



WEST VIRGINIA ABOVEGROUND STORAGE TANK ACT

August 1, 2016 – Effective Date of AST Rules – 47 CSR 63, 47 CSR 64 and 47 CSR 65

Important Dates in [AST Rule – 47 CSR 63](#) [all citations are to AST Rule]

Inspections

August 1, 2016	<p>Routine Maintenance Inspections</p> <ul style="list-style-type: none"> ➤ Every 14 days Inspection of Secondary Containment for Level 1 ASTs - §5.1.a ➤ Monthly Inspection of Secondary Containment for Level 2 ASTs - §5.1.a ➤ Monthly Visual Inspections of AST and Ancillary Equipment up to the First Point of Isolation for Level 1 and Level 2 ASTs - §5.1.b ➤ Recordkeeping §5.1.b.5 and - §6.1.a
January 28, 2017	<p>Fit for Service Certification of Inspection of AST and Associated Secondary Containment by “certified individual” for Level 1 ASTs (and every 3rd year thereafter) and Level 2 ASTs (and every 5th year thereafter) [however, no inspection or certification required for tanks inspected and certified by 6/1/2015 pursuant to Interpretive Rule] - §§ 5.2.a and 5.2.b</p>
August 1, 2017	<p>Internal inspection of existing Level 1 and Level 2 ASTs, older than 75 years that have not had an internal inspection since 8/1/1986 (excluding ASTs with capacity less than 30,000 gallons if compliant with § 10.1 (spill and overfill protection) and §10.3 (leak detection)) - §§5.3.f.1 and 5.3.e</p>
January 1, 2018	<p>Certification of “no obvious change” Inspection by owner or operator of Level 1 and Level 2 ASTs, “provided that the individual performing the inspection is qualified to perform tank inspections” and annually thereafter (except for fit for service inspection years) - §5.2.b</p>
August 1, 2018	<p>Internal inspection of Level 1 and Level 2 ASTs, 50-75 years old that have not had an internal inspection since 8/1/1986 (excluding ASTs with capacity less than 30,000 gallons if compliant with §§ 10.1 and 10.3) - §§5.3.f.2 and 5.3.e</p>
January 1, 2019–2021	<p>Certification of “no obvious change” Inspection by owner or operator or qualified representative for Level 2 ASTs (applicable to Level 1 ASTs for 1/1/2019 only) - §5.2.b</p>
August 1, 2019	<p>Internal inspection of Level 1 and Level 2 ASTs, 30-49 years old that have not had an internal inspection since 8/1/1986 (excluding ASTs with capacity less than 30,000 gallons if compliant with §§ 10.1 and 10.3) - §§5.3.f.3 and 5.3.e</p>
January 1, 2020	<p>Fit for Service Certification of Inspection by “certified individual” for Level 1 - §5.2.b.1</p>
January 1, 2022	<p>Fit for Service Certification of Inspection by “certified individual” for Level 2 - §5.2.b.2</p>



Phase-in Upgrades to Existing Regulated ASTs and Secondary Containment*

November 1, 2016	Level 1 ASTs not meeting secondary containment requirements - §10.2.l.1
December 31, 2016	Level 1 ASTs normal and emergency vents - §8.6.f.1
February 1, 2017	Level 2 ASTs not meeting secondary containment requirements - §10.2.l.2
June 30, 2017	<ul style="list-style-type: none"> ➤ Level 2 ASTs normal and emergency vents - §8.6.f.2 ➤ Level 1 ASTs not meeting cathodic protection standards - §9.2.g.1 ➤ Level 1 ASTs not meeting corrosion protection standards for exterior coatings - §9.4.c.1 ➤ Level 1 ASTs not meeting corrosion protection standards for internal lining or coatings - §9.5.c.1 ➤ Level 1 ASTs not meeting overfill or spill requirements - §10.1.e.1.A ➤ Level 1 ASTs not meeting leak detection requirements - §10.3.m.1 (except that visual leak detection must begin August 1, 2016 - §5.5.b)
December 31, 2017	<ul style="list-style-type: none"> ➤ Level 2 ASTs not meeting cathodic protection standards - §9.2.g.2 ➤ Level 2 ASTs not meeting corrosion protection standards for exterior coating - §9.4.c.2 ➤ Level 2 ASTs not meeting corrosion protection standards for internal lining or coatings - §9.5.c.2 ➤ Level 2 ASTs not meeting overfill or spill requirements - §10.1.e.1.B
June 30, 2018	Level 2 ASTs not meeting leak detection requirements - §10.3.m.2 (except that visual leak detection must begin August 1, 2016 - §5.5.b)

New/Reconstructed ASTs and Spill Prevention and Response Plan Update

August 1, 2016	<ul style="list-style-type: none"> ➤ New Level 1 and 2 AST installations are subject to new and reconstructed AST requirements and new Level 1 AST installations must be double walled, double bottomed, or placed on a release prevention barrier - §8.2 ➤ New Level 1 and 2 AST installations in karst designated terrain must submit documentation of the new construction design criteria and engineering specifications to indicate that surface or subsurface conditions will not result in excessive settling or unstable support of the proposed AST, as approved by a professional engineer or an individual certified by API or STI to perform installations or a person holding certification under another program. - §8.2.f
December 3, 2019	Update Spill Prevention and Response Plan (if submitted on December 3, 2014, or 5 years following initial plan submission) - §5.5.a.1

* Phase-in dates do not apply to new or reconstructed ASTs and secondary containment