



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

UST Program Facts

Data About The Underground Storage Tank (UST) Program

- Size of the UST universe (as of March 2004)
 - there are almost 680,000 active USTs which are regulated by the UST technical regulations
 - since 1984, more than 1.5 million substandard USTs have been closed
 - substandard tanks properly closed by owners, pose little – if any – threat of leaks which could contaminate groundwater and soil
- Compliance with the UST requirements (as of March 2004)
 - approximately 77 percent of active UST systems are in significant operational compliance with the spill, overfill, and corrosion protection requirements for release prevention
 - nearly all tanks have leak detection equipment; however, approximately 71 percent of active UST systems are in significant operational compliance with the leak detection requirements
 - about 62 percent of UST facilities are in significant operational compliance with both the release detection and release prevention requirements
- Corrective action at UST sites (as of March 2004)
 - 443,568 releases have been confirmed
 - 408,834 cleanups have been initiated
 - 311,125 cleanups have been completed
 - 132,443 cleanups have not yet been completed
- LUST Trust Fund is financed by a 0.1 cent federal tax on each gallon of motor fuel sold in the country
 - reauthorized for five years in 1990; Taxpayers Relief Act of 1997 reinstated the tax from October 1, 1997 to April 1, 2005
 - as of September 2003, the balance in the fund was approximately \$2.1 billion; in fiscal year 2003, the fund earned more than \$64 million interest
 - over the past four years, Congress has appropriated about \$72 million per year, of which approximately 81 percent is distributed by EPA to the states in the form of assistance agreements and approximately 4 percent is used for LUST-eligible activities in Indian Country
- Approximately 40 states have UST cleanup funds which pay for most UST cleanups and are separate from the LUST Trust Fund; collectively states raise and spend about \$1 billion annually
- State program approval (as of October 2003)
 - 33 states, plus the District of Columbia and Puerto Rico, have approved state programs

Background And History Of The UST Program

- In 1984, Congress responded to the increasing threat to groundwater posed by leaking underground storage tanks (USTs) by adding Subtitle I to the Resource Conservation and Recovery Act (RCRA)
 - RCRA required EPA to develop a comprehensive regulatory program for USTs storing petroleum or certain hazardous substances to protect the environment and human health from UST releases
 - Federal UST regulations require preventive measures (such as spill, overfill, and corrosion protection), release detection monitoring, corrective action, and demonstration of financial resources to carry out corrective action
 - EPA's 1988 regulations set minimum standards for new tanks and required owners of existing tanks to upgrade, replace, or close them
- In 1986, Congress amended Subtitle I of RCRA and created the Leaking Underground Storage Tank (LUST) Trust Fund, used to:
 - oversee cleanups by responsible parties
 - enforce cleanups by recalcitrant parties
 - pay for cleanups at sites where the owner or operator is unknown, unwilling, or unable to respond, or which require emergency action
- Because of the large regulated universe of USTs at the inception of the program (over 2 million tanks), EPA designed the UST program to be implemented by the states
 - 33 states, plus the District of Columbia and Puerto Rico, have been approved to act in lieu of the federal program and may have more stringent UST requirements
 - other than a few cases, the remaining states have agreements with EPA to be the primary implementing agency
 - In fiscal year 2004, EPA supported state programs by:
 - providing resources from the LUST Trust Fund (approximately \$61 million for state cooperative agreements and state improvement projects to increase the number of cleanups completed) and UST state and tribal grants (approximately \$11 million in fiscal year 2004)
 - providing technical assistance, training, and information exchange
 - states have reported that UST releases are the most common source of groundwater contamination and that petroleum is the most common contaminant
- In October 2000, EPA announced four initiatives
 - *USTfields* - to promote the cleanup of the approximately 200,000 abandoned tanks at brownfields
 - *Improved Compliance* - to achieve full operational compliance with EPA regulations
 - *Accelerated Cleanup* - to address the backlog of 139,000 tank releases that need to be cleaned up
 - *UST System Evaluation* - to evaluate the performance of tank regulations and determine where improvements are needed