

74:56:01:13. Spill and overflow control. All owners or operators shall ensure that releases due to spills or overfills do not occur. The owner or operator shall ensure that the volume available in the tank is greater than the volume of product to be transferred to the tank before the transfer is made and that a person is physically present at all times during the transfer to prevent overfilling and spilling.

All new and existing UST systems must use spill prevention equipment that will prevent release of product to the environment when the transfer hose is detached from the fill pipe, such as a spill catchment basin, and one or more of the following spill or overflow prevention devices:

- (1) A sensor for measuring the level of product in the tank, equipped with an audible or visual alarm that is triggered when the tank is 95 percent full;
- (2) A device designed to cause flow into the tank to shut off automatically when the tank is 95 percent full; or
- (3) An equivalent device designed to prevent releases due to spills and overfills that has been approved by the department.

All owners or operators of existing UST systems must use one or more of the spill and overflow prevention devices specified in this section for each tank no later than December 22, 1998. Owners or operators are not required to use spill and overflow prevention devices if the UST system is filled by transfers of no more than 25 gallons at one time.

Source: 14 SDR 76, effective November 29, 1987; 18 SDR 62, effective October 10, 1991; 22 SDR 86, effective December 18, 1995; transferred from § 74:03:28:05, July 1, 1996.

General Authority: SDCL 34A-2-93, 34A-2-99.

Law Implemented: SDCL 34A-2-98, 34A-2-99.