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ASTSWMO POLICY POSITION ON UNDERGROUND STORAGE TANK OPEN BERMED CONTAINMENT SYSTEMS

This position paper addresses open bermed containment systems that are used to meet the spill prevention equipment requirements for underground storage tanks (USTs) outlined in 40 CFR 280.20(c). Bermed containment systems are configured with small concrete berms or curbing that surround the fill riser(s) for a UST system and are typically used at high volume facilities. The floor of the bermed containment systems are generally constructed of concrete and most of these systems have a drain that diverts any spilled liquid, rainwater, or melted snow, to an oil/water separator.

The federal UST regulation provides a spill containment basin, also referred to as a spill bucket, as an example of spill prevention equipment. Spill buckets are universally accepted as meeting the spill prevention equipment requirement. In accordance with 40 CFR 280.20(c)(2)(i), if alternative equipment is used for spill prevention, the alternative method must be no less protective of human health and the environment. Thus, any alternative considered would be compared to spill buckets.

It is the position of the Association of State and Territorial Solid Waste Management Officials (ASTSWMO) that open bermed containment systems are less protective of human health and the environment than spill buckets for the following reasons:

- Spilled product may not drain to the oil/water separator and may remain exposed in the bermed containment system. The exposed product presents a public health and safety issue with vapors being released to the environment and it is a fire hazard.
- Spill buckets are constructed of an impermeable barrier, such as high-density polyethylene (HDPE), while the bermed containment systems are constructed of concrete, which raises concerns regarding porosity and permeability.
- The underground piping between the bermed containment system and the oil/water separator are not routinely monitored. The release of product may go undetected indefinitely if the piping is compromised.
- Currently there is no testing protocol outlined by the Petroleum Equipment Institute (PEI) that tests this type of bermed containment system. Testing of these systems is required to be completed by October 13, 2018.
- Tank and piping installation codes of practice do not address open bermed containment systems.

ASTSWMO has taken the position that open bermed containment systems are less protective of public safety and health and the environment than spill buckets and do not meet the requirements of 40 CFR 280.20(c). ASTSWMO, therefore, recommends that these systems be replaced to comply with 40 CFR 280.20(c) by the testing deadline of October 13, 2018 (40 CFR 280.35(c)(2)).

Approved by the ASTSWMO Board of Directors on July 19, 2016, in Galloway, New Jersey.