



March 12, 2014

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ENVIRONMENTAL ALERT

Underground Storage Tanks Control Regulation

On February 10, 2014, the Puerto Rico Environmental Quality Board ("EQB") issued a public notice informing its intent to adopt a new Underground Storage Tanks Control Regulation ("Proposed UST Regulation"), and starting a thirty (30) day public comment period.

In addition to repealing the current underground storage tank regulation, the Proposed UST Regulation would establish new standards concerning the installation, operation, leak detection and spill prevention for UST systems. Moreover, it incorporates various provisions of the Energy Act of 2005 regarding the operation of USTs, among these:

- Training of UST operators
- Product delivery prohibition
- Secondary containment for new and replaced USTs
- Financial responsibility

The Proposed UST Regulation also imposes new requirements and prohibitions upon the regulated community with respect to remediation activities at UST release sites, including soil and groundwater clean-up levels for various parameters, which among others include methyl tert-butyl ether, benzene, ethylbenzene, toluene, xylene and TPH.

The EQB has scheduled a public hearing on the Proposed UST Regulation for **March 14, 2014**.

The Proposed UST Regulation can be downloaded from EQB's [website](#).

If you have any questions or comments or wish additional information regarding this matter please contact any of the attorneys listed below, members of our Environmental, Energy & Land Use Practice Group:

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