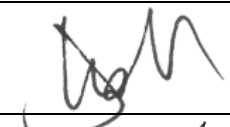





Murrumbidgee
COUNCIL

Underground Petroleum Storage Systems Policy

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1. Policy Statement

The primary objective of this policy is to inform residents and business owners of Council's regulatory responsibilities as the appropriate regulatory authority (ARA) for the *Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019* (the *UPSS Regulation*) and the supporting *Guidelines for Implementing the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019* (EPA 2020) (the *UPSS Guidelines*).

The Underground Petroleum Storage System (UPSS) Regulation provides for the early detection, reporting and investigation of leaks from UPSS, and promotes the adoption of industry best practice in the design and installation of new UPSS and modifications to existing UPSS. Council, as the appropriate regulatory authority (ARA), is responsible for ensuring UPSS sites comply with these requirements of the Regulation.

This policy applies to any UPSS actively operating in Murrumbidgee Council Local Government Area.

2. Introduction

On 1 September 2019, local Councils reassumed regulatory functions relating to UPSS, as set out in the *Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019* (the '*UPSS Regulation*'). The *UPSS Regulation* sets out the obligations of operators and owners of a UPSS.

UPSS can leak and cause soil and groundwater contamination. They pose a significant threat to the environment and human health if unmonitored and leaking. Soils or groundwater impacted by fuels may result in the property being classified as contaminated. Leaks that are undetected have the potential to cost a considerable amount of money and resources to clean up. A small leak can cost tens of thousands of dollars to remediate, whereas a large leak can cost into the millions.

Underground petroleum storage system (UPSS):

Is a system of tanks, pipes, valves and other equipment that is designed to:

- Contain petroleum, or
- Control the passage of petroleum into, out of, through or within the system, and
- Includes any structure through which petroleum routinely passes from one part of the system to another.

This policy has been developed for Murrumbidgee Council's Underground Petroleum Storage Systems (UPSS) Inspection and Monitoring Compliance Program.

3. Policy Objectives

The objectives related to compliance of UPSS inspection and monitoring are to:

- Utilise a risk-based inspection and monitoring process to protect the environment and human health from pollution and/or contamination that a UPSS may cause through consideration of the likelihood that a UPSS may leak and understanding the potential consequences should a leak occur;
- Improve compliance of UPSS sites through education and other regulatory tools;
- Maintain an 'outcomes focus' regarding environmental and human health protection gains in the local government area (LGA).

4. Inspection and Monitoring – A Risk Based Approach

Council will undertake the inspection and monitoring of all currently high risk ranked, active and fully operational sites on a yearly basis and medium to low risk ranked sites triennially.

A risk-based compliance approach to inspection and monitoring of UPSS sites follows key concepts of environmental management aligned to contaminated land management and pollution control practices. The inspection includes site management, loss monitoring procedures, record keeping, leak monitoring and detection systems, spill response procedures, waste management, staff knowledge and chemical storage.

Undertaking a Compliance Risk Matrix (Table 1) and a Likelihood of a UPSS Leak Matrix (Table 2) utilising a standard qualitative risk management process will give an estimate of a risk ranking by considering:

- The **likelihood** that a UPSS may leak and cause pollution/contamination.

The combined risk rankings brings the likelihood and consequence scores together to provide a risk ranking of very high, high, medium or low risk.

Table 1. UPSS Compliance Status Categories and Ranking

Compliance Status Category	Likelihood of leakage potential	Definition
Compliant	Low	Complies with the requirements of the <i>UPSS Regulation</i>
Partially Compliant	Medium	Partially complies with the requirement of the <i>UPSS Regulation</i> and plans have been committed to by the 'person responsible' to make site improvements to make the site compliant with the <i>Regulation</i> .
Non-Compliant	High	The site is not compliant with the <i>UPSS Regulation</i> . Site improvements are required and/or the person responsible is not willing to commit to improvements.
Unknown	Assume High	The compliance status of the site is unknown. No information has been made available to Council to understand the compliance status of the UPSS Site.
Exempt	As determined in the UPSS exemption SOP (Low)	The UPSS Site currently has an exemption regarding some or all of the <i>UPSS Regulation</i> .
Council is not the ARA	As determined by the ARA	The EPA is the ARA for sites which have an active notice served prior to September 2019. Council is not the ARA for UPSS sites on Commonwealth property. Council is not the ARA for legacy UPSS sites; however, they may potentially impact Council property and infrastructure.

Table 2. Ranking the Likelihood of a UPSS Leak

Indicator - Environmental		3	2	1	0	SCORE	Comments	Check
Hardstand	UPSS tanks covered in concrete hardstand, which is in good condition	-	No	Poor condition	Yes			
Geology	Site is likely to be predominantly Sand geology (Y/N)	Sand	-	-	-			
	Site is likely to be predominantly Silt geology (Y/N)	-	Silt	-	-			
	Site is likely to be predominantly Clay geology (Y/N)	-	-	Clay	-			
Soil	Site is likely to have acidic soil	High	Med	Low	-			
Slope	Site is on a ridge line, steep slope	High	Med	Low	-			
Groundwater	Site has shallow groundwater likely to be in contact with some or all of the UPSS (LIKELIHOOD: High (0-2mbgs), Med (2-4mbgs), Low (4-10mbgs), very low (>10mbgs))	High	Med	Low	Very Low			
Indicator - UPSS condition		6	4	2	0			
UPSS conditions, age, maintenance	Tanks are steel or unknown type (6), tanks are double walled fiberglass (0)	Steel	-	-	Double-lined fiberglass			
	Site was commissioned prior to 2008 (Y/N)	Yes	-	-	No			
	Site was previously an independent sole trader service station, operating at or before 2008 (Y/N)	Yes	-	-	No			
	Site was previously an independent sole trader service station commissioned and in operation after 2008 (Y/N) (?)		YES	-	No			
Indicator - UPSS compliance		12	8	4	0			
UPSS Regulation Compliance	Non-compliant - The site is not compliant with the <i>UPSS Regulation</i> . Site improvements are required and or the Person Responsible is not willing to commit to improvements	Non-Compliant	-	-	-			
	Partially complies with the requirement of the <i>UPSS Regulation</i> , AND plans have been committed to by the 'person responsible' to make site improvements to make the site	-	Partial	Partial (forecourt only)	-			
	Complies with the requirements of the UPSS 2019 regulation	-	-	-	Compliant			
TOTAL SCORE								
The corresponding ranking for the likelihood of UPSS failure is:								
Likelihood ranking								
≤ 5		6 - 11		12 - 23		≥ 24		
LOW		MEDIUM		HIGH		VERY HIGH		

5. Definitions

Council	means Murrumbidgee Council
ARA	means Appropriate Regulatory Authority
LGA	means Local Government Area

6. Related Legislation and Documents

- Protection of the Environment Operations Act 1997 (POEO 1997)
- Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019
- Murrumbidgee Council UPSS Investigation and Monitoring Plan – A risk based Guide for UPSS regulation.

7. Policy Review

This Policy:

- To be reviewed within the first year of the new Council term;
- May be reviewed and amended at any time at Council's discretion (or if legislative or State Government Policy changes occur).