



TCEQ REGULATORY GUIDANCE

Program Support and Environmental Assistance Division
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Aboveground Petroleum Storage Tanks

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 of 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.

Who should use this guide?

Aboveground storage tank (AST) owners and operators should use *module n* to understand the rules and procedures for aboveground storage tanks. AST owners and operators should note the following:

- You, the owner or operator of an AST, are responsible for ensuring compliance with all applicable laws and regulations.
- If your AST system is in Medina, Bexar, Comal, Kinney, Uvalde, Hays, Travis, or Williamson County, additional requirements related to protecting the Edwards or the Trinity Aquifer may apply ([Title 30, Texas Administrative Code \[30 TAC\]](#),¹ 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.

For more compliance information, contact Small Business and Local Government Assistance at 800-447-2827 or TexasEnviroHelp@tceq.texas.gov.

How do I know if my AST is regulated?

TCEQ regulates ASTs with a capacity greater than 1,100 gallons that contain a petroleum product capable of propelling a motor vehicle or airplane (excluding naphtha- or kerosene-type jet fuel). Unless considered excluded or exempt,² ASTs must submit construction installation notifications.

If you claim an exemption or exclusion for your tank, you must provide documentation to support the claim at the request of TCEQ. Examples of documentation include installation records listing tank capacity, facility plans showing tank location or purpose, or recent delivery receipts listing the contents of the tank.

1. www.tceq.texas.gov/goto/view-30tac
2. See 30 TAC Sections 334.123 and 334.124

Is my AST exempt?

Tanks that meet the following specifications are exempt from regulations in 30 TAC Chapter 334 Subchapter F:

- Farm or residential tanks with a capacity of 1,100 gallons or less used for noncommercial purposes.
- Tanks used for storing heating oil used on the same premises.
- Septic tanks.
- Surface impoundments, pits, ponds, or lagoons.
- Stormwater or wastewater collection systems.
- Flow-through process tanks.
- Tanks associated with the exploration, development, or production of oil, gas, or geothermal resources, or any other activity regulated by the Railroad Commission of Texas.
- Tanks 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.
- Tanks associated with a petrochemical plant, petroleum refinery, or electric generating facility.

Is my AST excluded?

The following ASTs are excluded from regulations in 30 TAC Chapter 334 Subchapter F:

- Tanks with a capacity of 1,100 gallons or less.
- Emergency spill protection or emergency overflow containment tanks that:
 - are temporarily used solely to contain or store petroleum products from a leak, spill, overfill, or other unplanned release,
 - are emptied of any contained petroleum products within 48 hours of release discovery, *and*
 - are inspected for a release at least once every 30 days.
- Tanks that contain 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 a significant threat to human health and safety or the environment.
- Transformers or other electrical equipment that is used in the transmission of electricity.

Note: Excluded ASTs that contain petroleum products and are located at a retail service station must still submit a construction notification.

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

Before you install a new AST or replace an existing AST, you must:

- Submit a construction notification using our online e-permitting system [STEERS](#)³ or paper form [TCEQ-00495](#)⁴ at least 30 days before you begin work.
- Notify the [appropriate TCEQ regional office](#)⁵ (by phone, fax, or email) between 24 and 72 hours before the installation activity occurs.

You will receive an immediate acknowledgement letter if you submit your construction notification in STEERS. See [A Guide to Creating an Account in STEERS E-Permitting](#)⁶ (RG-531a) for step-by-step instructions to create your account and add the PST Registrations program.

Your local government or the [State Fire Marshal's office](#)⁷ may have their own installation standards for ASTs. We recommend contacting them before you begin installation activities to make sure you meet their requirements.

If you are installing a tank over the recharge or transition zones of the Edwards Aquifer, you must also receive approval from TCEQ's **Edwards Aquifer Protection Program** before starting construction. For more information, visit our [Edwards Aquifer Protection](#)⁸ webpage or contact the program's staff.

How do I register my tanks?

Choose one of the following ways to register your ASTs:

- Use STEERS to submit the registration information.
- Submit the [Aboveground Storage Tank Registration Form](#)⁹ (TCEQ-00659) to the PST Registration Team using the address or fax number on the form.

Submissions sent through STEERS are processed within three to seven business days, which is faster than mailed or faxed forms.

Register new or replacement tanks within 30 days after you first place any petroleum product in the tank.

Include all ASTs located at the same address on the same registration. If you own or operate tanks at different locations, you must file separate registrations for each location.

3. www3.tceq.texas.gov/steers/

4. www.tceq.texas.gov/downloads/permitting/waste-registration/forms/pst/0495.pdf

5. www.tceq.texas.gov/agency/directory/region

6. www.tceq.texas.gov/downloads/assistance/publications/rg-531a.pdf

7. www.tdi.texas.gov/fire/fmcontact.html

8. www.tceq.texas.gov/permitting/eapp/ast.html

9. www.tceq.texas.gov/downloads/permitting/waste-registration/forms/pst/0659.pdf

What if something changes?

Update your registration using STEERS or TCEQ-00659 within 30 days of any changes to your AST. This includes, but is not limited to, changes in:

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

How do I receive deliveries?

You must have either your temporary delivery authorization or registration certificate to receive fuel deliveries.

A common carrier¹⁰ must see one of these types of documentation to deliver fuel. Both you and the common carrier may receive violations if fuel deliveries are made without one of these.

Temporary Delivery Authorization

When you submit your construction notification, you will receive an acknowledgment letter that can act as a temporary delivery authorization. This will allow you to receive fuel deliveries once your tanks are installed. 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. After that, you must have an active registration certificate to receive fuel deliveries.

Registration Certificate

You will receive your registration certificate after TCEQ reviews and approves the registration you submit. Registrations submitted through STEERS are processed within three to seven business days. If you submit a paper registration form, you can check its status using the [Registration and Reporting Incoming Document Search Portal](#).¹¹

What about skid tanks?

You must register movable or mobile ASTs (skid tanks) and label the tanks with the TCEQ-designated ID number. Skid tank owners must:

10. Person who physically delivers a regulated substance into a PST directly from a cargo tank.

11. <https://data.texas.gov/stories/s/qnwp-dbpj>

- Use STEERS or TCEQ-00659 to register the tank at a primary business location.
- Continuously maintain accurate records of the location, status, and type of petroleum product stored to show compliance at the facility where the tank is registered.
- Label tanks with the designated identification number if they are registered at the owner's business address rather than the actual facility location.

Skid tanks only require a construction notification if the installation is at a retail service facility.

What if my tank leaks?

Follow the same release reporting, investigation, and corrective action requirements as underground storage tank (UST) facilities for suspected or confirmed releases. You can refer to [Suspected and Confirmed Releases from Petroleum Storage Tanks](#)¹² (RG-475h).

Also report to TCEQ when:

- A spill or overflow causes a release to the environment that exceeds 25 gallons *or* a sheen on nearby surface water.
- A cleanup for a spill or overflow of less than 25 gallons cannot be accomplished within 24 hours.

See our [Spills, Discharges, and Releases](#)¹³ webpage for more information. You may also contact the Remediation Division at 512-239-2200 for information on cleanup requirements.

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.

What records do I need to keep?

Follow the same general recordkeeping requirements as USTs. Keep legible copies of all original and amended tank registration documents for the operational life of the AST system. Also 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

12. www.tceq.texas.gov/downloads/assistance/publications/rg-475h.pdf

13. www.tceq.texas.gov/response/spills

- registration submission
- tank manufacturing information
- reports, plans, and certifications related to actions taken in response to spills, suspected and confirmed releases

Where do I find more information?

Find complete requirements in [30 TAC](#)¹⁴ for:

- Laws and regulations about ASTs (30 TAC 334 Subchapter A and Subchapter F).
- Tanks in the Edwards Aquifer (30 TAC Chapter 213).
- Tanks over other aquifers (30 TAC Chapter 214).

Other online resources include:

- [Aboveground storage tank](#)¹⁵ assistance developed by our Small Business and Local Government Assistance (SBLGA) program.
- [Petroleum Storage Tanks Registrations: Am I Regulated?](#)¹⁶ webpage.
- [Aboveground and Underground Storage Tank Construction Notification](#)¹⁷ webpage.
- U.S. Environmental Protection Agency (EPA) requirements, including Spill Prevention, Control, and Countermeasures (SPCC) are in [Title 40, Code of Federal Regulations, Part 112](#).¹⁸
- EPA's [Oil Spill Prevention and Preparedness Regulations](#)¹⁹ webpage.
- TCEQ's [forms and publications search](#).²⁰

14. www.tceq.texas.gov/goto/view-30tac

15. www.tceq.texas.gov/assistance/industry/pst/aboveground-storage-tanks

16. www.tceq.texas.gov/permitting/registration/pst/Am_I_Regulated.html

17. www.tceq.texas.gov/permitting/registration/pst/ast_ust_notification.html

18. www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-112

19. www.epa.gov/oil-spills-prevention-and-preparedness-regulations

20. www.tceq.texas.gov/publications