

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**

Department of Energy and Environment  
Environmental Services Administration



**Underground Storage Tank Branch  
Toxic Substance Division**

**NOTICE TO THE PUBLIC OF UST-LUST REQUIREMENTS  
DURING COVID-19 RESTRICTIONS**

**March 27, 2020**

**Dear UST-LUST Stakeholders:**

**RE: Implementation of Underground Storage Tank Requirements During Government  
Imposed Coronavirus 2019 (COVID-19) Public Health and Safety Restrictions**

Mayor Muriel Bowser has declared a public health emergency in the District of Columbia and is requiring steps to reduce the spread of coronavirus (COVID-19). The Underground Storage Tank Branch (USTB) at the District Department of Energy and Environment (DOEE) understands that this will affect the underground storage tank (UST) community, and is aware that non-compliance with regulatory requirements may occur due to these public health and safety restrictions.

DOEE has the following recommendations for District of Columbia tank owners and operators.

**1. Health and Safety:**

- Closely adhere to all federal and District public health and safety guidelines.

**2. Secure the UST Facility:**

- A release from an unmanned UST facility or a facility that no longer has access to service personnel could become both costly and dangerous. To minimize these risks, critical UST leak detection, overfill protection, monitoring, and cathodic protection equipment must remain on and monitored.
- In addition, leak detection and monitoring alarms should be responded to appropriately.

**3. Documentation:**

- Document the specific circumstances leading to any delay in conducting tests, maintenance, and inspections that prevent facilities from being in regulatory compliance.
- Document that all critical UST leak detection, monitoring, and cathodic protection equipment remain operational and all leak detection and monitoring alarms have been responded to appropriately. It is necessary to document these efforts to assist governing agencies in determining whether UST owners and operators took all appropriate actions given the circumstances. Additionally, this documentation is critical in assisting UST owners and operators in returning facilities to compliance once the COVID-19 public health and safety restrictions have been rescinded.

- Maintain documentation demonstrating the reason(s) compliance could not be achieved. Documentation should include, but be limited to:
  - ✓ Communication with designated operators and service technicians;
  - ✓ Cancellations and the reasons associated;
  - ✓ Records of public closures or restrictions; and
  - ✓ Any other relevant information showing the efforts made to maintain compliance to the extent possible.

#### **4. DOEE and DCRA Business Certification for business or individual UST Installers, Testers, Removers, Technicians, and Closure Specialists**

- Approved UST Operator Training providers are continuing to provide online classes for new certifications or renewals of A, B and or C operators.
- Under the District of Columbia Council's emergency legislation, (B23-0718), the Mayor may extend the validity of certifications during the public health emergency and 45 days thereafter. You can, however, renew online. A check can be made mailed to DOEE UST Branch at 1200 First Street NE, 5th Floor, Washington, DC 20002 made payable to the DC Treasurer. Email [Sharon.Hamilton@dc.gov](mailto:Sharon.Hamilton@dc.gov) for UST certification information.
- If individuals perform activities with expired certifications during this public health and safety emergency, governing agencies can extend or waive deadlines.

#### **5. Significant Operation Compliance Inspections (SOCs)**

- SOC's are important for release prevention and detection compliance. EPA is holding SOC inspections. If yours is one of 90 facilities due for an inspection by October 1, 2020, please be prepared to have the relevant documents scanned and emailed to the DOEE inspectors if requested.
- Be prepared to have your contractors ready at short notice, if an inspection is planned after April 2020.
- UST owners and operators should continue to comply with testing and certification requirements in the event that an SOC inspector cannot be on site to observe right away.
- Contractors/Consultants should be prepared to assist UST owners and operators in returning UST facilities to compliance after the COVID-19 restrictions are lifted.
- UST owners and operators who provide clear documentation that they have acted in good faith to remain in compliance, but have been unable to maintain compliance due to COVID-19 restrictions, would be allowed a reasonable opportunity to return to compliance after the restrictions are lifted. DOEE will use enforcement discretion.

#### **6. Other UST and LUST Activities and Inspections:**

- DOEE UST and LUST work is continuing as usual. Please submit correspondences by mail and email to the case managers/inspectors within the set due dates. DOEE will consider extensions of timelines if reasonable and justifiable requests are made, and we will use our enforcement discretion when appropriate.
- The USTB will do limited inspection audits of UST removal, closure-in-place and LUST activities, including all planned UST installation activities. Owners and responsible parties and voluntary responsible parties are required to comply with the necessary regulatory process:
- **Permits:**
  - You are still required to obtain a UT or SB permit through the DC Department of Consumer and Regulatory Affairs (DCRA) for all UST activities. DOEE USTB will review and approve your permit application before DCRA. Please email me, the UST

inspector or general UST mailbox [ust.doe@dc.gov](mailto:ust.doe@dc.gov) all of the details in attachments (closure-in-place engineer's justification, installation drawings, manufacturers information, sampling work plans, design and layout/location of the tanks, line, dispensers, wells, sensitive receptors, etc.).

- Submit a removal/installation/closure fee of \$250 per tank by mail to DOEE, payable to the "DC Treasurer."
  - To get a DCRA UT or SB permit, go to: [dcra.dc.gov/node/1424036](https://dcra.dc.gov/node/1424036) — this link will provide access to ProjectDox, where you will upload all the details approved by USTB of your proposed activity.
    1. Applicant will receive an invite from [pdadmin.dcra@dc.gov](mailto:pdadmin.dcra@dc.gov) to submit their project.
    2. Applicant uploads approved package into the DRAWINGS folder in ProjectDox.
    3. Permit application will go through DCRA pre-screening (PRCs).
    4. Project will then be routed to various disciplines and/or sister Agencies for review.
    5. Applicant receives notification from ProjectDox; Ready For Issuance.
    6. Applicant pays remaining fee due to DCRA (if applicable).
    7. UT-permit is issued electronically.
- After you obtain your permit submit an [activity notification](#) by email to me or the UST/LUST ward inspector of the date and time proposed.
  - The UST inspector will inspect at their discretion and may choose not to inspect in person, but may request a live video chat during the UST event or videos and pictures are emailed immediately after.
  - A site directive will be issued by email to comply with the required sampling plan including number of soil or groundwater samples, location to be sampled, chemicals of concern to be assessed with analytical method, etc. Contractor shall provide a scanned copy of the chain of custody generated in the field. Directives will include reporting requirements (e.g., closure assessment report to be submitted within 30 days).
  - DOEE will email and post a permanent tank closure letter or other necessary approvals and directives within 30 days of the request and receipt of the tank closure assessment report.

## 7. UST Registration

- UST Facility registration continues during this time. Please mail us a check with the required fee per facility or pay the registration fee online at [dcwebforms.dc.gov/pay/doee6](https://dcwebforms.dc.gov/pay/doee6).
- If an amended notification form is required, please sign and mail to the UST Branch or email a PDF version to [Sharon.Hamilton@doee.dc.gov](mailto:Sharon.Hamilton@doee.dc.gov).

## 8. UST-LUST FOIA Requests

- DOEE may only provide limited access to physical records and files at this time of telework status, short appointments maybe accommodated at the office on Tuesdays or Thursdays mid-afternoon. Please contact [Donal.Harden2@dc.gov](mailto:Donal.Harden2@dc.gov).
- If electronic data is available, this will be emailed to you our website also has spreadsheets of UST-LUST status in address order. See application link [doee.dc.gov/page/open-government-and-foia-doe](https://doee.dc.gov/page/open-government-and-foia-doe).

## 9. Emergency Response and Complaints

- All UST emergencies; spills, leak and overfills should be abated immediately and reported to DOEE within 24 hours of occurrence by phone at 202-535-2326 and email [Fianna.Phill@dc.gov](mailto:Fianna.Phill@dc.gov) . A detailed report should be sent to a LUST case decision and oversight of any additional site assessments and corrective actions.
- For emergency responses, immediately also contact DOEE at 202-807-0444 or 202-841-0681 (cell) [Michael.Somersall@dc.gov](mailto:Michael.Somersall@dc.gov), DC Fire Chief, FEMS 202-673-3320, the District Homeland Security and Emergency Management Agency at 202-727-6161, and the National Response Center at 800-424-8802.
- Complaints should be reported as usual using 311, 202-535-2326, or by email. DOEE will do its best to have an inspector respond onsite within two business days.

This situation remains fluid and DOEE will seek to advise UST stakeholders as circumstances or situations change. Updates will be posted on DOEE's website: [doee.dc.gov/service/underground-storage-tank-program](https://doee.dc.gov/service/underground-storage-tank-program).

Staff are working remotely, so for additional information regarding implementing UST requirements during COVID-19 public health and safety restrictions, please contact me by email at [Fianna.Phill@dc.gov](mailto:Fianna.Phill@dc.gov) or cell at 202-302-8181 or use this link for access to each staff in USTB [doee.dc.gov/page/underground-storage-tanks-contact-info](https://doee.dc.gov/page/underground-storage-tanks-contact-info).

Stay safe and healthy all and keep updated on the District's response to COVID-19 at [coronavirus.dc.gov](https://coronavirus.dc.gov).

Yours Sincerely,



Fianna Phill, Chief,  
UST Branch – DOEE