliance of Government Underground Storage Tanks

August 8, 2007

Introduction

There are 1,613 federally regulated underground oil storage facilities with a total of approximately 3,213 tanks in Maine. Of these, 199 facilities (sites) with 264 tanks are owned by Federal, state or local governments. This report summarizes the compliance of these facilities with Federal and local UST laws.

Since 1992, Maine has had State Program Approval (SPA) from EPA, because its Statutes, Title 38 M.R.S.A. § 561 et seq. and the Rules for Underground Oil Storage Facilities, Chapter 691, are at least as stringent as the Federal Rules. One of the most comprehensive provisions of Maine's UST program are the Statutes and Rules for Annual Inspections which require a facility owner to have each underground tank and piping inspected annually by a certified tank inspector or certified tank installer for compliance with the Rules for leak detection, overfill and spill prevention, as well as other criteria. The facility owner must arrange to correct any deficiencies so that the annual inspection is passing. A passing annual inspection report must be submitted by July 1 of each year.

How Maine DEP Provided the Information In this Report

EPA's Underground Storage Tank Program Grant Guidelines dated April 2007 require states to determine compliance of government owned tanks with the following areas: Notification, corrosion protection, overfill prevention, spill prevention, tank and piping release detection, reporting of suspected releases, maintenance of tank and piping repair records, and compliance with requirements for financial responsibility and temporary closure.

Corrosion protection, overfill prevention, spill prevention (spill buckets) and tank and piping release detection are items included in all annual inspections and detailed in the annual inspection reports submitted to the Department. Therefore, determining compliance with the annual inspection is an effective and accurate way of determining compliance with these requirements.

The Department's rules include requirements for notification in several areas: facility upgrades and/ or repairs (registration), reporting suspected releases (evidence if a possible leak) and temporary or permanent closure. Compliance with these items can be determined for all tanks by review of the Department's "TANKS" database.

Maine DEP UST records indicate that all Federally regulated government tanks currently are in compliance with Maine's Rules, except for those specifically identified in this report.

See Tables I and II for a list of noncompliant facilities and tanks. Unless otherwise noted, the date of the last annual inspection for each facility serves as the last compliance monitoring activity and therefore indicates the current compliance status.

Financial Responsibility

The Maine Ground Water Oil Clean-up Fund (Fund) provides financial responsibility for all underground tanks in Maine except for those that are owned or operated by the Federal government. Maine statute states that these facilities are not eligible for Fund coverage. Maine has 7 federally owned facilities which include a total of 15 federally owned tanks.

See Table III for a list of facilities that are not eligible for coverage by the Ground Water Oil Clean-up Fund. Maine's understanding is that these facilities are self insured in accordance with 40 CFR § 280.90(c).

Temporary Closure

Tanks may be taken temporarily out of service for up to 12 months in accordance with Maine statute and the Rules. The owner must remove all product from the tanks or continue to maintain leak detection equipment. In addition, all lines, pumps, manways and ancillary equipment must be capped and secured. The owner of a tank that has been out of service for more than 12 months and who has not received written approval from the Department to keep the tank temporarily out of service beyond the initial 12 month period must remove the tank.

See Table IV for a list of government tanks that are in temporary closure.

Actions taken to ensure compliance of non-compliant facilities

All UST facilities with outstanding failing annual inspections were issued a Notice of Violation in March 2007. Facilities that failed to submit a passing 2007 annual inspection will be issued a Notice of Violation in August 2007.

Facilities that remain in violation of the annual inspection rule may be issued an administrative order prohibiting deliveries of product to, and dispensing from, non-compliant tanks.

The Department may also seek civil penalties of \$100 to \$10,000 per day from facility owners who fail to comply, as authorized by Maine statute.

I. Failure to Submit Passing Annual Inspection (Submitted Failing 2007 Annual Inspection)

Facility name	Location (Town)	Registration #	On site inspection date	Tanks	Violation(s)	Facility owner	Facility address
Central Fire Station	Auburn	770	May 24, 2007	10,000 g diesel	Secondary containment of piping	City of Auburn	60 Court Street, Auburn, ME 04210-5965
Public Works Department	Bath	2520	July 6, 2006	10,000 g gasoline, 10,000 g diesel	Leak detection	City of Bath	450 Oak Grove Avenue, Bath, ME 04530
Richmond Town Garage	Richmond	6600	June 5, 2007	6,000 g (3K gasoline/ 3K diesel)	Spill prevention	Town of Richmond	P.O. Box 159 Richmond, ME 04357-0159
MDOT Maintenance Facility	Dallas Pt.	8826	June 4, 2007	4,000 g diesel	Secondary containment of piping	MDOT	16 State House Station, Augusta, ME 04333-0016
Biddeford Municipal Garage	Biddeford	12843	October 17, 2006	4,000 g gasoline	Spill prevention	City of Biddeford	P.O. Box 586, Biddeford, ME 04005-0586
Berwick Public Works	Berwick	15947	June 12, 2007	1,000 g diesel, 1,000 g gasoline	Overfill prevention, corrosion protection	Town of Berwick	P.O. Box 696, Berwick, ME 03901
Augusta Airport	Augusta	8884	January 12, 2007	2,500 g diesel, 15,000 g aviation gasoline, 2 - 15,000 g jet fuel	Leak detection, overfill prevention, spill prevention	Augusta State Airport	75 Airport Road, Augusta, ME 04330-5020

II. Failure to Submit Passing 2007 Annual Inspection

Facility name	Location (Town)	Regis- tration #	On site inspection date	Tanks	Facility owner	Facility address
Brunswick Public Works	Brunswick	1590	December 19, 2005	10,000 g diesel, 8,000 g gasoline	Town of Brunswick	28 Federal Street, Brunswick, ME 04011
Caribou Public Works Department	Caribou	15079	June 13, 2006	10,000 g gasoline, 10,000 g diesel	City of Caribou	25 High Street, Caribou, ME 04736
101 st Air Refueling Wing	Bangor	12803	March 10, 2006	1500 g jet fuel, 10,000 g unknown product	Maine Air National Guard	99 Glenn Ave., Suite 494, Bangor, ME 04401-3054
Hermon School Department	Hermon	6600	April 28, 2006	8,000 g (4,000 g gasoline/ 4,000 g diesel)	Town of Hermon	P.O. Box 6360, Hermon, ME 04402
Eagle Lake Plane Base	Eagle Lake	270	June 13, 2006	6,000 g aviation gasoline	ME Dept. of Inland Fisheries and Wildlife	284 State Street, Augusta, ME 04333
MDOT Maintenance Facility	Lyman	9292	June 8, 2006	2,500 g diesel	Maine DOT	16 State House Station, Augusta, ME 04333-0016
Motor Transport Lot	Augusta	9268	June 23, 2006	1-10,000 g diesel, 2-10,000 g gasoline, 1-10,000 g waste oil	Maine DOT	16 State House Station, Augusta, ME 03333-0016
North Augusta Site	Augusta	4983	June 15, 2006	10,000 g diesel, 2,500 g diesel	Maine DOT	16 State House Station, Augusta, ME 03333-0016
Millinocket Airport	Millinocket	13105	October 28, 2004	10,000 g aviation gasoline	Town of Millinocket	197 Penobscot Ave., Millinocket 04462
PVHS	Howland	295	April 15, 2005	2,000 g diesel	MSAD 31	P.O. Box 326, Howland, ME 04448
Etna Dixmont School	Etna	12978	November 2, 2005	3,000 g (2,000 g diesel/ 1,000 g gasoline)	MSAD 38	44 Plymouth Road, Carmel, ME 04419
Public Works Department	Brunswick	10045	April 27, 2006	2 – 20,000 g gasoline, 20,000 g diesel, 2,000 g diesel	Naval Air Station Brunswick	Naval Air Station Brunswick, 437 Huey Drive, Brunswick, ME 04401

II. Failure to Submit Passing 2007 Annual Inspection (continued)

Facility name	Location (Town)	Registration #	On site inspection date	Tanks	Facility owner	Facility address
Saco Public Works	Saco	17037	March 21, 2006	10,000 g gasoline, 14,000 gal diesel	City of Saco	300 Main Street, Saco, ME 04072
Winthrop Town Garage	Winthrop	512	October 13, 2004	10,000 g gasoline	Town of Winthrop	17 Highland Ave., Winthrop, ME 04364
Rumford Highway Department	Rumford	5148	June 26, 2006	8,000 g gasoline, 8,000 g diesel	Town of Rumford	145 Congress street, Rumford, ME 04276
Bridgton Public Works Garage	Bridgton	19659	April 5, 2006	8,000 g (4,000 g gasoline/4,000 g diesel)	Town of Bridgton	3 Chase Common, Suite 1, Bridgton, ME 04009
Sabattus Public Works Department	Sabattus	8192	April 11, 2006	10,000 g gasoline, 10,000 g diesel	Town of Sabattus	P.O. Box 190, Sabattus, ME 04280-190

III. Facilities Not Eligible for Ground Water Oil Clean-up Fund

Facility name	Location (Town)	Registration #	On site inspection date	Tanks	Facility owner	Facility address	Comments
Acadia National Park, Schoodic Division	Winter Harbor	18273	September 18, 2006	2,500 g diesel, 8,000 g gasoline	U.S. Department of the Interior	P.O. Box 177, Acadia National Park, Bar Harbor, ME 04609	
Acadia National Park, McFarland Hill	Bar Harbor	4689	September 20, 2006	4,000 g gasoline, 4,000 g diesel	U.S. Department of the Interior	P.O. Box 177, Acadia National Park, Bar Harbor, ME 04609	
Malvern Belmont Estate	Bar Harbor	5072	June 18, 2007	550 g gasoline	Mount Desert Island Housing Authority	P.O. Box 28, Belmont Estate, Bar Harbor, ME 04069	
U.S. Postal Vehicle Maintenance	Portland	14429	August 16, 2006	5,000 g diesel, 15,000 g gasoline	U.S. Postal Service	171 Kennebec St., Portland 04101-9721	

III. Facilities Not Eligible for the Ground Water Oil Clean-up Fund (continued)

Facility Name	Location (Town)	Registration #	On Site Inspection Date	Tanks	Facility Owner	Facility Address	Comments
Naval Air Station Brunswick	Brunswick	10045	April 25, 2007 -- FAIL	2 – 20,000 g gasoline; 12,000 g diesel; 10,000 gal diesel; 8,000 g (4,000 g diesel/ 4,000 g #2 fuel)	U.S. Navy	Public Works Dept., 347 Huey Drive, Brunswick, ME 04011	Failed to submit passing 2007 Annual Inspection
JFSI Fuel Farm	Brunswick	18147	April 26, 2007	3,000 g jet fuel	U.S. Navy	Public Works Dept., 347 Huey Drive, Brunswick, ME 04011	
101 st Air Refueling Wing	Bangor	12803	May 10, 2006	1,500 g jet fuel, 11,000 g unknown substance	Maine Air National Guard	99 Glenn Ave., Suite 494, Bangor, ME 04401-3054	Failed to submit passing 2007 annual Inspection

IV. Tanks in Temporary Closure

Facility name	Location (Town)	Registration #	On site inspection date	Tanks	Facility owner	Facility address	Comments
Augusta Sanitary District	Augusta	257	October 19, 2006	10,000 g (4,000 g diesel/ 6,000 g #2 fuel)	Augusta Sanitary District	12 Williams St., Augusta, ME 04330	Taken OOS on April 27, 2007
Rockport Town Garage	Rockport	14426	October 13, 2004	10,000 gal diesel	Town of Rockport	P.O. Box 10, Rockport, ME 04856	To be removed by December 31, 2007
Malvern Belmont Estate	Bar Harbor	5072	March 21, 2007	550 g gasoline	Mount Desert Island Housing Authority	P.O. Box 28, Bar Harbor, ME 04609	To be removed by December 31, 2007