



# Preparing for a UST System Compliance Inspection (aka, a Third Party Inspection)

## What You Need to Know

The Maryland Department of the Environment (MDE) requires a certified inspection of motor fuel, bulk oil storage, used oil, and hazardous substance underground storage tank (UST) systems at least every 3 years following an initial inspection. An initial inspection is prompted following a new UST installation or a change in UST system ownership. Upon notification from MDE, the owner must have each UST system located at the facility of interest inspected by a Maryland Certified UST System Inspector. The Inspector will verify compliance with Code of Maryland Regulations (COMAR) 26.10 – Oil Pollution Control and Storage Tank Management.

### When?

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Any new UST system storing motor fuel, bulk oil storage, used oil, and hazardous substance is to be inspected within 6 months of installation.

Existing UST systems must be inspected within 30 days upon the owner's receipt of a *Notice to Inspect* letter from MDE, after which the inspection report must be submitted to MDE by the due date listed in the letter. A *Notice to Inspect* letter is sent as a courtesy, so the responsibility is with the UST system owner to ensure that each UST system undergoes a certified inspection at least once every 3 years.

If the UST ownership changes, the person selling the UST system must inform the purchaser of MDE's UST registration obligation and provide the purchaser with a copy of MDE's registration form (COMAR 26.10.03.09C). The new UST system owner must complete an inspection of each UST system within the first 3 months of ownership.

MDE reserves the right to require an unscheduled UST system inspection whenever regulatory compliance is in question.

### How Can I Prepare?

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You should have the following information available for review PRIOR to the certified inspector's arrival and you should also have any discussions about this information with the inspector ahead of the inspection to ensure a smooth and timely process.

- The MDE-issued certificate of UST registration maintained/displayed at the UST facility.
- A recent copy of the Facility Summary Report that details design, construction, and installation information for each UST system. This report is available on the MDE website at:

<https://mes-mde.mde.state.md.us/FacilitySummary/default.aspx>

- Proof that a method of financial responsibility is in place for each UST system and the *Annual Financial Responsibility Form* was electronically submitted to MDE at: [USTAnnual.FinacialResponsibility@maryland.gov](mailto:USTAnnual.FinacialResponsibility@maryland.gov) within the last year.



## Preparing for a UST System Compliance Inspection (aka, a Third Party Inspection)

### What You Need to Know

- The *Annual Financial Responsibility Form* is available under the UST Insurance header at: <https://mde.maryland.gov/programs/land/OilControl/Pages/factsheetspublications.aspx>
- Daily inventory and monthly reconciliation records from the last 12 months.
  - Non-metered UST systems and heating oil UST systems for on-site consumptive use are exempt from this requirement.
- The most recent precision tightness test record for each UST and associated piping.
  - The records may date back to UST installation but must be available for review.
- The most recent annual compliance test records/certifications for the following, if in use at the facility:
  - Pressurized lines
  - Automatic line leak detectors
  - Catchment basins (i.e., spill buckets at fill and vapor recovery risers)
  - Automatic tank gauge system operability
  - Probes and sensors operability
  - Supplemental cathodic protection systems installed for corrosion protection
- Interstice test records for double-walled tanks and piping if applicable (see “*What’s New*” for piping below). (These are not monitoring test records, rather a vacuum/pressure test at installation.)
- The most recent containment sump test records if applicable (see “*What’s New*” below).
- The most recent overfill prevention device certifications (see “*What’s New*” below).
- Class A, Class B, and Class C Operator information (i.e., a list with the names of the designated Class A, Class B, and Class C operators; and training certificates/checklists for each named facility operator).
- Written operator instructions that are readily available on site and describe how to:
  - Respond to operational or equipment alarms, warnings, or alert mechanisms;
  - Implement the emergency shut-off process;
  - Respond to suspected or confirmed spill, release or discharge, unusual operating conditions, emergencies, and equipment failures; and
  - Notify MDE of a spill, release, or discharge; and/or test failures or release detection tests/inventory that suggest a leak.



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### What You Need to Know

- Completed monthly walkthrough inspection forms from the last 12 months (see “*What’s New*” below).
- The most recent completed annual walkthrough inspection form (see “*What’s New*” below).
- Factory installed cathodic protection or impressed current system test records/logs/assessments for metal UST and piping systems (i.e., STIp3 tanks or rectifiers) if applicable.
- Stage II vapor recovery test records for gasoline UST systems, if applicable.
- Helium test records, groundwater sample results, and/or enhanced testing records, if the facility qualifies as a High Risk Underground Oil Storage facility (see “*What’s New*”); or is located in a High Risk Groundwater Use Area- or a Well Head Protection Area.

### What’s New?

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Beginning June 13, 2022, the following became effective in COMAR 26.10 and will be evaluated during UST System Compliance Inspections:

- Maintenance of monthly and annual walkthrough inspection forms. A Periodic Operation & Maintenance Walkthrough Inspections for UST Systems fact sheet, monthly and annual forms, and Self Verification for Alternative Walkthrough Inspection Form are available at: <https://mde.maryland.gov/programs/land/OilControl/Pages/factsheetspublications.aspx>

- Overfill prevention functionality tests. Functionality tests are required upon the installation or repair of overfill prevention equipment and at least every 3 years after the most recent inspection and functional test was conducted.

Note: A vent restrictor (ball float) may no longer be installed, repaired, or replaced. When a vent restrictor device is removed, the entire housing assembly, not just the ball must be removed from the UST.

- Double-walled piping installed on or after January 12, 2009 must conduct piping interstice testing at installation, upon repair or upgrade, and every 5 years thereafter.
- Containment sumps must be tested using an MDE approved containment sump test method within 30 days of installation, upon repair, and at least every 3 years thereafter. However, if the most recent test was conducted before June 13, 2022, the next test shall be performed within 5 years of the most recent test; and at least every 3 years thereafter.
- Designation of a High Risk Underground Oil Storage (HRUOS) Facility. A HROUS facility is defined as any of the following:



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- Total underground oil storage capacity of 80,000 gallons or greater and one or more UST systems (except systems storing heating oil for onsite consumptive use) constructed with a single-walled UST or product piping; **OR**
- Combined throughput of 750,000 gallons or more when averaged over a 12-month period; **OR**
- Combined throughput of 1,000,000 gallons or more in any single month within the last 12 months.
- HRUOS facilities shall implement at least one of the following compliance monitoring methods:
  - Groundwater monitoring method (in accordance with COMAR 26.10.07.07C);
  - Enhanced testing method (in accordance with COMAR 26.10.07.07D); or
  - An alternative monitoring method subject to MDE approval (in accordance with COMAR 26.10.07.07E).

### How do I find a Certified UST Inspector?

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MDE will only certify individuals that have met specific training and experience requirements and that have passed a certification test given by MDE. The MDE's Oil Control Program maintains a list of certified UST System Inspectors on the UST Certification Program webpage at:

[https://mde.maryland.gov/programs/land/OilControl/Pages/ustcertification\\_programs.aspx](https://mde.maryland.gov/programs/land/OilControl/Pages/ustcertification_programs.aspx)

### Remember

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It is your responsibility to maintain your UST systems in compliance with Maryland laws. Being prepared will make your inspection go smoothly, limit business disruption, and save you money. It is the UST system owner's responsibility to have the UST system inspection completed and the inspection report submitted to MDE by the due date listed in the *Notice to Inspect* letter.

### More Information

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For more information, you may contact the MDE's Oil Control Program at 410-537-3442 or visit our website at: <https://mde.maryland.gov/programs/land/OilControl/Pages/index.aspx>.

Information specific to inspections, operator training/checklists, and a list of certified inspectors is available on the Oil Control Program's UST Certification Programs webpage:

[https://mde.maryland.gov/programs/LAND/OilControl/Pages/ustcertification\\_programs.aspx](https://mde.maryland.gov/programs/LAND/OilControl/Pages/ustcertification_programs.aspx)



Maryland  
Department of  
the Environment

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#### Reporting

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Report a spill, release, or discharge within 2 hours of detection. Contact the Oil Control Program at 410-537-3442 (during normal business hours) or MDE's 24-hour number at 1-866-633-4686.

#### Limitations

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This fact sheet has been provided for informational purposes. This document is not intended, nor should it be interpreted, to be a regulation as defined in Section 10-101, State Government Article. MDE encourages you to read and be aware of the regulations that govern the operation of UST systems that are found in COMAR 26.10 – Oil Pollution Control and Storage Tank Management.