



Permanently Removing Petroleum Storage Tanks from Service

A guide for owners and operators of USTs

This is module m of the PST Super Guide, a comprehensive guide to issues relating to petroleum storage tanks (PSTs). This super guide provides an overview to laws and regulations for PSTs and can be used as an aid in minimizing potential risks. The guide does not replace those laws and regulations which take precedence over any information in this publication.

Module m explains the rules and procedures for permanently removing an underground storage tank from service.

- You, the owner or operator of a PST, are responsible for ensuring compliance with all applicable laws and regulations.
- If your UST system is located in Kinney, Uvalde, Medina, Bexar, Comal, Hays, Travis, or Williamson County, additional requirements related to protecting 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.

Why would I want to permanently remove my tanks from service?

There is always a risk that your tank will release a regulated substance, leading to remediation and cleanup costs. To minimize your risk, when your operations no longer require the service of a UST, you should permanently remove it. Additionally, in tank systems that do not meet applicable technical standards, as described in Chapter 334, Subchapter C, you may be required to repair, upgrade, or permanently remove them from service, as applicable.

What are my options?

There are three options for permanently removing your UST from service: remove the tank from the ground, permanently fill the tank in place, or conduct a permanent change in service (e.g., to storage of a non-regulated substance). Each option has benefits and disadvantages. Regardless of the chosen option, a demonstration that no prior release of a stored regulated substance has occurred from your UST system must be made in accordance with 30 TAC 334.55.

1. Removing the tank from the ground eliminates the chance of future soil contamination. However, it may not be a viable solution if the UST is under a permanent structure.

2. Permanently filling your UST with an inert material may make your property harder to sell in the future, as compared with removal from the ground. You should also contact the city and county governments to make sure abandonment in place is allowed in your locality.
3. If you carry out a change in service, you must use your UST for a beneficial purpose and the tank must be thoroughly cleaned of all regulated substances prior to reuse. Thoroughly cleaning the UST to prevent contamination of the new non-regulated stored substance is difficult and may be impractical.

In addition to the benefits and disadvantages of each option, the cost associated with each may vary. To determine the best solution, you should discuss the benefits, disadvantages, and costs of each option with your TCEQ-registered contractor.

What requirements apply to each option?

In addition to the general requirements that apply to permanent removal from service, there are specific requirements for each option (Table 1).

Table 1. Requirements that apply to permanent removal of USTs from service.

	<i>Remove Tank from Ground</i>	<i>Permanently Fill Tank</i>	<i>Change in Service</i>
Notify TCEQ 30 days prior to removal (submit Form TCEQ-00495)	X	X	X
Notify (and, if necessary, get approval from) local government and fire marshal	X	X	X
Notify TCEQ regional office 24 to 72 hours before removal	X	X	X
Empty UST of all regulated substance and accumulated sludge, and purge vapors	X	X	X
Collect samples and assess site to determine if any substances released (submit Form TCEQ-00621)	X	X	X
Empty; disconnect; and plug, cap, or remove tank, piping, and ancillary equipment	X	X	
Remove UST from site within 24 hours	X		
During temporary storage, ensure no ignition sources are present and prevent unauthorized personnel access	X	X	X
Do not store materials for human consumption in the tank	X	X	X

	Remove Tank from Ground	Permanently Fill Tank	Change in Service
Mark on the tank <i>flammable, unusable for storage of materials for human consumption</i> , and list its prior contents in lettering at least 2 inches high	X		
Fill tank with inert material		X	
Notify owners of abandoned tank		X	
Update UST registration form (submit Form TCEQ-00724)	X	X	X
Maintain records of removal	X	X	X

What records do I need to keep?

Generally, you should maintain records of installation and major repairs for the life of the UST and records of testing, inspections, basic maintenance, and daily operations for five years. Records of the following must be maintained for five years after the final UST is permanently removed from service:

- construction notification (Form TCEQ-00495) and TCEQ approval to permanently remove the UST from service;
- the location of the UST permanently removed from service;
- the date the UST was permanently removed from service;
- methods used to prepare and condition the UST for permanent removal from service;
- names, addresses, and phone numbers of all persons who permanently removed the UST from service;
- site-assessment reports;
- known substance releases; and
- for any UST removed from the ground, the methods used to handle, transport, store, and dispose of the tank.

What qualifications are required for a contractor who permanently removes a tank system from service?

The TCEQ administers registrations and licenses for UST contractors and supervisors. Any person or business entity that offers to undertake, represents itself as being able to undertake, or does undertake the installation, repair, or removal of a UST must hold a UST contractor registration issued by TCEQ. An individual supervising the installation, repair, or removal of a UST must hold an on-site supervisor license issued by TCEQ. An on-site supervisor must be present at the site at all times during the critical junctures of the installation, repair, or removal.

How can I find a registered UST contractor and licensed on-site supervisor in my local area?

You can find a UST contractor or supervisor in your local area by using the TCEQ website: <www.tceq.texas.gov/goto/ust_removal>. For additional information, see *Licensed Underground Storage Tank Contractors* (TCEQ publication RG-475c).

What are the sampling requirements for the permanent removal from service site assessment?

According to 30 TAC 334.55(a)(6), you must demonstrate that no prior release of a stored regulated substance (i.e. gasoline) has occurred from your UST system. The sampling methods, types, location, and number of samples required in order to make that demonstration depend on the characteristics of your site and are outlined in the guidance document, *Investigating and Reporting Releases from Petroleum Storage Tanks* (RG-411).

Your sampling must occur after submitting the construction notification (form TCEQ-0495), but before the permanent removal from service is complete. To ensure that any release of a regulated substance is detected and quantified, the rules require that you consider the following when designing your sampling plan:

- how your UST is being removed from service,
- characteristics of the regulated substance you stored,
- characteristics of the backfill material and surrounding soils,
- whether groundwater is present and, if so, its depth with relation to the UST system and the surface of the ground, and
- any other factors that may affect the reliability or effectiveness of the site assessment procedures or techniques.

The TCEQ recommends that, before any release-related investigation, you assemble information on local groundwater conditions (i.e., depth to water or formation type). Under the PST Program, it is the obligation of a responsible party to accurately represent the quality of the data submitted. For example, even if groundwater sampling is not specifically required by the agency at a particular site (based on site-specific circumstances), the owner or operator may choose to conduct it on their own initiative.

Additionally, maintain your financial assurance until sampling results have been obtained and corrective action (if required) has been completed.

Am I required to use a registered UST contractor to conduct soil and groundwater sampling?

It is not a requirement that a registered UST contractor take the samples for your UST site assessment. Rule 30 TAC 334.55 states that any “qualified personnel possessing the appropriate skills, experience, and competence to perform the assessment in accordance with recognized industry standards” are allowed to take the necessary samples. However, the person taking the samples must “be supervised by a person who is currently licensed by the TCEQ as a UST installer or on-site supervisor or currently registered with the TCEQ as a corrective action project manager.”

Can I empty my UST but not permanently remove it from service?

USTs that are emptied, cleaned, and secured, but not permanently removed from service, are considered temporarily removed from service. USTs temporarily removed from service must maintain corrosion protection and meet all the requirements of 30 TAC 334.54. For additional guidance, see *Temporarily Removing Petroleum Storage Tanks from Service* (RG-475l).

Where do I find more information?

The complete requirements for permanent removal of a UST from service can be found at 30 TAC 334.55.

<[https://texreg.sos.state.tx.us/public/readtac\\$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=30&pt=1&ch=334&rl=55](https://texreg.sos.state.tx.us/public/readtac$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=30&pt=1&ch=334&rl=55)>

You can download forms from the TCEQ's website at <www.tceq.texas.gov/search_forms.html>.

You can download publications from the TCEQ's website at <<http://www.tceq.texas.gov/publications>>.

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