

## UNDERGROUND STORAGE TANK (UST) RESPONSIBILITIES

### Who is responsible for Underground Storage Tanks (USTs)?

*Owners and operators are equally* responsible for complying with all applicable underground storage tank (UST) regulations.

### What is an operator?

An operator is someone who is in control of, or has responsibility for, the daily operation on an UST system.

### Which UST systems must comply with the regulations?

Examples of regulated tanks include:

- UST systems used for storing motor fuel (gasoline, kerosene, diesel, aviation fuel, etc.) for resale.
- UST systems containing motor fuel used to service vehicles for businesses.
- Farm or residential tanks greater than 1,100 gallons capacity used for storing motor fuel.

### What about heating oil tanks?

- USTs storing heating oil for resale are regulated.
- USTs storing heating oil for use on the premises are not **regulated**.
- However, heating oil tanks over 1,100 gallons that are non-residential or supply five or more households must be registered and annual operating fees must be paid.

### What are some\* of the regulations?

- Regulated UST systems must be registered and annual operating fees must be paid. Form UST-6 is used to apply for approval to install a new UST system. Approval must be received prior to initiating installation of the UST System. Form UST-8 is used to update the registration of your tanks. All forms can be obtained from your DWM regional office, DWM central office or online at <http://www.wastenotnc.org/web/wm/ust/forms>.
- All regulated USTs must have leak detection for the tanks and the piping.
- As of December 22, 1998, all regulated USTs must have been upgraded with corrosion protection and spill/overflow prevention. Any regulated USTs installed **on or after December 22, 1988**, must have corrosion protection and spill/overflow prevention as part of installation.
- After July 1, 1996, all commercial underground storage tank(s) (includes heating oil tanks over 1,100 gallons and all regulated USTs) must have an operating permit. Any facility that does not have an operating permit will not be supplied with petroleum from their fuel deliverers.
- Refer to 15A NCAC 2N for a more complete listing of UST rules and regulations.

### What can owners and/or operators do if their USTs are not in compliance with the regulations?

If USTs are out of compliance:

- Bring the tanks into compliance with the regulations ; or
- Permanently close the tanks.

What is required to permanently close USTs?

- Notify the appropriate DWM regional office (see below) of your intent to close the tank(s) by submitting form UST-3 within five working days of closure if the site assessment is performed by a Professional Engineer (P.E.) or Licensed Geologist (L.G.). **Otherwise**,

**thirty days' notice is required.**

- Notify the local fire marshal's office.
- Thoroughly clean the tank(s) and remove them from the ground. If the tank(s) cannot be removed from the ground you can request approval from the DWM regional office to fill them with a solid, inert material.
- You must make sure that removed USTs are disposed of properly. When choosing a closure contractor, ask about proper disposal. Usually USTs are cleaned and cut up for scrap metal. This is dangerous work and must be performed by a qualified company.
- If your tanks are disposed of improperly, you could be held responsible for any environmental damage that occurs.
- Conduct a closure site assessment to determine if there have been any leaks. Prepare a site assessment report following the format of UST-12 form. If a release has occurred, the report must be signed by either a P.E. or L.G.; otherwise no professional seal is required.
- Submit the site assessment report (UST-12) and form UST-2 to the appropriate regional office. The addresses and phone numbers of the regional offices can be found at the link at the bottom of this page. For more complete information, please contact the appropriate regional office.

**What if contamination is discovered?**

- Evidence of a release must be reported to the DWM regional office within 24 hours of discovery.
- If the site assessment indicates that contamination levels exceed acceptable levels, cleanup will be required.

**Are there funds available for cleanup of contamination?**

Yes, a State Trust Fund is available to assist owners, operators, and landowners in the cleanup of contaminated soils and groundwater at both commercial and non-commercial sites. If a leak is discovered, submit a Trust Fund application (available from any regional or the DWM/UST central office) to determine eligibility for reimbursement of cleanup costs.

**Questions?**

Contact your regional DWM office (addresses and phone numbers can be found at this link: <http://www.wastenotnc.org/web/wm/ust/faqROs>), or Contact the DWM Central Office at:

NCDEQ, Division of Waste Management  
UST Section  
1646 Mail Service Center  
Raleigh NC 27699-1646  
(919) 707-8171

The purpose of this brochure is for general guidance. More specific information on UST Regulations can be found in 15A NCAC 2N.