



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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March 27, 2020

Dear Underground Storage Tank Stakeholders:

On behalf of the Department of Ecology, Toxics Cleanup Program, this letter is to inform you of the Government Public Health and Safety Restrictions in regards to implementation of the Underground Storage Tank requirements (UST) imposed by Coronavirus 2019 (COVID-19).

As you know, in response to COVID-19, Governor Inslee issued a “[Stay at Home – Stay Safe](#)” order on March 22, 2020. The Governor’s order will last for at least two weeks and requires all residents of Washington to remain at home unless they are conducting essential business. This week, the Governor stated that the order may need to be extended.

Under the Governor’s order, gas stations are essential businesses. Although essential, we are aware some businesses with underground storage tank operations are facing potential closures or at the very least, having to modify operations to practice social distancing and other precautionary actions.

We understand the hardship this creates for the entire regulated UST community and know that compliance with regulatory requirements may be challenging due to the Governor’s public health and safety restrictions.

We cannot waive statutory or regulatory requirements, but will use regulatory flexibility and enforcement discretion during these challenging times. We have provided below recommendations for UST owners/operators and service providers. Ecology UST inspectors are available to assist as well. Their contact information is on the [Ecology UST contact list webpage](#).

Health and Safety

Closely adhere to all federal, state, and local public health and safety guidelines.

Secure the UST Facility

Critical UST leak detection and cathodic protection equipment must remain functional and monitored. While releases to the environment are infrequent, a release from an unmanned facility can go undetected and become costly and dangerous.

UST owners/operators documentation

Contact the UST inspector in your area if you have questions or expect delays in testing or maintenance that will affect compliance with UST regulations. If delays are unavoidable, document the specific circumstances of the delay.

Examples include:

- Communication with service providers.
- Cancellations and the reasons associated.
- Any other relevant information showing efforts made to maintain compliance to the maximum extent possible.

Also, be sure your tanks and piping leak detection methods remain effective, especially if less product is being stored in your tanks. Use your walkthrough inspection checklist to document the response to monitoring alarms and keep cathodic protection systems operational.

These efforts will assist governing agencies and insurance providers in evaluating whether UST owners and operators took all appropriate actions under the circumstances. Additionally, these records are critical in assisting UST owners and operators returning to these facilities for inspections after the Governor's Order is lifted.

Licensing and certification for UST Service Providers

Effective March 17, 2020, International Code Council testing centers are temporarily closed. As a result, UST service providers with expired or soon-to-be expire certifications are unable to retest.

Owners and operators should attempt to locate and utilize alternate service providers. If UST activities are performed by individuals with expired certifications, the activity may be considered non-compliant. If activities are performed by individuals with expired certifications, governing agencies will exercise their enforcement discretion to determine whether enforcement is warranted.

Emergency Response

In the event of an emergency due to a spill or release from an UST systems, UST system owners and operators must contact their local fire department (911).

This situation remains fluid and we will continue to advise you as circumstances change. We will post updates to the [Ecology UST webpage](#). For additional information about implementing UST requirements during these challenging times, please contact Kristopher Grinnell at kristopher.grinnell@ecy.wa.gov or by phone at (360) 870-8459.

Sincerely,

James J. Pendowski, Program Manager
Toxics Cleanup Program

cc: John Level, AGO

Kristopher Grinnell, Ecology