

Title 10--DEPARTMENT OF NATURAL RESOURCES
Division 26 --Petroleum and Hazardous Substance Storage Tanks
Chapter 2--Underground Storage Tanks--Technical Regulations

Proposed Amendment

10 CSR 26-2.053 Reporting and Cleanup of Spills and Overfills

PURPOSE: This rule explains requirements related to underground storage tank release reporting and cleanup.

(1) Owners and operators of underground storage tank (UST) systems must contain and immediately cleanup a spill or overfill. The spill or overfill must be reported to the department by telephone at (573) 634-2436 within twenty-four (24) hours.

(2) Owners and operators must begin release response, site investigation, and corrective action in accordance with 10 CSR 26-2.070--10 CSR 26-2.074 in the following cases:

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(A) Spill or overfill of petroleum that results in a release to the environment that exceeds twenty-five (25) gallons, that causes a sheen on nearby surface water, or results in concentrations of chemicals of concern in the environment that exceed the default target levels in 10 CSR 26-2.078 Table 1; and

(B) Spill or overfill of a hazardous substance that results in a release to the environment that equals or exceeds its reportable quantity under the Comprehensive Environmental Response Compensation and Liability Act of 1980 (CERCLA) (40 CFR 302).

(3) Owners and operators of UST systems must contain and immediately clean up a spill or overfill of petroleum that is less than twenty-five (25) gallons or another reasonable amount specified by the department and a spill or overfill of a hazardous substance that is less than its reportable quantity.

(A) For the purposes of this rule, cleanup is considered complete if maximum concentrations of chemicals of concern associated with the release are less than the default target levels in 10 CSR 26-2.078 Table 1 in all media.

(B) If cleanup cannot be accomplished within twenty-four (24) hours or the volume of the spill is unknown, owners and operators must immediately notify the department by telephone at (573) 634-2436.

(4) A release of a hazardous substance equal to or in excess of its reportable quantity must also be reported immediately (rather than within twenty-four (24) hours) to the National Response Center under Sections 102 and 103 of CERCLA (40 CFR 302.6) and to appropriate state and local authorities under Title III of the Superfund Amendments and Reauthorization Act of 1986 (40 CFR 355.40).

AUTHORITY: sections 319.109 and 319.137, RSMo Supp. 2009.