

EQB Proposes Adoption of New Regulation for the Control of Underground Storage Tanks

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PRACTICE AREAS

- Environmental Regulation
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On December 27, 2017, the Puerto Rico Environmental Quality Board (“EQB”) issued a public notice notifying its intent to adopt a new Regulation for the Control of Underground Storage Tanks (“New UST Regulation”), and repeal the current underground storage tank regulation (Regulation No. 8546 of December 24, 2014).

The New UST Regulation is intended to address new federal requirements for underground storage tanks (“USTs”) published by the Environmental Protection Agency on July 15, 2015, and which came into effect on October 13, 2015. Moreover and in addition to other significant changes to the current UST regulation, the New UST Regulation incorporates lender liability provisions for creditors who hold security interest in USTs that are used for petroleum products and/or the facility or property on which the UST is located.

The 30-day period for submitting written comments before the EQB expires on **January 26, 2018** while a public hearing on the Proposed UST Regulation is scheduled to take place on **February 15, 2018** at EQB’s headquarters in San Juan.

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