

## **Changes to Reporting Petroleum Releases to DNR**

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**Existing reporting requirements.** Iowa law requires facility owners and operators to report “suspected” petroleum “releases” to the DNR within 24 hours of discovery, or within 6 hours of discovery if a “hazardous condition” exists. If a release is suspected, the owner or operator must immediately investigate and determine whether or not a “confirmed release” to the environment has occurred. The confirmation results must be reported to the DNR within seven (7) days, or another reasonable time period specified by the DNR. Recently, new rules were added that also require UST professionals to report to the DNR.

**The change...**new regulation (IAC 567—134.22), which became effective **August 19, 2009**, requires licensed UST professionals to report suspected and confirmed releases within 24 hours of discovery to the *owner and operator* by way of a form developed by the DNR. The notification must be within 6 hours if a hazardous condition exists. The UST professional must submit a copy of the DNR form directly to the DNR within seven (7) days of discovering a confirmed release. However, the UST professional is not responsible for reporting a suspected release directly to the DNR.

**UST professionals.** The DNR classifies a UST professional as someone licensed by the state to conduct UST installations (including system upgrades), inspections, lining/repairs, testing, and removals. Many of these professionals could enter your facility throughout the year, so you need to be prepared to respond if one of them is on site and becomes aware of a suspected or confirmed release.

**What is a “suspected petroleum release?”** A release is “suspected” if you or a UST professional discovers evidence to suggest that a petroleum release to the environment may have occurred. Examples include:

- The discovery of petroleum outside of the UST system such as the presence of free product or vapors in soils, basements, sewer and utility lines, and nearby surface water;
- Unusual UST system operating conditions such as the erratic behavior of product dispensing equipment, the sudden loss of product from the UST system, or an unexplained presence of water in the tank, unless system equipment is found to be defective but not leaking, and the defective component is immediately repaired or replaced; and
- Monitoring results from a release detection method that indicate a release may have occurred, unless it is disproved by another acceptable means.

**What is a “confirmed petroleum release?”** A release is “confirmed” if subsequent findings indicate that a petroleum release to the environment has occurred, such that petroleum or other regulated substances have breached the UST system or come in contact with the surface material (concrete/asphalt), backfill material, soil, groundwater, or surface water. This includes:

- Soil or groundwater sample analytical results for any petroleum constituent exceed the DNR’s contamination corrective action levels;
- There is a spill or overflow from the UST system (exceeding 25 gallons);
- There is an affected receptor (e.g., petroleum discovered in a utility trench, which can be attributed to the UST facility or the UST facility cannot be ruled out as a source);
- Drinking water supplies are contaminated, which can be attributed to the UST facility or the UST facility cannot be ruled out as a source;
- Vapors are observed in buildings or structures which can be attributed to the UST facility or the UST facility cannot be ruled out as a source;

- Free product is observed in the environment or in monitoring well used for release detection or LUST monitoring;
- Stained soil is observed; and
- Sheen is observed on surface water.

**How do I report this to the DNR?** The DNR has a helpful guidance and the required release report forms available on the internet at <http://www.iowadnr.gov/land/ust/ustrelease.html>. To report a release, you must first contact the DNR Emergency Response, then the DNR field office in the region where the release occurred, and then the UST Section at the DNR central office. Contact information is as follows:

1. Emergency Response: (24-hour phone) 515-281-8694 or fax 515-725-0218;
2. DNR Field Offices (see map below):

Field Office	Phone	Fax	Field Office	Phone	Fax
1-Manchester	563-927-2640	563-927-2075	4-Atlantic	712-243-1934	712-243-6251
2-Mason City	641-424-4073	641-424-9342	5-Des Moines	515-725-0268	515-725-0218
3-Spencer	712-262-4177	712-262-2901	6-Washington	319-653-2135	319-653-2856

3. UST Central Office: (work hours phone) 515-281-3634 or fax 515-281-8895; and then
4. Use the DNR Release Report Form to fax within 24 hours or 6 hours.

**What about my insurance? Contact PMMIC IMMEDIATELY if you suspect a release.** The 24-hour number is (515) 334-3001. It is very important to stop the **source** of a release and to determine the cause of a release as soon as practical. If you contact a UST service company to repair any part of a UST system that is suspected of leaking or allowing a release, it is very important that the condition of the component be photo-documented before and after any repair. Take the pictures yourself if your service company does not. **Do not allow any damaged or repaired component to be removed from the site; you should retain any component that has been replaced.** Once the release is stopped, you will need to take action to minimize the impact from the release. PMMIC will work with you and your groundwater professional to take immediate steps as necessary.

