

**SUSANA MARTINEZ, GOVERNOR**David Martin, *Cabinet Secretary*Butch Tongate, *Deputy Secretary***NEWS RELEASE****March 26, 2012**

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Revised Petroleum Storage Tank Regulations Take Effect

Santa Fe – The New Mexico Environment Department is sending out a reminder that revisions to the Petroleum Storage Tank Regulations, adopted by the Environmental Improvement Board on January 3, 2012, (filed on February 16, 2012) took effect on March 17, 2012. The revisions outline changes to petroleum storage tank regulations in New Mexico aimed to prevent fuel tank leaks that could affect the surrounding environment. The Department encourages all owners and operators to comply with revised regulations in a concerted effort to protect public health and safety. The main focus of the revisions targets the protection of ground water resources in the state.

“Water is our most important natural resource in New Mexico, and we will always strive to protect it,” said New Mexico Environment Department Secretary David Martin.

The new regulations include changes to many different parts of the existing regulations, including a new procedure (Part 19: Delivery Prohibition) to ensure no deliveries or deposits of fuel into leaking fuel tanks.

Delivery of fuel is prohibited for significant violations of prevention rules regarding: spill prevention; overfill protection; leak detection; and corrosion protection equipment. The rules provide specified times that allow owners and operators to correct the violations. Environment Department staff will work with owners and operators to correct serious violations as soon as possible.

However, if a facility fails to correct cited violations within the allowable time periods, the Petroleum Storage Tank Bureau will put red tag(s) on the tank(s) with violations, post a notice at the facility that it may not receive any delivery or deposit of fuel, and will list the facility on its Delivery Prohibition List on the PSTB webpage. These preventative measures are in accordance with House Bill 81 adopted in the 2010 Legislative Session and the federal Energy Policy Act of 2005.

The new rules also eliminate the exemption for emergency generator tanks and require registration of emergency generator tank systems within 90 days of the effective date of rules, or by 6/15/12. The new rules extend the deadline for closing or upgrading existing AST secondary containment to July 1, 2013.

The new rules are available on the New Mexico Environment Department Petroleum Storage Tank Bureau (“PSTB”) webpage (www.nmenv.state.nm.us/ust). The link includes an Executive Summary of major changes to the regulations, as well as links to the rules in redline format (“Amended”) and clean format (“Integrated”).

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