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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 14, 2020

Mr. Dean Rivest
OmegaFlex
451 Creamery Way
Exton, PA 19341

RE: Request by OmegaFlex for Variance from the Texas Commission on Environmental Quality (TCEQ) Piping Slope Requirements with Regard to Installation of the DoubleTrac Double Containment Piping System as Part of Underground Storage Tank (UST) Systems as Required by Title 30 of the Texas Administrative Code (TAC) §344.46(c)(2).

Dear Mr. Rivest:

In accordance with 30 TAC §334.43, relating to Variances and Alternative Procedures, OmegaFlex has requested a variance from UST system piping and installation requirements found in 30 TAC §334.46(c)(2), relating to piping system installation. The rule states: "Traps, sumps, or sags in the line shall be avoided, and all piping shall slope at least 1/8 inch per foot in the direction of the tank." OmegaFlex has claimed that due to the addition of sumps and sump sensors, the requirement to slope DoubleTrac double containment piping system piping 1/8 inch per foot in the direction of the tank is not necessary. Further, OmegaFlex claims that the Petroleum Equipment Institute Recommended Practices 100 states that in pressurized systems slope may not be necessary.

After review, Omega flex's request for variance from requirements found in 30 TAC §334,46(c)(2) is hereby approved subject to the following conditions:

1. All installed piping shall meet the requirements of UL Standard 971.
2. All installed DoubleTrac piping systems shall be pressure tested immediately after installation is completed and once every three-years thereafter. The most current passing test shall begin the three-year cycle. Regulated piping segments including joints, fittings, and connections that fail any test conducted on the system must be replaced with new components in accordance with applicable TCEQ rules related to underground storage tank systems and this variance.
3. Any primary or secondary piping utilized in the UST system that is not part of the installed DoubleTrac piping system must continue to be sloped toward the tank in accordance with the TCEQ UST rules.
4. All installations, removals, and repairs of the DoubleTrac piping, and removal of spills resulting from any releases from the system shall be performed or the work supervised in accordance with TCEQ rules by a qualified UST On-Site Supervisor, licensed with the TCEQ, who is employed by a qualified UST Contractor who is registered with the TCEQ. These activities include but are not limited to the temporary or permanent removal from service of a UST system using a DoubleTrac piping system and components or the partial or total replacement of a DoubleTrac piping system.

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5. Notification and recordkeeping requirements. Two (2) copies of this letter shall be provided to the owner/operator of the UST system where the DoubleTrac piping installation absent of the slope requirement has occurred. One copy must remain at the facility and be accessible to TCEQ investigators. One copy of the letter must be attached to a completed initial or amended copy of the TCEQ UST Registration & Self Certification Form for the facility and submitted to TCEQ within 30 days of the date installation is completed.

6. This approval is strictly for the requested variance from UST system piping installation requirements found in 30 TAC §334.46(c)(2), relating to piping system installation at the location referenced in this request. The facilities with DoubleTrac piping are subject to all other applicable statutes, rules, and regulations promulgated by the TCEQ and other entities with appropriate authority.

This variance is effective upon the date of this letter.

Sincerely,

A handwritten signature in cursive script, appearing to read "E. Vanderwerken".

Elizabeth Vanderwerken
Petroleum Storage Tank Program Liaison
Texas Commission on Environmental Quality
Program Support and Environmental Assistance Division
Office of Compliance and Enforcement