

Memorandum

Date: April 28, 2014
To: Public Safety Committee
Via: Gary Jackson, City Manager
From: Ken Putnam, PE, Interim Public Works Department Director
Re: Above Ground Fuel Storage Tanks

The purpose of this memorandum is to update the Public Safety Committee on questions raised during Chief Scott Burnette's presentation to City Council on February 25, 2014 regarding the Hominy Creek Fuel Spill.

The spill occurred at a site located about one mile outside the Asheville City Limits on February 14, 2014. Initial reports indicated that about 5,000 gallons spilled and 1,500 of those gallons could have directly impacted Hominy Creek. The City of Asheville's role involved activating the Hazardous Materials Regional Response Team to the scene. It has been determined that the spill was caused by an equipment failure (pipe valve failure within the secondary containment structure).

Specifically, the following questions were raised by City Council members:

- What rules or guidelines does the City of Asheville have in place for spill containment?
- Are there distance requirements for fuel storage nears creeks and rivers?
- Are there requirements for catch basins (secondary containment) around fuel storage tanks?

Stormwater Division staff contacted the City's Fire Marshall's office, the North Carolina Department of Agriculture & Consumer Services, and the North Carolina Department of Environmental & Natural Resources for applicable information and following are the responses that we received:

- The City of Asheville Stormwater Division currently requires a 30-foot buffer along perennial or intermittent surface waters (new construction).
- The City's flood ordinance prevents new chemical storage facilities (including above ground fuel storage tanks) from being located within the special flood hazard areas (new construction).
- Typically, secondary containment is 110% of the tank capacity.
- The North Carolina Department of Agriculture & Consumer Services does not regulate above ground fuel storage tanks.
- The North Carolina Department of Environmental and Natural Resources has stringent rules pertaining to how above ground fuel storage tanks must be constructed and labeled including secondary containment requirements, weekly inspection requirements, and record keeping.

Please let me know if additional information is needed.

KJP/