



Aboveground Petroleum Storage Tanks

A guide for owners and operators of ASTs

This is a general guide to laws and regulations for aboveground storage tanks and an aid in minimizing potential risks; it does not replace those laws and regulations, which take precedence over any information in this publication. If your tank system is located in Kinney, Uvalde, Medina, Bexar, Comal, Hays, Travis, or Williamson County, additional requirements related to the protection of the Edwards or the Trinity Aquifer may apply (Title 30, Texas Administrative Code [30 TAC], Chapters 213 and 214). In addition to the laws and TCEQ rules, local governments and other state and federal agencies may have rules that apply. The owner and operator are responsible for ensuring compliance with all applicable laws and regulations.

How do I know if my AST is regulated?

TCEQ rules regulate ASTs with a capacity of more than 1,100 gallons that contain a petroleum product capable of propelling a motor vehicle or airplane (excluding jet fuel). For a definition of “petroleum product” please refer to 30 TAC 334.2(79).

Is my AST exempt?

Some tanks that meet the following specifications may be exempt from registration. These include:

- a farm or residential tank with a capacity of 1,100 gallons or less used for noncommercial purposes;
- a tank used for storing heating oil;
- a flow-through process tank;
- a tank associated with the exploration, development, or production of oil, gas, or geothermal resources, or any other activity regulated by the Railroad Commission of Texas;
- a tank that is associated with a petrochemical plant, petroleum refinery, or electric generating facility;
- a septic tank;
- a surface impoundment pit, pond, or lagoon;
- a stormwater or wastewater collection system;
- a tank located on or above the surface of the floor of an underground area, such as a basement, cellar, mineworking drift, shaft, or tunnel, if the sole or principal substance in the tank is a hazardous substance.

If you claim an exemption for your tank, you must be prepared to provide appropriate documentation to support the claim at the request of the TCEQ.

How do I register my tanks?

Complete form TCEQ-00659, available online at www.tceq.texas.gov/search_forms.html. All ASTs located at the same address must be included on the same registration form. If you own or operate tanks at different locations, you must file separate registration forms for each facility.

What if something changes?

You must submit a new aboveground storage tank form TCEQ-00659 (available at www.tceq.texas.gov/search_forms.html) to the agency within 30 days of any changes regarding an AST, such as:

- operational status
- condition
- substance stored
- ownership
- location of records
- number of tanks at the facility
- any change in contact information

Do I have to pay a fee?

As of Sept. 1, 2007, AST owners are no longer being assessed annual registration fees. Any fee assessed before that date remains the owner's responsibility.

What if I want to install a new or replacement AST?

- At least 30 days before you begin work on a new or replacement AST, submit a construction notification form (TCEQ-00495) to the applicable TCEQ regional office.
- Between 24 and 72 hours before work begins, contact the appropriate TCEQ office for the region where the activity is to occur to report the time you will begin installation.

To determine which regional office you should notify, please visit www.tceq.texas.gov/about/directory/region/reglist.html.

What records do I need to keep?

You should keep copies of all records that document compliance with applicable rules. These include, but are not limited to, your construction notification, registration, tank-manufacturing information, receipts of payments, reports, plans, and certifications. It is best to keep your documents for at least five years, even when it is not required.

What about skid tanks?

- Skid tanks must be registered and labeled with the TCEQ-designated ID number.
- Complete a new registration form each time the tank is moved to a different location **or** register the tanks at a primary business location; continuously maintain accurate records of the location, status, and type of petroleum product stored.
- Keep the records at the facility where the tank is registered.

What if my tank leaks?

An owner or operator of an AST must report a suspected or confirmed release to the TCEQ in the following cases:

- A spill or overfill that results in a release to the environment that exceeds 25 gallons or that causes a sheen on nearby surface water.
- A spill or overfill of less than 25 gallons, if the cleanup cannot be accomplished within 24 hours.

Please refer to Suspected Releases from Petroleum Storage Tanks (TCEQ publication RG-475h) for more information on this subject.

Do I need financial assurance?

For ASTs, financial assurance is not required under TCEQ rules.

Where to find more information?

State requirements for aboveground storage tanks appear in Title 30, Texas Administrative Code, Chapter 334, Subchapters A and F, and Chapter 213.

U.S. Environmental Protection Agency requirements are at Title 40, Code of Federal Regulations, Part 112.

Download forms from the TCEQ's website:

<www.tceq.texas.gov/search_forms.html>

Search for publications at the TCEQ's website:

<www.tceq.texas.gov/assistance/industry/pst/pst.html>

For information on cleanup requirements or on compliance with AST rules, you may contact the Remediation Division at 512-239-2200.

For confidential environmental compliance assistance for small businesses and local governments, contact Small Business and Local Government Assistance via its hotline at 800-447-2827 or online at <www.TexasEnviroHelp.org>.