



Aboveground Petroleum Storage Tanks

A guide for owners and operators of ASTs

This is module n 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 it 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 n explains the rules and procedures for aboveground storage tanks (ASTs).

- You, the owner or operator of a PST, are responsible for ensuring compliance with all applicable laws and regulations.
- If your aboveground storage tank (AST) 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.

How do I know if my AST is regulated?

TCEQ regulates ASTs with a capacity of more than 1,100 gallons that contain a petroleum product capable of propelling a motor vehicle or airplane (excluding naphtha- or kerosene-type jet fuel). TCEQ rules also state that petroleum product ASTs, not otherwise excluded or exempt, are subject to construction installation notification.

Is my AST excluded?

The following ASTs are excluded from regulation and registration:

- any tank with a capacity of 1,100 gallons or less;
- any emergency spill protection or emergency overflow containment tank that:
 - is used solely to temporarily contain or store petroleum products from a leak, spill, overfill or other unplanned release,
 - is emptied of any contained petroleum products within 48 hours of release discovery, and
 - is inspected for a release no less than every 30 days;
- any tank that contains petroleum products at such dilute concentrations that the mixture is not capable of being used as a fuel for the propulsion of a

motor vehicle or aircraft; and any release would not pose any significant threat to human health and safety or the environment; or

- a transformer or other electrical equipment that is used in the transmission of electricity.

Note: Excluded ASTs containing petroleum products are subject to construction notification requirements if located at a retail service station.

Is my AST exempt?

Tanks that meet certain specifications are exempt from regulation and registration. These include:

- a farm or residential tank with a capacity of 1,100 gallons or less used for non-commercial purposes;
- a tank used for storing heating oil that is used on the same premises;
- 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; or
- 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. Documentation must support your exemption claim. Installation records listing tank capacity, facility plans showing tank location or purpose, or recent delivery receipts listing the contents of the tank are examples of possible documentation.

How do I register my tanks?

Complete form TCEQ-00659, available online at www.tceq.texas.gov/assets/public/permitting/rrr/forms/0659.pdf. 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 AST form TCEQ-00659 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

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

If you install a new AST or replace an existing AST:

- At least 30 days before you begin work, submit a construction notification form (TCEQ-00495) to the applicable TCEQ regional office. TCEQ-00495 is available at www.tceq.texas.gov/assets/public/permitting/rrr/forms/0495.pdf.
- 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/assets/public/comm_exec/pubs/gi/gi-002.pdf.

What records do I need to keep?

You must comply with the same general recordkeeping requirements as USTs and legible copies of all original and amended tank registration documents must be kept for the operational life of the AST system. You should keep copies of all records that document compliance with applicable rules. These include, but are not limited to:

- your construction notification;
- application for approval of any proposed AST in the Edwards Aquifer recharge or transition zones;
- registration form;
- tank-manufacturing information;
- receipts of payments; and
- reports, plans, and certifications related to actions taken in response to suspected and confirmed releases.

Do I need a registration certificate?

Yes, you must have your (1) temporary delivery authorization or (2) registration certificate to receive fuel deliveries. For new and replacement tanks:

Temporary Delivery Authorization

- The TCEQ will send you a temporary delivery authorization, upon receipt of your construction notification form (TCEQ-00495).
- Attach the bill of lading for the first fuel delivery to your temporary authorization.
- The temporary delivery authorization expires 90 days after your first delivery.

Registration Certificate

- Submit a registration form (TCEQ-0659) within 30 days of your first fuel delivery.
- The TCEQ will send your registration certificate upon receipt of your registration form.

After the initial 90-day grace period, a common carrier must observe your valid registration certificate to deliver fuel.

What about skid tanks?

Skid tanks must be registered and labeled with the TCEQ-designated ID number. To register your tank:

- Complete a new registration form (TCEQ-00495) 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 to demonstrate compliance at the facility where the tank is registered.

What if my tank leaks?

You 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 and Confirmed Releases from Petroleum Storage Tanks* (TCEQ publication RG-475h) for more information on this subject.

Do I need financial assurance?

Financial assurance is not required for AST systems.

Do I need operator training?

Operator training is not required for AST systems.

Where to find more information?

State requirements for ASTs appear in 30 TAC 334, Subchapter A available at [texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=5&ti=30&pt=1&ch=334&sch=A&rl=Y](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=5&ti=30&pt=1&ch=334&sch=A&rl=Y), and 30 TAC 334, Subchapter F available at [texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=5&ti=30&pt=1&ch=334&sch=F&rl=Y](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=5&ti=30&pt=1&ch=334&sch=F&rl=Y).

Requirements for tanks in the Edwards Aquifer are in 30 TAC 213 available at [texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=213](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=213).

Requirements for tanks over other aquifers are in 30 TAC 214 available at [texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=214&rl=Y](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=214&rl=Y).

TCEQ Guidance on PST regulations is available at www.tceq.texas.gov/remediation/pst_rp/downloads.html.

U.S. Environmental Protection Agency requirements, including Spill Prevention, Control, and Countermeasures (SPCC) are in Title 40, Code of Federal Regulations, Part 112 available at www.ecfr.gov/cgi-bin/text-idx?SID=8ae74a76e3fbf28c91f3358109250f55&mc=true&node=pt40.24.112&rgn=div5.

Download forms from the TCEQ's website at www.tceq.texas.gov/search_forms.html

Download publications at the TCEQ's website at www.tceq.texas.gov/publications

For information on cleanup requirements, 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.