

Chapter 5 – UPGRADING REQUIREMENTS FOR EXISTING UST SYSTEMS**001. COMPLIANCE**

All existing UST systems must comply with one of the following requirements:

- 001.01.** UST system performance standards under Chapter 4;
- 001.02.** The upgrading requirements in 002 through 004 below; or
- 001.03.** Closure requirements under Chapter 10, including applicable requirements for corrective action under Department of Environmental Quality regulations.

002. TANK UPGRADING REQUIREMENTS

Steel tanks must be upgraded to meet one of the following requirements in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory:

- 002.01. Interior lining.** A tank may be upgraded by internal lining if:
 - 002.01A.** The tank is either tightness tested within six months prior to the lining and the results are submitted to the State Fire Marshal or another approved method of monthly monitoring has been in place for six months prior to lining, and
 - 002.01B.** The internal lining is installed by a contractor or person registered with the State Fire Marshal FLST Division, and
 - 002.01C.** The owner submits notification of intent to upgrade by means of internal lining, along with any ATG, soil vapor, ground water or interstitial monitoring records or tightness test results prior to lining, and
 - 002.01D.** The lining is installed in accordance with the requirements of 004 in Chapter 6, and
 - 002.01E.** Within 10 years after lining, and every five (5) years thereafter, the lined tank is internally inspected and found to be structurally sound with the lining still performing in accordance with original design specifications.

002.02. Cathodic protection. A tank may be upgraded by cathodic protection if the cathodic protection system meets the requirements of 003.01B through 003.01D in Chapter 4, the owner submits notification of intent to upgrade by cathodic protection, and the integrity of the tank is ensured using one of the following methods.

002.02A. The tank is internally inspected and assessed to ensure that the tank is structurally sound and free of corrosion holes prior to installing the cathodic protection system; or

002.02B. The tank has been installed for less than 10 years and is monitored monthly for releases in accordance with 004.04 through 004.06 in Chapter 7; or

002.02C. The tank has been installed for less than 10 years and is assessed for corrosion holes by conducting two (2) tightness tests that meet the requirements of 004.03 in Chapter 7. The first tightness test must be conducted prior to installing the cathodic protection system. The second tightness test must be conducted between three (3) and six (6) months following the first operation of the cathodic protection system; or

002.02D. The tank is assessed for corrosion holes by a method that is determined by the State Fire Marshal to prevent releases in a manner that is no less protective of human health and the environment than 002.02A through 002.02C above.

002.03. Internal lining combined with cathodic protection. A tank may be upgraded by both internal lining and cathodic protection if:

002.03A. The lining is installed in accordance with the requirements of 004 in Chapter 6; and

002.03B. The cathodic protection system meets the requirements of 003.01B through 003.01D in Chapter 4. [*Note:* The following codes and standards may be used to comply with this section:

American Petroleum Institute Publication 1631, “Recommended Practice for the Interior Lining of Existing Steel Underground Storage Tanks”;

National Leak Prevention Association Standard 631, “Spill Prevention, Minimum 10 Year Life Extension of Existing Steel Underground Tanks by Lining Without the Addition of Cathodic Protection”;

National Association of Corrosion Engineers Standard RP-02-85, “Control of External Corrosion on Metallic Buried, Partially Buried, or Submerged Liquid Storage Systems”; and

American Petroleum Institute Publication 1632, “Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems.”]

003. PIPING UPGRADING REQUIREMENTS

Metal piping that routinely contains regulated substances and is in contact with the ground must be cathodically protected in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory and must meet the requirements of 004.10 in Chapter 4.

004. SPILL AND OVERFILL PREVENTION EQUIPMENT

To prevent spilling and overfilling associated with product transfer to the UST system, all existing UST systems must comply with new UST system spill and overfill prevention equipment requirements specified in 004.08 in Chapter 4.

Legal Citation: Title 159, Chapter 5
Nebraska State Fire Marshal