

Responding to Releases from Regulated Petroleum Underground Storage Tanks

Overview

When a petroleum release has or may have occurred from a regulated underground storage tank (UST) system, owners and operators must follow Virginia's requirements for fast reporting and investigation to minimize release impacts. This fact sheet covers how to recognize, report, and investigate confirmed or suspected releases ([9VAC25-580, Part V](#)).

What is a "suspected release" vs. a "confirmed release"?

- A **suspected release** refers to conditions that suggest petroleum *may have* leaked out of a UST system into the environment. Once it is certain that petroleum has leaked out of the UST system, it is a **confirmed release**.

Suspected Release – Examples <i>Report within 24 Hours</i>	Confirmed Release – Examples <i>Report Immediately</i>
<ul style="list-style-type: none"> Unusual operating conditions except where defective equipment is found that did not cause a release Monitoring results that indicate a release has occurred (see chart below) Product dispensing equipment not operating normally (e.g., lines in slow flow) Alarms indicating a loss of product Presence of an unusual amount of water in the UST system Petroleum product pooling or dripping from equipment into a containment sump and it is unknown whether it leaked out of the sump Petroleum contamination is present in the environment, but there are multiple potential sources nearby and the source is not yet confirmed 	<ul style="list-style-type: none"> Petroleum product pooling or dripping from equipment into the ground or leaking through a visible crack/penetration in a containment sump (e.g., under a dispenser or by the submersible turbine pump) A tightness or tracer test performed to investigate a suspected release fails, indicating that the UST system is compromised Spills or overfills that exceed 25 gallons or that cause a sheen on any surface water (e.g., stream, lake) Spills or overfills less than 25 gallons that are not cleaned up within 24 hours (must keep cleanup records on file) Unexplained petroleum product or odors found in a groundwater monitoring well

How can I identify releases with routine release detection results?

Tank and piping release detection are critical tools for detecting and minimizing the damage of a petroleum release. The table below summarizes routine monitoring results that qualify as suspected releases. All conditions described in the table below must be reported to DEQ within 24 hours of discovery, unless a non-release explanation (e.g., equipment malfunction) is confirmed, documented, and resolved within 24 hours.

Release Detection Method	Suspected Release Conditions
Statistical Inventory Reconciliation (SIR)	<ul style="list-style-type: none"> Failed monthly result Two consecutive inconclusive results OR three inconclusive results during any six-month period
Interstitial Monitoring	<ul style="list-style-type: none"> Presence of fuel/water in the secondary containment structure (e.g., tank interstice, piping containment sump)
Automatic Tank Gauging (ATG)	<ul style="list-style-type: none"> Failed leak test
Tightness Testing	<ul style="list-style-type: none"> Failed tightness test – <i>*If there are other unusual conditions, this is a confirmed release.*</i>
Manual Tank Gauging	<ul style="list-style-type: none"> Failed monthly result
Vapor Monitoring	<ul style="list-style-type: none"> Measured vapor concentration higher than upper tolerance limit (i.e., significantly higher than background vapor levels)

How can I report a suspected or confirmed petroleum release to DEQ?

- You may report releases by email or phone call to your DEQ Regional Office (<https://www.deq.virginia.gov/get-involved/about-us/contact-us>). If possible, please submit the Environmental Pollution Report (EPR) form at <https://www.deq.virginia.gov/our-programs/land-waste/petroleum-tanks/cleanup-activities/tools-and-resources> via email to your DEQ Regional Office.
- **After Hours, Weekend, or Holiday Reporting:** Reporting releases via email during non-business hours is acceptable for meeting reporting requirements provided that the report contains complete information (location, date, and description of suspected release, contact information for follow up). The responsible person (owner/operator) should call their DEQ Regional Office during the next business day to follow up and receive instructions.
- If you observe a significant petroleum release that presents an imminent threat to human health or the environment, report the pollution incident to the **local 911** and to the **Virginia Emergency Operations Center at 1-800-468-8892**. Contact your petroleum service company immediately for assistance. Examples include:
 - Release creates an actual or imminent threat to human health (e.g., fire or explosion hazard)
 - Release poses an actual or imminent threat of reaching utilities, storm drains, or surface waters (e.g., streams, rivers, lakes, wetlands)
 - Actual or imminent catastrophic release (e.g., high leak rate, large volume released)

How do I properly investigate a suspected release?

- Investigating a suspected release may involve checking the equipment that is indicating a potential release for proper function or performing line or tank tightness tests. DEQ highly recommends contacting your petroleum service company for professional assistance.
- Unless a non-release explanation (e.g., equipment malfunction) is confirmed, documented, and resolved, you must notify DEQ of the suspected release within 24 hours of discovering the problem even if your investigation is still ongoing.
- Once DEQ has been notified, you will receive instructions for further investigative steps and/or corrective actions.

What are the consequences of failure to report and/or investigate a release?

- Released petroleum can threaten the health of anyone exposed, damage surrounding property, permanently contaminate drinking water supplies, and seriously harm the environment (e.g., fish kills, polluted waterways).
- Owners and operators whose negligence causes or worsens the extent of a release or who violate substantive regulatory requirements (e.g., failing to investigate a suspected release) may face:
 - Denial of access to the [Virginia Petroleum Storage Tank Fund](#), which is a reimbursement fund that assists with release cleanup costs for eligible tanks. This leaves the responsible person with the full financial burden of cleanup, which may cost hundreds of thousands of dollars depending on the severity/extent of the release.
 - Enforcement action, including civil penalties up to \$32,500 per day.
- Delays in reporting or investigating a release can lead to a significantly larger release, which costs more, takes more time to clean up, and may cause a longer period of limited public access to your facility.
- Costs incurred more than 24 hours before a release is reported to DEQ are not eligible for reimbursement from the [Virginia Petroleum Storage Tank Fund](#).

For more information:

- Contact the Office of Spill Response & Remediation at tank@deq.virginia.gov, or contact your regional DEQ Office: <https://www.deq.virginia.gov/get-involved/about-us/contact-us>