CA

66264.196 Response to Leaks or Spills and Disposition of Leaking or Unfit-for-Use Tank Systems

(a)

As part of the contingency plan required under this chapter, the owner or operator shall specify the procedures the facility intends to use to respond to tank spills or leakage, including procedures and timing for expeditious removal of leaked or spilled waste and repair of the tank.

(b)

A tank system or secondary containment system from which there has been a leak or spill, or which is unfit for use, shall be removed from service immediately, and the owner or operator shall satisfy the following requirements. (1) General emergency procedures. The owner or operator shall comply with applicable requirements of section 66264.56 of this division. (2) Cessation of use; prevention of flow or addition of wastes. The owner or operator shall immediately stop the flow of hazardous waste into the tank system or secondary containment system and inspect the system to determine the cause of the release. (3) Removal of waste from tank system or secondary containment system. (A) If the release was from the tank system, the owner/operator shall, within 24 hours after detection of the leak or, if the owner/operator demonstrates that it is not possible, at the earliest practicable time, remove as much of the waste as is necessary to prevent further release of hazardous waste to the environment and to allow

inspection and repair of the tank system to be performed. (B) If the material released was to a secondary containment system, all released materials shall be removed within as timely a manner as is necessary to prevent overflow of the containment system, but within no more than 24 hours, or in as timely a manner as is possible to prevent harm to human health and the environment if the owner or operator provides the demonstration required by section 66264.193(c)(4). (4) Containment of visible releases to the environment. The owner/operator shall immediately conduct a visual inspection of the release and, based upon that inspection: (A) prevent further migration of the leak or spill to soils or surface water; and (B) remove, and properly dispose of, any visible contamination of the soil or surface water. (5) Notifications, reports. (A) Any release to the environment, except as provided in subsection (b)(5)(B) of this section, shall be reported to the Department within 24 hours of its detection. (B) A leak or spill of hazardous waste is exempted from the requirements of subsection (b)(5) of this section, but is not exempt from the requirements of section 66264.56, if it is: 1. less than or equal to a quantity of one (1) pound, and 2. immediately contained and cleaned up. (C) Within 30 days of detection of a release to the environment, a report containing the following information shall be submitted to the Department: 1. likely route of migration of the release; 2. characteristics of the surrounding soil (soil composition, geology, hydrogeology, climate); 3. results of any monitoring or sampling conducted in connection with the release (if available). If sampling or monitoring data relating to the release are not available within 30 days, these data shall be submitted to the Department as soon as they become available; 4. proximity to downgradient drinking water, surface water, and populated areas; and 5. description of response actions taken or planned. (6) Provision of secondary containment, repair, or closure. (A) Unless the

owner/operator satisfies the requirements of subsections (b)(6)(B) through (D) of this section, the tank system shall be closed in accordance with section 66264.197. (B) If the cause of the release was a spill that has not damaged the integrity of the system, the owner/operator may return the system to service as soon as the released waste is removed and repairs, if necessary, are made. (C) If the cause of the release was a leak from the primary tank system into the secondary containment system, the system shall be repaired prior to returning the tank system to service. (D) If the source of the release was a leak to the environment from a component of a tank system without secondary containment, the owner/operator shall provide the component of the system from which the leak occurred with secondary containment that satisfies the requirements of section 66264.193 before it can be returned to service, unless the source of the leak is an aboveground portion of a tank system that can be inspected visually. If the source is an aboveground component that can be inspected visually, the component shall be repaired and may be returned to service without secondary containment as long as the requirements of subsection (b)(7) of this section are satisfied. If a component is replaced to comply with the requirements of this subsection, that component shall satisfy the requirements for new tank systems or components in sections 66264.192 and 66264.193. Additionally, if a leak has occurred in any portion of a tank system component that is not readily accessible for visual inspection (e.g., the bottom of an inground or onground tank), the entire component shall be provided with secondary containment in accordance with section 66264.193 prior to being returned to use. (7) Certification of major repairs. If the owner/operator has repaired a tank system in accordance with subsection (b)(6) of this section, and the repair has been extensive (e.g., installation of an internal liner; repair of a ruptured primary containment or

secondary containment vessel), the tank system shall not be returned to service unless the owner/operator has obtained a certification by an independent, qualified, professional engineer, registered in California, in accordance with section 66270.11(d), that the repaired system is capable of handling hazardous wastes without release for the intended life of the system. This certification shall be submitted to the Department within seven days after returning the tank system to use.

(1)

General emergency procedures. The owner or operator shall comply with applicable requirements of section 66264.56 of this division.

(2)

Cessation of use; prevention of flow or addition of wastes. The owner or operator shall immediately stop the flow of hazardous waste into the tank system or secondary containment system and inspect the system to determine the cause of the release.

(3)

Removal of waste from tank system or secondary containment system. (A) If the release was from the tank system, the owner/operator shall, within 24 hours after detection of the leak or, if the owner/operator demonstrates that it is not possible, at the earliest practicable time, remove as much of the waste as is necessary to prevent further release of hazardous waste to the environment and to allow inspection and repair of the tank system to be performed. (B) If the material released was to a secondary containment system, all released materials shall be removed within as timely a manner as is necessary to prevent overflow of the containment system, but within no more than 24 hours, or in as timely a manner as is possible to prevent harm to human health and the environment if the owner or operator provides the demonstration required by section 66264.193(c)(4).

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If the release was from the tank system, the owner/operator shall, within 24 hours after detection of the leak or, if the owner/operator demonstrates that it is not possible, at the earliest practicable time, remove as much of the waste as is necessary to prevent further release of hazardous waste to the environment and to allow inspection and repair of the tank system to be performed.

(B)

If the material released was to a secondary containment system, all released materials shall be removed within as timely a manner as is necessary to prevent overflow of the containment system, but within no more than 24 hours, or in as timely a manner as is possible to prevent harm to human health and the environment if the owner or operator provides the demonstration required by section 66264.193(c)(4).

(4)

Containment of visible releases to the environment. The owner/operator shall immediately conduct a visual inspection of the release and, based upon that inspection: (A) prevent further migration of the leak or spill to soils or surface water; and (B) remove, and properly dispose of, any visible contamination of the soil or surface water.

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Notifications, reports. (A) Any release to the environment, except as provided in subsection (b)(5)(B) of this section, shall be reported to the Department within 24 hours of its detection. (B) A leak or spill of hazardous waste is exempted from the

requirements of subsection (b)(5) of this section, but is not exempt from the requirements of section 66264.56, if it is: 1. less than or equal to a quantity of one (1) pound, and 2. immediately contained and cleaned up. (C) Within 30 days of detection of a release to the environment, a report containing the following information shall be submitted to the Department: 1. likely route of migration of the release; 2. characteristics of the surrounding soil (soil composition, geology, hydrogeology, climate); 3. results of any monitoring or sampling conducted in connection with the release (if available). If sampling or monitoring data relating to the release are not available within 30 days, these data shall be submitted to the Department as soon as they become available; 4. proximity to downgradient drinking water, surface water, and populated areas; and 5. description of response actions taken or planned.

(A)

Any release to the environment, except as provided in subsection (b)(5)(B) of this section, shall be reported to the Department within 24 hours of its detection.

(B)

A leak or spill of hazardous waste is exempted from the requirements of subsection (b)(5) of this section, but is not exempt from the requirements of section 66264.56, if it is: 1. less than or equal to a quantity of one (1) pound, and 2. immediately contained and cleaned up.

1.

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2.

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(C)

Within 30 days of detection of a release to the environment, a report containing the following information shall be submitted to the Department: 1. likely route of migration of the release; 2. characteristics of the surrounding soil (soil composition, geology, hydrogeology, climate);

3. results of any monitoring or sampling conducted in connection with the release (if available). If sampling or monitoring data relating to the release are not available within 30 days, these data shall be submitted to the Department as soon as they become available; 4. proximity to downgradient drinking water, surface water, and populated areas; and 5. description of response actions taken or planned.

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4.

proximity to downgradient drinking water, surface water, and populated areas; and

5.

description of response actions taken or planned.

(6)

Provision of secondary containment, repair, or closure. (A) Unless the owner/operator satisfies the requirements of subsections (b)(6)(B) through (D) of this section, the tank system shall be closed in accordance with section 66264.197. (B) If the cause of the release was a spill that has not damaged the integrity of the system, the owner/operator may return the system to service as soon as the released waste is removed and repairs, if necessary, are made. (C) If the cause of the release was a leak from the primary tank system into the secondary containment system, the system shall be repaired prior to returning the tank system to service. (D) If the source of the

release was a leak to the environment from a component of a tank system without secondary containment, the owner/operator shall provide the component of the system from which the leak occurred with secondary containment that satisfies the requirements of section 66264.193 before it can be returned to service, unless the source of the leak is an aboveground portion of a tank system that can be inspected visually. If the source is an aboveground component that can be inspected visually, the component shall be repaired and may be returned to service without secondary containment as long as the requirements of subsection (b)(7) of this section are satisfied. If a component is replaced to comply with the requirements of this subsection, that component shall satisfy the requirements for new tank systems or components in sections 66264.192 and 66264.193. Additionally, if a leak has occurred in any portion of a tank system component that is not readily accessible for visual inspection (e.g., the bottom of an inground or onground tank), the entire component shall be provided with secondary containment in accordance with section 66264.193 prior to being returned to use.

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Unless the owner/operator satisfies the requirements of subsections (b)(6)(B) through (D) of this section, the tank system shall be closed in accordance with section 66264.197.

(B)

If the cause of the release was a spill that has not damaged the integrity of the system, the owner/operator may return the system to service as soon as the released waste is removed and repairs, if necessary, are made.

(C)

If the cause of the release was a leak from the primary tank system into the secondary containment system, the system shall be repaired prior to returning the tank system to service.

(D)

If the source of the release was a leak to the environment from a component of a tank system without secondary containment, the owner/operator shall provide the component of the system from which the leak occurred with secondary containment that satisfies the requirements of section 66264.193 before it can be returned to service, unless the source of the leak is an aboveground portion of a tank system that can be inspected visually. If the source is an aboveground component that can be inspected visually, the component shall be repaired and may be returned to service without secondary containment as long as the requirements of subsection (b)(7) of this section are satisfied. If a component is replaced to comply with the requirements of this subsection, that component shall satisfy the requirements for new tank systems or components in sections 66264.192 and 66264.193. Additionally, if a leak has occurred in any portion of a tank system component that is not readily accessible for visual inspection (e.g., the bottom of an inground or onground tank), the entire component shall be provided with secondary containment in accordance with section 66264.193 prior to being returned to use.

(7)

Certification of major repairs. If the owner/operator has repaired a tank system in accordance with subsection (b)(6) of this section, and the repair has been extensive (e.g., installation of an internal liner; repair of a ruptured primary containment or secondary containment vessel), the tank system shall not be returned to service unless the owner/operator has obtained a certification by an independent, qualified, professional engineer, registered in California, in accordance with section 66270.11(d), that the repaired system is capable of handling hazardous wastes without release for the intended life of the system. This certification shall be submitted to the Department within seven days after returning the tank system to use.