Who Regulates Petroleum Storage Tanks?

This document was developed to be used as a general guide to the agencies involved with regulating storage-tank systems, whether underground or aboveground. This guide is not necessarily comprehensive, and it is possible that your tanks may be regulated by authorities not listed below. It is the responsibility of the tank owner and operator to ensure compliance with the regulations of all interested governing bodies.

State Agencies Other than the TCEQ

Texas Department of Insurance (State Fire Marshal)

Source of information on rules and regulations affecting underground storage tanks (USTs) and aboveground storage tanks (ASTs) that could pose a threat to public safety due to fire or explosion hazard. The local fire marshal should always be contacted in any type of emergency involving a PST. The State Fire Marshal's Office can supply the name and number of a local fire marshal and answer questions that the local fire marshal cannot.

Phone: 512-305-7900

Toll-free: 800-578-4677

Web site: <www.tdi.state.tx.us/fire/indexfm.html>

Texas Department of Agriculture (Weights and Measures)

The Weights and Measures Program inspects fuel dispensers at service stations to ensure that they meet TDA standards. A TDA sticker should be displayed on all retail dispensers.

Phone: 512-463-7401

Toll-free: 800-835-5832

Web site: <www.agr.state.tx.us>

The TCEQ is an equal opportunity employer. The agency does not allow discrimination on the basis of race, color, religion, national origin, sex, disability, age, sexual orientation, or veteran status. In compliance with the Americans with Disabilities Act, this document may be requested in alternate formats by contacting the TCEQ at 512-239-0028, fax 512-239-4488, or 1-800-RELAY-TX (TDD), or by writing PO Box 13087, Austin TX 78711-3087. We authorize you to use or reproduce any original material contained in this publication — that is, any material we did not obtain from other sources. Please acknowledge the TCEQ as your source. Printed on recycled paper.

Texas Department of Public Safety (Commercial Vehicle Enforcement)

Source of information on the requirements pertaining to the transport of hazardous materials (including fuel or empty fuel tanks) on highways.

Phone: 512-424-2116

Web site: <www.txdps.state.tx.us/lw/>

Texas General Land Office (Oil Spill Division)

The GLO has jurisdiction over any AST or UST that could cause spills which could reach coastal waters.

Toll-free: 800-998-4456

Web site: <www.glo.state.tx.us/oilspill/over.html>

Texas Railroad Commission (Oil and Gas Division)

The Railroad Commission regulates tanks associated with the exploration, development, or production of oil, gas, or geothermal resources and exempt from regulation by the TCEQ.

Phone: 512-463-7288

Web site: <www.rrc.state.tx.us/>

Texas State Comptroller of Public Accounts (Fiscal Management Division)

Source of information on the collection by bulk facility operators of the fuel surcharge destined for the Petroleum Storage Tank Remediation Fund.

Toll-free: 800-252-1383

Web site: <https://fmx.cpa.state.tx.us/fm/index.php>

Other TCEQ Regulators

Edwards Aquifer Authority

Regulates USTs and ASTs that could pose a threat to the Edwards Aquifer.

Phone: 210-222-2204

Toll-free: 800-292-1047

Web site: <www.edwardsaquifer.org>

You may be subject to additional TCEQ rules if your UST or AST system is located above or near the Edwards or the Trinity Aquifer. Rules concerning the Edwards Aquifer can be found in Title 30, Texas Administrative Code, Chapter 213; the Trinity Aquifer, Chapter 214. Penalties may be enhanced for those not in compliance with those rules. For more information, contact the TCEQ Austin Region office at 512-239-2929 or the San Antonio Region office at 210-490-3096.

Federal Government

U.S. Department Of Labor (OSHA)

Health and safety requirements pertaining to USTs and ASTs.

Toll-free: 800-321-6742

Web site: <www.osha.gov/>

U.S. Environmental Protection Agency

For more information on the Spill Prevention, Control, and Countermeasure (SPCC) rule, may be found in Title 40, Code of Federal Regulations, Part 112. It gives requirements for oil-spill prevention and preparedness, and response—specifically aimed at preventing discharges of oil into navigable waters and adjoining shorelines. The rule requires specific facilities to prepare, amend, and implement SPCC Plans.

Phone: 214-665-6444

Toll-free: 800-887-6063

Web site: <http://www.epa.gov/region6/6sf/sfsites/oil/introbak.htm>

Local Government

With regard to any UST or AST system, local government officials representing any relevant cities, counties, river authorities, and special districts (such as underground water districts or water control and improvement districts) should always be contacted to determine whether local regulations might be stricter than the state or federal regulations. For

example, some cities have more stringent secondary containment requirements, and others will not allow a tank to be abandoned in place. Additionally, requirements about placement, design, and placarding and certain restrictions relating to fire and explosion hazards apply to ASTs, and are usually controlled by the local fire authority. Contact the local fire authority before the installation of any AST to ensure that their design and placement meet local fire codes.