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Water Regulations (Prevention of Water Pollution) (Gasoline Stations) – 5757 - 1997

By the power vested in me under section 20d (a) (1) and (2) of the Water Law 5719 - 1959, (hereinafter – the Law), and under section 10a of the Licensing of Businesses Law 5728 - 1968, and following consultations with the Minister of Health and the Water Council, and with the approval of the Knesset Economics Committee, I hereby make the following regulations:

Definitions

1. In these regulations –

“Tightness test” – Test intended to examine the tightness of a facility, which will be carried out according to the methods set in the guidelines approved by the Supervisor and which were deposited for public scrutiny in the regional offices of the Ministry of Environmental Protection;

“Gasoline” – gasoline or its derivatives that are liquid at atmospheric pressure;

“Cathodic protection – use of an electrochemical process to prevent the corrosion of a facility;

“The Supervisor” – head of the Water and Rivers Division of the Ministry of Environmental Protection or whomever the Minister of Environmental Protection authorizes in writing as the Supervisor for the purpose of these regulations, entirely or in part;

“Secondary containment system” – a means of containment composed of a surface in which a tank is placed and is surrounded by appropriate walls for preventing gasoline leaks;

“Facility” – tank or transport pipeline used or designated to be used to store or to transport gasoline within the area of the gasoline station;

“Tank” – underground or above-ground tank used or designated to be used to store gasoline at a gasoline station;

“Secondary containment” – a wall surrounding a tank designated to prevent gasoline leaks, including a secondary containment system;

“Underground storage tank” – tank located, entirely or partially, underground;

“Operator” – each of the following:

- (1) holder of the business license of the gasoline station;
- (2) person under whose supervision, control or management a gasoline station operates;

“Fuel separator” – device used or designated to be used to separate fuel from water;

“Water source” – spring, river, lake, reservoir, drinking water borehole or groundwater;

“Piezometer” – perforated pipe, in a narrow diameter drilling, used to monitor gasoline leaks from a facility;

“Gasoline station” – site used to store gasoline for the purpose of vehicle refueling for self use or sale to the public, with the exception of a temporary site, used to fuel equipment for earthworks, mining, or quarrying only.

Plan for the establishment of a gasoline station

2. When submitting a plan for the establishment of a gasoline station to a planning agency, as per its meaning the Planning and Building Law 5725 - 1965, the submitter of the plan shall inform the Supervisor in writing about its submission, noting the exact location of the gasoline station, and the name of the planning agency to which the plan was presented.

Establishment of a gasoline station

3. (A) Establishment of a gasoline station shall be according to the provisions of these regulations and the provisions specified below:
- (1) Construction of the fuelling surface shall be performed in a manner that shall ensure proper drainage to the fuel separator.
 - (2) The building materials in the fuelling surface and in the tank filling area shall be built of material that is impervious to fuels, oils, and water.
- (B) In an area especially sensitive to water source pollution, as stipulated by the Supervisor, special means shall be installed, at the Supervisor's demand and in addition to that stated in these regulations, for the prevention of water source pollution, such as double-walled pipes or pipes placed in a concrete tunnel.

Schedule to the regulations

4. (A) A facility shall be built and operated according to the standards, specifications or practices for an aboveground or underground gasoline tank or a fuel separator, as the case may be, as detailed in the Schedule; the said standards, specifications, and

practices shall be deposited for public scrutiny in the library of the Standards Institution of Israel in Ramat Aviv and in the regional offices of the Ministry of Environmental Protection.

(B) A person may install and operate a facility according to standards, specifications or practices other than those stated in the Schedule, provided he received prior and written approval from the Supervisor.

Protection against corrosion

5. (A) In order to increase its durability against corrosion, a facility shall be established and maintained according to that said in section 1 or 2 of Schedule, as the case may be, and according to its building materials.

(B) The Supervisor is authorized to instruct the operator to install a cathodic protection system in an underground or aboveground tank or pipeline, a place in which stray currents or corrosive soil are liable to cause corrosion of the facility; a said protection system shall be maintained according to manufacturer instructions or the instructions of a corrosion engineer, as the case may be.

Replacement of a facility

6. Installation of an additional facility, or replacement of an existing facility for a new facility, shall be done according to the provisions of these regulations.

Fuel Separator

7. An operator shall install a fuel separator in the area of the gasoline station according to that stated in section 3 of the Schedule, as the case may be, shall operate it according to manufacturer instructions and shall maintain it as specified below:

(1) Clean the fuel separator of gasoline sludge according to manufacturer instructions and remove the gasoline sludge subject to the provisions of the Business Licensing Regulations (Disposal of Hazardous Substances Waste) 5751 - 1990;

(2) Dispose the gasoline that has accumulated in the fuel separator to a sealed receptacle and dispose of the water that exits the fuel separator by means of irrigation within the area of the gasoline station or by means of disposal to a regional sewage system, subject to the law; if not possible to carry out the disposal as stated, disposal shall proceed according to the guidelines of the Supervisor.

Secondary containment

8. (A) A tank shall be installed within a secondary containment system which is impervious to the passage of gasoline, as specified below:

(1) Secondary containment system for an aboveground tank –

(a) shall be of the appropriate volume as specified in the Business Licensing Regulations (Petroleum Storage) 5737 - 1976, and as stated in section 1(4) of the Schedule;

(b) shall be drained by a drainage pipe with a permanently closed valve at one end; opening of the valve shall only be done under the supervision of the operator;

(c) shall be clean on its underside from gasoline residues.

(2) Secondary containment system for an underground tank –

(a) shall be filled with clean non-corrosive sand, and the surface above it, with the exception of the filling openings, shall be impervious to the passage of water and gasoline;

(b) shall be constructed according to section 2(10) of the Schedule, and shall include a piezometer.

(B) An underground tank built with a secondary containment as per the practice in section 2(9) of the Schedule, may be installed without a secondary containment system, as long as an interstitial monitoring device, approved by the Supervisor, is installed.

(C) Where an underground tank is built without secondary containment, the operator shall install at least two piezometers at both ends of the underground tank site as stated in section 2(11) of the Schedule.

(D) The Supervisor is authorized to exempt the operator from the obligation to install secondary containment, if it is proven to his satisfaction that there is no risk of water source pollution from the operation of the gasoline station.

Tightness tests

9. (A) An operator may not transfer gasoline to a new facility or authorize another to do so until after the facility undergoes a tightness test that proves that the facility is tight.

(B) An operator shall conduct periodic tightness tests, as specified below:

(1) For a tank and pipeline – at least once in five years; the five year period shall commence on the day these regulations enter into force; for a tank installed fifteen years or more before the regulations – three years from the day the regulations enter into force;

(2) For a facility – once a month, to discover leaks by means of monitoring, including piezometers;

(3) For monitoring means for the tank – monthly, to check their working order.

(C) An operator shall keep the results of the tests as stated in sub-regulations (A) and (B) for a period not less than five years, and shall submit them to the Supervisor upon request.

Facility that is not tight

10. (A) Where a facility is found to be non-tight in a tightness test, as stated in regulation 9, the operator shall empty its contents into a tight container and shall not to fill the facility with gasoline nor operate it until it is repaired and a renewed tightness test proves that it is tight.

(B) Notwithstanding that stated in sub-regulation (A), where an underground tank is found to be non-tight the operator shall remove it from the ground, empty its contents and dispose it according to the law; if there is no risk of water source pollution from the continued existence of the facility in the soil, the operator may leave the tank in the soil, but only after he empties its contents to a tight container, disconnects it from the gasoline pipeline that is connected to it, and fills it with inert material.

Gasoline Leak

11. (A) In case of a gasoline leak from the facility (hereinafter "leak"), the operator shall take measures to stop it immediately and clean the pollution caused by the leak.
- (B) If there is reasonable suspicion of a leak, the operator shall carry out a tightness test as stated in regulation 9, and operate in accordance with regulations 10, 12, and 13, if the facility is found to be non-tight.

Gasoline Leak Report

12 (A) The operator shall report to the Supervisor immediately about every leak in which the quantity of gasoline which leaked exceeds one cubic meter, or about every case of a leak that continues for a 24 hour period or more, and about every case in which a tank is found to be non- tight as stated in regulation 10.

(B) Within 48 hours of the discovery of a leak, as stated in sub-regulation (A), the operator shall submit to the Supervisor a written and detailed report; the report shall include the following details:

- (1) Operator's name;
- (2) Name of the gasoline station where the leak occurred, its location, and map coordinates;
- (3) Date and hour in which the leak occurred or was discovered;
- (4) Cause of the leak, its description and the manner of its discovery;
- (5) Type of fuel which leaked and its quantity;
- (6) Land area that was polluted;
- (7) Quantity of gasoline that was collected and collection method;
- (8) Action taken to stop the leak.

Treatment of a contaminated site

13. Where soil is contaminated due to a leak, the operator shall treat the contaminated soil in one or more of the following methods:

- (1) Immediate disposal of the polluted soil layer to a site authorized by the Supervisor;
- (2) Biological treatment of the soil;
- (3) Another method, in case that stated in paragraph (1) and (2) is not applicable.

Tank marking

14. The operator shall mark an underground storage tank in color on the filling openings or their covers and shall specify the type of gasoline that is stored therein.

Shutdown of a facility

15. Where an operator decides to shut down a facility permanently, he shall act as stated in regulation 10 (B).

Safeguarding of statutes

16. These regulations shall add to the provisions of the Business Licensing Regulations (Petroleum Storage) 5737 - 1976, and the Public Health Regulations (Sanitary Conditions for Drinking Water Drilling) 5755 - 1995.

Penalties

17. A person who contravenes one of the provisions of these regulations is subject to that stated in section 20 U of the Law.

Commencement

18. These regulations shall enter into force 90 days from the date of their publication.

Transitional Provisions

19. The provisions of regulations 2, 3, 4, 5, and 8(a) (2) shall not apply to a facility in existence on the day these regulations entered into force.

Schedule

Regulations 4(a), 5(a), 7, 8(a) (1) (a), 8(a) (2) (b), 8(b), 8(c)

In this Schedule -

- (1) American Petroleum Institute - USA - API
- (2) American Society of Mechanical Engineers - USA - ASME
- (3) Deutsche Industrie Norm - Germany - DIN
- (4) National Fire Protection Association - USA - NFPA
- (5) National Association of Corrosion Engineers - USA - NACE
- (6) Underwriters Laboratories - USA - UL
- (7) Standards Institution of Israel

1. Aboveground tank

- (1) API Recommended Practice 2350, Overfill Protection for Petroleum Storage Tanks
- (2) UL 142, Steel Aboveground Tanks for Flammable and Combustible Liquids
- (3) DIN 6616, Horizontal Steel Tanks for the Storage Aboveground of Petroleum Products in Liquid Form
- (4) Business and Licensing Regulations (Petroleum Storage) 5737 -, 1976

2. Underground tank

- (1) UL 58, 1986, Steel Underground Tanks for Flammable and Combustible Liquids
- (2) API Recommended Practice 1615, Installation of Underground Petroleum Storage Systems
- (3) API Recommended Practice 1632, Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems
- (4) API Recommended Practice 1635, Management of Underground Petroleum Storage Systems at Marketing and Distribution Centers
- (5) NFPA 329, Handling Underground Releases of Flammable and Combustible Liquids
- (6) DIN 6608 Part 1, Horizontal Single Wall Steel Tanks for the Underground Storage of Flammable and Non-Flammable Water Polluting Liquids
- (7) Business Licensing Regulations (Petroleum Storage), 1976
- (8) API Recommended Practice 1621, Bulk Liquid Stock Control at Retail Outlets

(9) Standards Institution of Israel Specification 453 on “Double Wall Underground Fuel Tanks”

(10) Specifications of the Ministry of Environmental Protection for construction of an underground secondary containment system with a peizometer.

(11) Specifications of the Ministry of Environmental Protection for the installation of peizometers in a gasoline station.

3. Fuel Separator

(1) DIN 1999 Separator for Light Liquids, Coalescence Separators, 1999, Part 4, Principles of Construction; Part 5, Testing; Part 6, Dimensioning, Installation and Operation

(2) Norm B 5101, 1990, Mineralöl - Abscheideanlagen.

(3) Specifications of the Ministry of Environment Protection for calculating runoff in the area of a gasoline station.