



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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Eric J. Holcomb
Governor

Bruno L. Pigott
Commissioner

VIA ELECTRONIC MAIL

June 28, 2018

UST Owners and Operators,
Environmental Consultants and Contractors,
And Other Interested Parties

To Whom It May Concern:

Re: UST Rule Amendments

On January 10, 2018 IDEM final adopted UST rule amendments to incorporate the 2015 federal UST regulations (LSA#16-204). These amendments ensure that Indiana's UST program consistent with the federal rules at 40 CFR 280. The new UST rule amendments are in effect as of today, June 28, 2018 ("Effective Date").

However, IDEM identified an inconsistency in the rule implementation dates that were adopted into the rule. In order to replace the incorrect compliance dates, IDEM has initiated another rulemaking to ensure that Indiana's UST owners and operators are provided the same time frames for implementation of new rule requirements that were contemplated by the federal UST rule. Once the new rulemaking is finalized, the effective date for the new UST regulations will be as follows:

Compliance dates in 40 CFR 280 Mean the following in Indiana		
October 13, 2015	equals	Effective Date of Indiana's Rule
April 11, 2016	equals	Effective Date of Indiana's Rule + 180 days
October 13, 2018	equals	Effective Date of Indiana's Rule + 3 years
October 13, 2021	equals	Effective Date of Indiana's Rule + 6 years
October 13, 2022	equals	Effective Date of Indiana's Rule + 7 years

IDEM will be providing more specific details concerning rule implementation requirements as the new rule progresses. IDEM will use enforcement discretion with regard to UST compliance obligations until the rulemaking to correct implementation dates is finalized and effective.

Please note, UST rule changes in LSA #16-204 that go into effect today and that are not affected by the rulemaking to correct implementation dates include:

- An original ink signature is no longer required on UST notification forms (329 IAC 9-2-2)

- A tangible net worth letter is no longer a mechanism that may be used to demonstrate the ability to pay the applicable deductible if the UST owner or operator is using the Excess Liability Trust Fund (ELTF) as their financial responsibility mechanism. (329 IAC 9-8-11)

For more information, please contact Bobbi Steiff at 317-234-0935 or via email at rsteiff@idem.IN.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'DLouks', is positioned above the printed name.

Douglas R. Louks
Branch Chief
Underground Storage Tank Branch
Office of Land Quality
dlouks@idem.in.gov