



Commonwealth of the Northern Mariana Islands

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ENERGY POLICY ACT IMPLEMENTATION Status of the CNMI's Provision Compliance

- 1) Secondary Containment¹ (Implementation required by February 8, 2007)
 - The CNMI Department of Environmental Quality is in compliance with the Secondary Containment requirements. No new or replacement USTs were installed since August 8, 2005. In addition, DEQ will not issue permits for any new or replacement USTs unless they at least meet the tank and piping secondary containment requirements. Lastly, USEPA and DEQ are in the process of revising the UST regulations for the CNMI and anticipates that these will be published and finalized by the fall of 2010 to incorporate these requirements. DEQ has statutory authority to issue this regulation.
 - This activity is funded under the LUST prevention grant.
- 2) Delivery Prohibition (Implementation required by August 8, 2007)
 - Although CNMI DEQ was unable to meet the required implementation date because the regulations were not be revised in time, CNMI DEQ determined that it has statutory authority for the provision and anticipates publishing and finalizing regulations in the fall of 2010. A Stakeholder meeting was held on the proposed changes to the regulations on June 24, 2008. This meeting was attended by 55 stakeholders. Additional meetings with stakeholders discussing the content of the regulations were held in January 2009 and the regulation is currently being drafted.
 - This activity is funded under the LUST prevention grant.
- 3) Compliance Report on Government USTs (Report due by August 8, 2007)
 - The CNMI DEQ compiled the information and submitted the report by the due date.
 - This activity was funded under the consolidated agreement.
- 4) Inspections (Complete inspection of USTs not inspected since 12/22/98, and implement inspections of all USTs at least once every three years by August 8, 2007).
 - The CNMI DEQ has met and exceeded the required implementation date.
 - This activity is funded under the LUST prevention grant.

¹ Of the two options available for the groundwater protection provision in the Energy Policy Act of 2005 ("Secondary Containment" and "Financial Responsibility and Installer Certification") the CNMI DEQ prefers the Secondary Containment option.

5) Operator Training (Establish regulations by August 8, 2009)

- The CNMI DEQ is on schedule to publish draft regulations in the fall of 2010 including operator training requirements. In addition to the required categories of operators, DEQ intends to propose operator training requirements for delivery personnel.
- A Stakeholder meeting was held on the proposed changes to the regulations on June 24, 2008. This meeting was attended by 55 stakeholders. Additional meetings with stakeholders discussing the content of the regulations were held in January 2009 and the regulation is currently being drafted.
- This activity is funded under the LUST prevention grant.

6) Public Record (Publish by September 30, 2008)

- The CNMI DEQ has met and exceeded the required implementation date. The public record is available on the DEQ website www.deq.gov.mp.
- This activity is funded under the LUST prevention grant.

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Date