



# Tank Tips 1

on *Storage Tank Systems for Petroleum Products and Allied Petroleum Products Regulations*

**What's new in the new regulations?** On June 12, 2008 Environment Canada put in place new regulations governing storage tank systems under federal jurisdiction as described in the regulations. Compliance with these new regulations is mandatory. This fact sheet highlights some important changes that may have an impact on your storage tank system. If you need more information, you'll find our website address, a list of important documents, and contact numbers on the last page.

The costs of failing to control risks associated with storage tank systems are very high; for example, losses of community water supplies have occurred as a result of petroleum product releases.

## **What has changed?**

On June 12, 2008 Environment Canada put in place new regulations governing storage tank systems that are under federal jurisdiction as described in the regulations. These regulations replace the previous *Federal Registration of Storage Tank Systems for Petroleum Products and Allied Petroleum Products on Federal Lands or Aboriginal Lands Regulations* and the associated *Canadian Environmental Protection Act, 1999* technical guidelines. Compliance with these new regulations is mandatory.

## **Who do the regulations apply to?**

The new regulations apply to storage tank systems located on federal and Aboriginal lands, including those operated by band councils, or owned by private companies or individuals. They also cover systems owned or operated by federal departments, boards, or agencies; or owned by the Crown. Storage tank systems owned and operated by federal works and undertakings – specifically railways, port authorities and airports – are also subject to the regulations. If you're unsure if the regulations apply to your system, please see section 2 of the regulations.

Direct contact with contaminated soil (inadvertent ingestion of soil and dermal contact with soil) can be a significant pathway of human exposure to contaminated soil. Studies indicate that children, toddlers in particular, ingest much greater amounts of soil and dust each day than adults, primarily due to greater hand-to-mouth activity and greater time spent playing outdoors.

### **Do the regulations apply to the same storage tank systems as before?**

While tank systems storing petroleum products are still covered, so are tanks storing 'allied petroleum products', including aboveground tanks storing these products. In addition, 'allied petroleum products' are now clearly defined on a list found in the regulations. If your tanks store, for example, general purpose thinners for lacquers or E-85 fuel, then your system may have to comply with the new regulations. To be sure, check the complete list of allied petroleum products in Schedule 1 of the regulations. Tanks storing used oil are also covered by the regulations regardless of the percentage of hydrocarbon (oil) in the mix.

### **What about tank systems associated with heating appliances and emergency generators?**

Under the previous regulations, tank systems associated with heating appliances or emergency generators, that had a capacity of less than 4000 litres, were exempted from the regulations. Under the new regulations the tank capacity for exemption has been reduced. If your tank system stores more than 2500 litres – either in a single tank or in several connected tanks – then the system must comply with the regulations. (paragraph 2(2)(c))

### **Do you still have to register your storage tank system?**

Under the old guidelines you registered your system with the appropriate federal department. Now, all storage tank systems must be identified directly with Environment Canada. This can be done quickly and easily through our website at [www.ec.gc.ca/st-rs](http://www.ec.gc.ca/st-rs) or we can mail you the information and a form. Once your tank system is identified, you'll receive an Environment Canada identification number which must be visible on or near the system. As of June 12, 2010, the person who delivers your petroleum or allied petroleum product will no longer be permitted to fill tanks unless an Environment Canada identification number is visible. (sections 28 and 29)

### **Will you have to upgrade your existing system?**

There is only one upgrading requirement that applies to all tank systems. All systems must have a product transfer area designed to contain spills by June 12, 2012 (section 15). There are, however, specific leak monitoring requirements for single-walled underground tanks and piping, and for aboveground tanks and piping that lack secondary containment. (sections 16 to 24)

Data compiled from gasoline spills and laboratory studies indicate that light-fraction hydrocarbons tend to migrate readily through soil, potentially threatening or affecting groundwater supplies ...

### **Will some tanks or components have to be permanently withdrawn from service and removed?**

Yes. Some tank installations pose a risk to the environment and under the regulations they must be permanently withdrawn from service and removed by June 12, 2012. They are as follows.

- *Single-walled underground tanks* that, as of June 12, 2008, lacked corrosion protection and leak detection, groundwater monitoring wells or vapour monitoring wells. (section 9)
- *Single-walled underground piping* that, as of June 12, 2008, lacked corrosion protection, leak detection, groundwater monitoring wells, vapour monitoring wells, single vertical check valves or mechanical line leak detection devices (see subsection 10(2)).
- *Aboveground tanks installed underground* (section 5)
- *Underground tanks installed aboveground* (section 6)
- *Partially buried tanks* (section 7)

### **Are there new requirements if you find a leak?**

Yes. If you find a leak in your tank system or a component of the system, you must immediately withdraw the system or component from service until the leak is repaired. In the case of a component, you may continue to operate the system only if that component can be isolated from the system. Because single-walled underground tanks and piping pose a significant risk to the environment there are specific requirements that apply when these installations leak.

- *Single-walled underground tanks*: If your single-walled underground tank leaks, you must immediately and permanently withdraw it from service. You then have two years following the discovery of the leak to remove the system entirely. (subsection 3(2))
- *Single-walled piping*: If your single-walled underground piping leaks, it must immediately and permanently be withdrawn from service, removed and, if you wish to bring the system back into operation, replaced by approved piping. (subsection 3(3))

### **Do you have to report a spill or leak?**

If you have a spill or a leak, you must notify your regional spill-notification centre as soon as possible. The telephone numbers are posted on our website. If 100 litres or more of your product is released into the environment (i.e. beyond your secondary containment) then you are also required to follow up with a written report to Environment Canada (section 41).

When both production (“upstream”) and marketing (“downstream”) sectors are considered, over a quarter million actual or potential petroleum product release sites exist in Canada. Liabilities are estimated in the billion dollar plus range.

### **What about installing new storage tank systems? Has anything changed?**

Yes. If you’re considering installing a system it’s important that you get a copy of the regulations. There are requirements governing who may design and install systems, as well as new technical requirements (section 14). As with existing systems, all new systems must have a product transfer area designed to contain spills.

### **Do the new regulations affect your product delivery?**

Yes. As of June 12, 2010, the person who delivers your petroleum or allied petroleum product will no longer be allowed to fill tanks that do not have an Environment Canada identification number visible on the system. Also, delivery personnel are now required to immediately inform the system’s operator of any spills that occur during transfer of the product to your tank, or of any evidence of a leak or spill.

### **Are there any other requirements?**

You must have an emergency plan in place for your storage tank system by June 12, 2010 (paragraph 30(3)(a)). There are also, now, specific records you must keep, including records on any inspections and/or testing. Annual reporting, however, is no longer required.

### **Where do you get more information?**

On our website: [www.ec.gc.ca/st-rs](http://www.ec.gc.ca/st-rs). If you’d like us to mail you the information below please call: 819-934-2991 (0900 h – 1700 h EST/EDT).

The following documents are available on our website:

- *Storage Tank Systems for Petroleum Products and Allied Petroleum Products Regulations*
- *Tank Tips* fact sheets, each one covering a specific part of the new regulations
- *Environmental Code of Practice for Aboveground and Underground Storage Tank Systems Containing Petroleum and Allied Petroleum Products*, Canadian Council of Ministers of the Environment
- *Canadian Environmental Protection Act, 1999*
- Compliance and Enforcement Policy for the *Canadian Environmental Protection Act, 1999*

If you have specific questions on the regulations please contact your regional office.

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*This material has been prepared for convenience of reference and accessibility and does not have an official character. It is of a general nature only. For all purposes of interpreting and applying the regulations, users must consult the official version of the Storage Tank Systems for Petroleum Products and Allied Petroleum Products Regulations.*