



## DEPARTMENT OF THE NAVY

NAVAL STATION NEWPORT  
690 PEARY STREET  
NEWPORT, RI 02841-1522

IN REPLY REFER TO:

NAVSTANPTINST 5090.8F

PRNP4

**AUG 0 1 2011**

NAVAL STATION (NAVSTA) NEWPORT INSTRUCTION 5090.8F

From: Commanding Officer, Naval Station Newport

Subj: UNDERGROUND AND ABOVEGROUND STORAGE TANK MANAGEMENT

Ref: (a) NAVSTA NEWPORT Tank Management Plan of May 2009  
(b) Code of Federal Regulations, Title 40, Part 280  
(c) Rhode Island Department of Environmental Management Regulations for Underground Storage Facilities Used for Petroleum Products and Hazardous Materials, effective December 2008, Regulation # DEM-OWM-UST11-08  
(d) Rhode Island Department of Environmental Management, Division of Groundwater and Freshwater Wetlands Oil Pollution Control Regulations  
(e) OPNAVINST 5090.1C

1. Purpose. To implement local procedures to prevent contamination of soil and groundwater by properly managing existing underground storage tanks (UST) and aboveground storage tanks (AST), programming for future requirements and complying with applicable regulations as described in reference (a).

2. Cancellation. NAVSTANPTINST/LOCAL AREA RI COORDINST 5090.8E.

3. Background. Subtitle I of the Hazardous and Solid Waste Amendments of 1984 to the Solid Waste Disposal Act of 1965 established a national regulatory program for managing USTs containing hazardous materials, including petroleum products. Hazardous wastes stored in USTs are also regulated under the Resource Conservation and Recovery Act of 1976. Subtitle I requires that the Environmental Protection Agency (EPA) promulgate UST regulations. The program is designed to be administered by the states, which are allowed to develop more stringent standards. The EPA and State of Rhode Island UST regulations are found in references (b) and (c), respectively. The Navy's UST program policy must comply with all Federal, state and local regulations pertaining to USTs. ASTs are not currently subject to Federal regulations beyond the petroleum pollution prevention and discharge reporting requirements. The Navy's position is to employ the best management practices to the daily operation of ASTs. NAVSTA employs the RI state guidance to determine the best management practices. The RI AST regulations are found in reference (d).

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4. Applicability. This instruction is applicable to all departments and tenant commands that own or operate USTs or ASTs as defined in reference (a).

5. Action

a. NAVSTA Newport. Ensure compliance with references (a) through (e) through their executive agent, Naval Facilities Engineering Command (NAVFAC) Newport, Environmental Division.

b. NAVFAC Newport, Environmental Division. Register all USTs, program for UST and AST replacements, ensure closure certifications are maintained, conduct annual precision tests where required, report releases, conduct release investigations, ensure closure requirements are met, conduct inspections, maintain appropriate records and maintain the NAVSTA Tank Management Plan. Reference (a) shall be stocked and distributed by NAVFAC Newport, Environmental Division.

c. NAVFAC Newport, Facilities Engineering and Acquisition Division. Ensure all UST and AST systems are designed and operating per applicable standards.

d. Navy Exchange (NEX). Ensure daily reconciliation of deliveries, issues and inventory are completely documented and maintained for each UST located at the NEX Service Station and copies are forwarded monthly to NAVFAC Newport, Environmental Division. Records are to be maintained for three years.

e. Fleet Industrial Supply Center Newport (FISC Newport). Ensure daily reconciliation of deliveries, issues and inventory are maintained for the UST located at building A9 Diesel pump at the NAVSTA Newport fuel dispensing island and copies are forwarded monthly to the NAVFAC Newport Environmental Division. Records will be maintained for three years.

f. NAVSTA Newport Fire Department. Review and sign all UST closure application as required in reference (c).

g. NAVFAC Newport, Facilities Engineering and Acquisition Division and NAVFAC Newport, Facilities Management Facility Services. Ensure UST and AST contracts require contractors to comply with all state, Federal and local regulations.

h. All owners and operators of USTs and ASTs. Ensure required documentation such as leak detection system instructions and spill response procedures are posted in a visible location. All spills or leaks will be reported per posted procedures.

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(1) Emergency Procedures. A UST alarm, leaks, spills, overfills, leak monitoring system malfunctions and unusual operating conditions shall be immediately reported to following organizations:

(a) During Normal Business Hours: NAVSTA Fire at (401) 841-3333 and NAVFAC Newport, Environmental Division at (401) 841-3735.

(b) Weekends, Holidays and After Business Hours: NAVSTA Fire at (401) 841-3333 or 911 and NAVSTA Command Duty Officer at (401) 862-8378.

(2) Reporting. Evidence of a leak, spill, overfill and release, as defined below, constitute a reportable event and must be reported within minutes of the occurrence or discovery to the departments listed above requiring notification under the Emergency Procedures Section.

(3) Leak. A loss from or gain to a tank system as determined by a precision test, visual inspection, a continuous leak monitoring system, inventory control or other appropriate means indicating a leak has occurred. Illustrative examples of a leak include: a tank that fails a tightness test; monthly inventory control by fuel oil reconciliation exceeds one percent plus 130 gallons; unusual operating conditions like the sudden loss of product, the unexplained presence of water in a tank system or erratic behavior of product dispensing equipment; deactivation of a leak monitoring system which is prohibited by law and an audible or visual alarm signal from a leak monitoring system.

(4) Release. Any quantity of petroleum product or hazardous material spilling, leaking, emitting, discharging, escaping, leaching or disposing from a tank into groundwater, surface water or subsurface soils. Illustrative examples of a release include the presence of free product vapors in utility lines or monitoring wells and a visible sheen on nearby surface water.

(5) Spill. A loss of petroleum product or hazardous material in a manner other than a leak, occurring on the property where a facility is in operation. If the product or material is likely to enter subsurface soils, groundwater or surface water, it shall be considered a release from a facility.

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Illustrative examples of a spill include spilling five (5) gallons of petroleum or a quantity of hazardous substance above the reportable quantity under CERCLA (40 CFR 302) on the ground while filling a tank and overfilling a tank causing similar quantities of product or material to blow out of the tank's vent onto surface soils.

i. Deactivating a leak detection system is prohibited by law.



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