

Environmental Protection Agency

§ 281.11

**PART 281—APPROVAL OF STATE UNDERGROUND STORAGE TANK PROGRAMS**

281.61 Procedures for withdrawal of approval of state programs.

AUTHORITY: 42 U.S.C. 6912, 6991 (c), (d), (e), (g).

SOURCE: 53 FR 37241, Sept. 23, 1988, unless otherwise noted.

**Subpart A—Purpose, General Requirements and Scope**

**Subpart A—Purpose, General Requirements and Scope**

Sec.

281.10 Purpose.

281.11 General requirements.

281.12 Scope and definitions.

**Subpart B—Components of a Program Application**

**§ 281.10 Purpose.**

(a) This subpart specifies the requirements that state programs must meet for approval by the Administrator under section 9004 of RCRA, and the procedures EPA will follow in approving, revising and withdrawing approval of state programs.

(b) State submissions for program approval must be in accordance with the procedures set out in this part.

(c) A state may apply for approval under this subpart at any time after the promulgation of release detection, prevention, and correction regulations under section 9003 of RCRA.

(d) Any state program approved by the Administrator under this part shall at all times be conducted in accordance with the requirements of this part.

281.20 Program application.  
281.21 Description of state program.  
281.22 Procedures for adequate enforcement.  
281.23 Schedule for interim approval.  
281.24 Memorandum of agreement.  
281.25 Attorney General's statement.

**Subpart C—Criteria for No-Less-Stringent**

**§ 281.11 General requirements.**

(a) *State program elements.* The following substantive elements of a state program must be addressed in a state application for approval:

(1) Requirements for all existing and new underground storage tanks:

(i) New UST systems (design, construction, installation, and notification);

(ii) Upgrading of existing UST systems;

(iii) General operating requirements;

(iv) Release detection;

(v) Release reporting, investigation, and confirmation;

(vi) Out-of-service USTs and closure;

(vii) Release response and corrective action; and

(viii) Financial responsibility for UST systems containing petroleum.

(2) Provisions for adequate enforcement of compliance with the above program elements.  
(b) *Final approval.* The state must demonstrate that its requirements under each state program element for existing and new UST systems are no

281.30 New UST system design, construction, installation, and notification.  
281.31 Upgrading existing UST systems.  
281.32 General operating requirements.  
281.33 Release detection.  
281.34 Release reporting, investigation, and confirmation.  
281.35 Release response and corrective action.  
281.36 Out-of-service UST systems and closure.  
281.37 Financial responsibility for UST systems containing petroleum.  
281.38 Financial responsibility for USTs containing hazardous substances. [Reserved]  
281.39 Lender liability.

**Subpart D—Adequate Enforcement of Compliance**

281.40 Requirements for compliance monitoring program and authority.  
281.41 Requirements for enforcement authority.  
281.42 Requirements for public participation.  
281.43 Sharing of information.

**Subpart E—Approval Procedures**

281.50 Approval procedures for state programs.  
281.51 Amendment required at end of interim period.  
281.52 Revision of approved state programs.

**Subpart F—Withdrawal of Approval of State Programs**

281.60 Criteria for withdrawal of approval of state programs.