

**SECTION .0300 - UST SYSTEMS: DESIGN, CONSTRUCTION, INSTALLATION, AND NOTIFICATION**

**15A NCAC 02N .0301 PERFORMANCE STANDARDS FOR UST SYSTEM INSTALLATIONS OR REPLACEMENTS COMPLETED AFTER DECEMBER 22, 1988 AND BEFORE NOVEMBER 1, 2007**

(a) The regulations governing "Performance standards for new UST systems" set forth in 40 CFR 280.20 are hereby incorporated by reference, excluding any subsequent amendments and editions, except that:

- (1) 40 CFR 280.20(a)(4) shall not be incorporated by reference;
- (2) 40 CFR 280.20(b)(3) shall not be incorporated by reference;
- (3) UST system or UST system component installations or replacements completed on or after November 1, 2007, shall also meet the requirements of Section .0900 of this Subchapter; and
- (4) Note to Paragraph (d) of 40 CFR 280.20 is amended to include Petroleum Equipment Institute Publication RP1000, "Recommended Practices for the Installation of Marina Fueling Systems."

(b) No UST system shall be installed within 100 feet of a well serving a public water system, as defined in G.S. 130A-313(10), or within 50 feet of any other well supplying water for human consumption.

(c) An UST system existing on January 1, 1991, and located within the area described in Paragraph (b) of this Rule may be replaced with a new tank meeting the performance standards of 40 CFR 280.20 and the secondary containment provisions of 40 CFR 280.42(a) through (d). The replacement UST system shall not be located nearer to the water supply source than the UST system being replaced.

(d) Except as prohibited in Paragraph (b) of this Rule, an UST system shall meet the requirements for secondary containment described at 40 CFR 280.42(a) through (d):

- (1) Within 500 feet of a well serving a public water supply or within 100 feet of any other well supplying water for human consumption; or
- (2) Within 500 feet of any surface water classified as High Quality Waters (HQW); Outstanding Resource Waters (ORW); Water Supply I – Natural (WS-I); Water Supply II – Undeveloped (WS-II); Market Shellfishing, Salt Water (SA).

(e) An UST system or UST system component installation completed on or after November 1, 2007, to replace an UST system or UST system component located within the areas described in Paragraphs (b), (c), or (d) of this Rule shall meet the requirements of Section .0900 of this Subchapter.

*History Note: Authority G.S. 143-215.3(a)(15); 143B-282(a)(2)(h);  
Eff. January 1, 1991;  
Amended Eff. June 1, 2017; November 1, 2007;  
Readopted Eff. January 1, 2021.*