8-33. Selection and Performance of Federal Corrective Actions at Leaking Underground Storage Tanks (1200 TN 168 8-33)

1. AUTHORITY. Pursuant to Subtitle I of the Solid Waste Disposal Act, as amended, to determine the necessity of and to select Federal corrective actions at leaking underground storage tanks containing petroleum and/or oxygenated fuel additives, to enter property and to perform such corrective actions using Leaking Underground Storage Tank (LUST) Trust Fund funds.

2. TO WHOM DELEGATED. Director, Land, Chemicals and Redevelopment Division (LCRD); Director, Superfund and Emergency Management Division (SEMD); on-scene coordinators (OSCs) located in SEMD; Director, Enforcement and Compliance Assurance Division (ECAD); and Chief, Air, RCRA, and Toxics Branch, ECAD.

3. LIMITATIONS.

a. For emergency situations with obligations not exceeding $50,000, the delegatees may exercise this authority and must comply with Federal lead UST corrective action guidance issued by the Assistant Administrator for the Office of Land and Emergency Management (AA/OLEM) or designee.

b. Prior to exercising this authority for any obligations up to $250,000 or for any amendment that does not bring the total obligation above $250,000, the delegatees must receive concurrence from the Office Director of the Office of Underground Storage Tanks, or designee.

c. Prior to exercising this authority for any obligations above $250,000 or for any amendment that brings the total obligation above $250,000, the delegatee must receive concurrence from the AA/OLEM.

4. REDELEGATION AUTHORITY.

a. This authority may not be redelegated.

b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

a. Superfund Removal directives.
b. OLEM 9610.9A and subsequent amendments.

8-33. Selection and Performance of Federal Corrective Actions at Leaking Underground Storage Tanks (continued)

6. SUPERSESSION.

a. Delegations Manual, SDWA, Regional Delegation 8-33. Selection and Performance of Federal Corrective Actions at Leaking Underground Storage Tanks, 1200 TN RIII 187 (September 6, 2017).

b. EPA Notice R-08-01. Regional Delegation and Regional Order Pen and Ink Changes: Land and Chemicals Division Reorganization (July 21, 2008).

Date APR 1 5 2019

Cosmo Servidio
Regional Administrator