



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

DEVAL L. PATRICK
Governor

RICHARD K. SULLIVAN JR.
Secretary

KENNETH L. KIMMELL
Commissioner

July 3, 2013

Dear Third-Party Inspector,

Between 2007 and 2011, Massachusetts averaged 29 confirmed leaks annually from underground storage tanks (USTs). During that time, the Department of Revenue's 21J program reimbursed facility owners, on average, nearly \$94,000 of incurred cleanup costs per site. The threat to public health, the environment, and local businesses from poorly installed, operated and maintained UST systems is real and ongoing.

In 2005, Congress passed the National Energy Policy Act, including the requirement that, starting August 8, 2010, all USTs must be inspected once every three years. In response to this federal requirement, Massachusetts adopted the Third-Party UST Inspector Program (527 CMR 9.07(P)).

In Massachusetts, the role of the Third-Party Inspector (TPI) is to:

- Inspect the UST system and ensure, upon submittal of the TPI report, the UST system and related piping is correctly registered, installed, operated, and maintained; and
- Promote correct UST registration, installation, operation and maintenance through technical assistance to UST system owners and operators.

To assist you in reporting third-party inspection results more efficiently and effectively, we are encouraging electronic submittal of all UST program documents whenever possible.

eMail Submittals

MassDEP is pleased to put in place an email-based submittal process for TPI reports and UST registrations. Electronic submittals are now the preferred option due to their many benefits:

- Less paper and postage
- Better submittal tracking through electronic 'sent' history
- Immediate delivery
- Direct communications between TPI, clients and UST program data management staff.

Attachment A contains Guidance for eMail Submittals, providing easy-to-follow directions to ensure proper formatting and submittal of documents by eMail. MassDEP strongly encourages the electronic submittal of TPI reports and all UST documents, no paper copies needed.

This information is available in alternate format. Call Michelle Waters-Ekanem, Diversity Director, at 617-292-5751. TDD# 1-866-539-7622 or 1-617-574-6868
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

“Administratively Complete” Third-Party Inspection Reports

An administratively complete TPI Report must be submitted to MassDEP within 14 business days of completing the field inspection of the UST system.

MassDEP will only enter administratively complete TPI reports into the DEP UST database as having been “submitted”. TPI reports that do not meet the administratively complete criteria, will be returned by email directly to the TPI for correction and re-submittal. The owner/operator will also receive a copy of this email.

Criteria for an administratively complete TPI Report submittal:

- Entire report must be legible (please type or print when entering inspection results).
- No missing pages (a complete TPI report contains 16 pages).
- All 16 pages must be initialed and dated by both the TPI and the owner or operator.
- Inspection date must be entered in Section B.1.

Please Note: the inspection date entered in Section B.1. is the date the field inspection of the UST system is completed. This date determines compliance with the UST system’s applicable inspection due date, and is the start date of the 14 business-day clock for submittal of the TPI report to MassDEP.

- All applicable sections and questions must be fully completed

Please Note: to avoid confusion, please leave non-applicable sections and/or questions blank if they do not apply, please do not hand-write “N/A”, etc onto the form.

- Certification statement on the last page of the TPI report must be complete and signed by both the TPI and the owner or operator.

Attachment B provides a copy of the “administratively incomplete” form letter.

If you have any questions please contact the UST Assistance Line at 617-556-1035 x 2.

Thank you for your cooperation.

ATTACHMENT A
MassDEP
Protocol for Email Submittal of UST Program Documents
July 2013

MassDEP is requesting email submittal of UST registration, removal and third-party inspection documents to improve reporting and record keeping of UST Program submittals:

- UST FP-289 Third Party Inspection Report
- UST FP-290 Registration
- UST FP-290R Notification For Removal or Closure In-Place

The following protocol shall be used for email submittal of all UST documents:

1. Email Heading

To: DEP.UST@MassMail.State.MA.US

The above MassDEP UST email address is the only UST email address where UST submittal documents will be “received.”

Cc:

Table 1. Required Email Addresses			
Submittal Document	Required Email Addresses		
	UST Owner	UST Owner or Operator	Third Party Inspector ⁽¹⁾
FP-289		X	X
FP-290	X		
FP-290R	X		

(1) If a person other than the Third Party inspector submits an FP-289 by email, the Third Party Inspector who signed the Third Party Inspection Report must be Cc'd on the email.

From:

Submittal of UST documents may be emailed to MassDEP by someone other than the person responsible for document submittal; however, there are required contacts that must be included with the submittal.

Table 1 above identifies which email address (es) must be “cc’d” on the submittal email, for each attached document.

Sent: (Date is automatically entered)

Subject: Facility ID# Facility Name Attached Document(s)
 For example: 12345 Convenience Store FP289, FP290

2. Document Naming Convention

All email documents must be submitted using the following naming convention:

Facility ID# Facility Name Document Type
 For example: 12345 Convenience Store FP290

3. Email Attachments

- Word versions of applicable forms are available on line to streamline document preparation and submittal.
- All attachments must be fully completed and signed.
- All attachments must be submitted in .pdf format.
- Only one facility’s submittals per email (i.e., do not submit multiple facilities’ documents in one email).

- Only one document per .pdf file (i.e., do not combine FP289 and FP 290 into one .pdf)
- Current MassDEP email format limits attachments to 7mb per email. Facility submittals requiring more than 7mb total should be submitted via multiple emails.

4. Document receipt and returns

- MassDEP cannot take responsibility for receipt of documents submitted to any email address other than: DEP.UST@MassMail.State.MA.US.
- Documents submitted to MassDEP using a format or document naming convention other than those provided in these guidelines may be returned to the sender for re-submittal in the correct format.
- Confirmation of receipt is your “sent” email.



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Attachment B

Third-Party Inspector

Re: Third-Party Inspection Report (FP-289) **Not Accepted**

Dear **Mr./Ms. TPI**,

The Department of Environmental Protection (MassDEP) has received the Third-Party Inspection Report (FP-289) for **Facility name, Facility address, Facility ID#**.

Upon review, it was determined by MassDEP that your TPI Report is incomplete, has not been credited with submittal, and is being returned to you as a result of the issue(s) identified below. Please make all necessary corrections and return the form to MassDEP seven (7) business days from the date of this letter.

Form UST FP-289

Third Party Underground Storage Tank Inspection Comments

General Issues:

- Submitted information is illegible
- Date of Inspection not recorded/illegible
- Inspector and/or Owner/Operator initials, and/or date are missing
- Missing/blank page(s)
- Incomplete/blank sections and/or responses
- Failed to report deficiency
- Failed to perform one or more applicable in-use compliance tests

To be in compliance with the Underground Storage Tank program TPI report submittal requirements (527 CMR 9.07 (P)) you must re-submit a fully completed TPI report to MassDEP at dep.ust@state.ma.us. Please make all necessary corrections and return the TPI report to MassDEP within seven (7) business days from the date of this letter. Failure to do so may result in an **enforcement action**.

If you have any questions about correctly completing this request, please call 617-xxx-xxxx.

UST Program