



# Fact Sheet



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## UNDERGROUND STORAGE TANK MANAGEMENT

Regulated underground storage tanks include any tank storing more than 110 gallons of a petroleum product (including used motor oil) or a CERCLA hazardous substance. There are exemptions. The two most common being: 1) heating oil for consumptive use on the property where stored (if they are selling the heating oil, then the tank is regulated), and 2) farm or residential use tanks with a capacity of 1100 gallons or more storing motor fuel for noncommercial purposes.

Tanks that were closed or taken out of operation on or before January 1, 1974 are unregulated. They can remain in the ground unless there is a problem discovered. Tanks closed between 1974 and December 22, 1988 had to comply with the fire code closure requirements. Since December 22, 1988, tank owners have had to comply with the EPA regulations in addition to the fire code.

If someone believes they have found a tank that is not registered, they should call IDEM's UST section. If IDEM determines that it is a regulated tank, IDEM will give the tank owner/operator two chances to voluntarily register the tank. If the tank owner/operator does not register the tank, IDEM will register it for them and pass the information to the Department Of Revenue which will send out a bill to collect all fees due, including an interest and penalty calculation

There are very specific closure requirements for all regulated tanks, even if they are not in use and, as in all UST requirements, both the owner and operator are held equally responsible. Owners/operators must notify IDEM thirty days in advance to request permission to close the tank. Within five business days of notification, IDEM will issue an "okay" letter indicating when the owner/operator can begin closure. The okay letter must be kept on site during tank closure.

For most tank closures, the tank must come out of the ground. In certain circumstances, the tank may be filled in place. In-place closures may be done if excavation activities pose a threat to a structure, or the tank is under a building. In-place closure decisions are made by the Fire Marshal. IDEM requires a site assessment with soil samples as part of an in-place closure. If someone requests an in-place closure, they must attach the letter from the Fire Marshal stating that in-place closure was approved.

A substandard tank can be put in temporary closure for a period of no more than one year. After that time, it must be upgraded to meet the 1998 standards or be permanently closed. There are specific requirements for temporary closure. Tanks that were closed prior to the EPA regulations that are found to be posing a risk to health or the environment may be required to be closed according to the current regulations.

There is currently no financial assistance to help with tank closure costs.

The regulations may serve as best management practices (BMPs) for unregulated tanks.

Indiana's revised UST rule (329 IAC 9) was finally adopted on November 17, 1998, and will go into effect sometime in 1999. However, in order to meet the federal deadline, most of the rule went into effect as an emergency rule on December 22, 1998. A copy of the emergency rule can be found on the world wide web at: [www.state.in.us/idem/oer/pdf\\_files/title329.pdf](http://www.state.in.us/idem/oer/pdf_files/title329.pdf)

Questions about the rule or any of the above information should be directed to IDEM's UST section at (317)308-3064.

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