

Kansas UST Property Redevelopment Fund. Installation of Double Wall Underground Storage Tanks

Overview

Replacement of single-wall USTs with UST systems with secondary containment. The fund allows for reimbursement of up to \$50,000 per facility to eligible owners who replace a single-wall UST system with a UST system that has secondary containment. The reimbursement program ends June 1, 2021 and is retroactive to August 8, 2005. A maximum of \$3,000,000 may be reimbursed per state fiscal year subject to availability of money in the UST redevelopment fund.

The Kansas Storage Tank Act, KSA 65-34, 100 *et. seq.* defines secondary containment of a UST system as one that has an inner and outer barrier with an interstitial space that is monitored for a release of regulated substances from the underground storage tank and piping and includes containment underneath the dispenser system and at the submersible pumps of the UST. The containment system must be designed to prevent leaks from reaching soil or groundwater. The containment must be: (1) liquid tight on its sides, bottom and at any penetrations; (2) compatible with the substance conveyed by the piping; and (3) allow for visual inspection and access to the components in the containment or be monitored for a release of regulated substances from dispenser and piping.

A UST owner is eligible for reimbursement if the 1) UST system is used for the storage of petroleum products for resale and is subject to the environmental assurance fee (K.S.A. 65-34,117), 2) owner has been approved by the secretary and is not the federal government, 3) owner replaces all components of a single-wall UST system with a secondary containment system after August 8, 2005 and before June 30, 2020, 4) owner is in substantial compliance with the Kansas storage tank act, 5) owner provides 30-day notice and access to the department to perform an environmental assessment of the site, and if petroleum contamination is found or known to exist during replacement of the single-wall tank system the owner applies to the underground fund to perform corrective action to address the contamination and 6) the UST was registered with the department on or after May 1, 1981.

For replacements undertaken after July 1, 2015, the storage tank owner must submit an application for reimbursement on forms supplied by the department and receive approval from the secretary of the proposed secondary containment system plan. Upon approval of the plan, the owner shall obtain at least three bids from persons qualified to perform the secondary containment system installation. The requirement for three bids may be waived if the owner has made a good faith effort but has not been able to obtain three bids from qualified bidders.

For replacements undertaken before July 1, 2015, the owner must submit an application for reimbursement on forms supplied by the department with proof of costs and receive approval from the secretary. The secretary may, in the secretary's discretion, determine those costs which are allowable as secondary containment system installation.