

15A NCAC 02N .0203 DEFINITIONS

(a) The regulations governing "Definitions" set forth in 40 CFR 280.12 are hereby incorporated by reference, excluding any subsequent amendments and editions, except that:

- (1) "UST system" shall be changed to read "'UST system' or 'Tank system' means an underground storage tank, connected underground piping, underground ancillary equipment, dispenser, and containment system, if any";
- (2) "Class A operator" shall not be incorporated by reference;
- (3) "Class B operator" shall not be incorporated by reference;
- (4) "Class C operator" shall not be incorporated by reference;
- (5) "Replaced" shall not be incorporated by reference; and
- (6) "Secondary containment or secondarily contained" shall not be incorporated by reference.

(b) The following definitions shall apply throughout this Subchapter:

- (1) "De minimis concentration" means the amount of a regulated substance that does not exceed one percent of the capacity of a tank, excluding piping and vent lines.
- (2) "Director" and "Director of the Implementing Agency" means the "Director of the Division of Waste Management."
- (3) "Division" means the "Division of Waste Management."
- (4) "Expediently emptied after use" means the removal of a regulated substance from an emergency spill or overflow containment UST system within 48 hours after use of the UST system has ceased.
- (5) "Implementing agency" means the "Division of Waste Management."
- (6) "Previously closed" means:
 - (A) An UST system from which all regulated substances had been removed, the tank had been filled with a solid inert material, and tank openings had been sealed or capped prior to December 22, 1988; or
 - (B) An UST system removed from the ground prior to December 22, 1988.
- (7) "Temporarily closed" means:
 - (A) An UST system from which the product has been removed such that not more than one inch of product and residue are present in any portion of the tank; or
 - (B) Any UST system in use as of December 22, 1988 that complies with the provisions of Rule .0801 of this Subchapter.
- (8) "Secondary containment" means a method or combination of methods of release detection for UST systems that includes:
 - (A) For tank installations or replacements completed prior to November 1, 2007, double-walled construction and external liners, including vaults;
 - (B) For underground piping installations or replacements completed prior to November 1, 2007, trench liners and double-walled construction;
 - (C) For tank installations or replacements completed on or after November 1, 2007, double-walled construction and interstitial release detection monitoring that meet the requirements of Section .0900 of this Subchapter; and
 - (D) For all other UST system component installations or replacements completed on or after November 1, 2007, double-walled construction or containment within a liquid-tight sump and interstitial release detection monitoring that meet the requirements of Section .0900 of this Subchapter. Upon written request, the Division shall approve other methods of secondary containment for connected piping that it determines are capable of meeting the requirements of Section .0900 of this Subchapter.
- (9) "Interstitial space" means the opening formed between the inner and outer wall of an UST system with double-walled construction or the opening formed between the inner wall of a containment sump and the UST system component that it contains.
- (10) "Replace" means to remove an UST system or UST system component and to install another UST system or UST system component in its place.
- (11) "UST system component or tank system component" means any part of an UST system.

History Note: Authority G.S. 143-215.3(a)(15); 143B-282(a)(2)(h);
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