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STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

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Memorandum

DATE: April 26, 2019

TO: Storage Tank Division Staff and All Interested Parties

FROM: Kevin Wieber, Division Manager, Storage Tank Division

SUBJECT: Frequently Asked Questions

On November 14, 2018, new rules went into effect for the Michigan Underground Storage Tank Rules (MUSTR). Because of these recent rule changes, there have been many questions related to the new rules. Here is a compilation of some of the most common questions we have received and our response to them.

Q #1: Can UST piping systems leave their jumper hoses on the secondary and keep the boots closed for easier testing in later years?

Answer: The jumper hose and test boots can be left on, but they must be such that there is open communication from the pipe interstice to the sump in question when not being tested. Usually this will be accomplished by adding a tee into the jumper line with a valve that can be left open when not testing, and closed while testing, with the tee line opening at the lowest point possible in the sump. In addition, the jumper hose connection to the pipe interstice shall be located at the six o'clock position to allow drainage from the pipe to the sump.

Q #2: Do all installations have to use inventory control?

Answer: Installations may use inventory control if they wish to, or they can meet one of the state approved equivalencies in lieu of doing inventory control. This would be for older systems that were required by rule to use inventory control when they were installed. Systems installed since July 12, 2008 are not required to use it as they have interstitial monitoring. In addition, existing sites that were not required to have leak detection in prior rules that are required to have it under the new rules will not be required to use inventory control either. They can also use one of the state approved equivalencies in lieu of inventory control. For example, an existing site that has a tank feeding an emergency generator that did not have leak detection but is now required to have it can install an automatic tank gauging system and not use inventory control. As long as they have a passing .2 gph test each month and are using one of the other approved equivalencies, they are considered to be in compliance with the new rules.

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Q #3: What tests are required for the piping of existing sites installed prior to July 12, 2008, that are not in a secondary containment and monitoring zone and are using line leak detectors as their form of monthly leak detection?

Answer: Each year the line leak detectors functionality must be tested, and a precision line tightness test must be performed. If the pipe is double walled, it is recommended that it be tested, but not required.

Q #4: Do I need to test my pipe and tank interstice when I do my triennial sump integrity test?

Answer: When you are required to do your sump integrity test every three years, it is recommended but not required that you also test the pipe and tank interstices.

Q #5: When I do a dispenser system replacement that does not have an under-dispenser containment sump, am I required to put one in?

Answer: When you do a **dispenser system replacement as defined**, if it does not have a UDC, you will be required to install a UDC. A dispenser system consists of flex connecters, risers, check or shear valves, and any other transitional components.

Q #6: If I install a new tank or convert an existing one that will have concentrations of biofuel higher than e-10 or B-20 stored in it, what do I need to do?

Answer: You or your installer will need to fill out and submit a BFS 5241 Equipment Compatibility Checklist verifying the components listed on that form are certified compatible with the product stored, provide documentation from the manufacturer or an approved third-party certification firm that verifies the component is compatible, and submit this with your Application for Installation.

Q #7: If I have an existing tank system storing a biofuel prior to November 14, 2018 with more than e-10 or B-20 in it, do I need to submit any special paperwork?

Answer: Beyond the normal initial Application for Installation when the tank was installed and the registration form, there are no requirements for any special additional paperwork to be submitted to our office because of the higher concentrations of biofuel. However, the owner/operator must have on file manufacturer verification paperwork or certified third-party paperwork of all the components of the system indicating they are compatible with the product stored.

Q #8: What tanks need to do the sump integrity testing every three years?

Answer: All tanks installed after July 12, 2008 are required to do the triennial sump integrity tests. Also, all tanks installed prior to this date that are located in secondary containment and containment monitoring zones, wellhead protection areas, within 25 feet of a body of water, and any tank system using interstitial monitoring as their form of monthly leak detection. Safe suction systems, no matter when installed, are exempt from these requirements.

Q #9: Who can perform the sump integrity tests?

Answer: The rules do not specify who can perform these tests, just how it must be performed. Therefore, anyone can do the tests, as long as they follow the required testing procedure, document all of the required information, and keep the file on hand so our inspectors can see it when they do a site visit and inspection.

Q #10: Do I need to do a monthly walk through inspection followed up by an annual inspection or can I continue to just do my quarterly Class B inspection.

Answer: Only one of these inspections needs to be performed, so you have the choice of which one you do. You may do both if you want, but only one is required. If you choose to do the monthly walk through, anyone with knowledge of the system may perform the inspection, but the Class B must review the results. In addition, the Class B must be the one to perform the annual inspection required with this option. If you choose to do the quarterly Class B inspection, the Certified Class B operator must perform this inspection.

Q #11: What is required when I test my leak detection equipment annually as listed in the MUSTR?

Answer: Section 280.40(a) spells out the requirements for what needs to be done with your leak detection equipment. Each part of the system listed will be required to be physically removed, inspected, and tested as indicated, unless an equivalent method is third party certified or approved by the manufacturer in writing as being equivalent to the physical inspection and testing required in this section.

Q #12: How can I find out if my tank installed prior to July 12, 2008, is in a Wellhead Protection Area or a Secondary Containment and Secondary Containment Monitoring zone?

Answer: You can visit the Michigan Department of Environmental Quality Water Well Viewer at https://www.mcgi.state.mi.us/waterwellviewer/ to see wellhead and well locations in Michigan. For the Wellhead Protection Areas, just click on Mapping Layers, check the Wellhead Protection Areas Layer box, click the > symbol to the right of the wording, and just check the first box, Type I Traditional WHPA to view wellhead protection areas. It's recommended that you contact your local public health department for family, Type III, IIb, IIA, and Type I well locations.

If there are any questions, please contact the STD, at 517-241-8847.