**R311. Environmental Quality, Environmental Response and Remediation.**

**R311-204. Petroleum Storage Tanks: Closure and Remediation.**

**R311-204-1. Definitions.**

Definitions are found in Rule R311-200.

**R311-204-2. Petroleum Storage Tank Closure Plan.**

(1) Owners or operators of PSTs or any portion thereof which are to be permanently closed or undergo change-in-service must submit a permanent closure plan to the director.

(a) the permanent closure plan shall be submitted by the owner or operator as fulfillment of the 30-day permanent closure notification requirement in accordance with Subsection 19-6-407(2)(a)(iii) for APSTs and 40 CFR 280 Subpart G for USTs.

(2) If a tank is to be removed as part of corrective action as allowed by 40 CFR 280 Subpart G, the owner or operator is not required to submit a closure plan, but must meet the requirements of 40 CFR 280.66(d) before any removal activity takes place, and must submit a corrective action plan as required by 40 CFR 280.66.

(3) The closure plan shall address applicable issues involved with permanent closure, change-in-service, or reuse of APSTs, including:

(a) product removal;

(b) sludge disposal;

(c) vapor purging or inerting;

(d) removing or securing and capping product piping;

(e) removing vent lines or securing vent lines open;

(f) tank cleaning;

(g) environmental sampling;

(h) contaminated soil and water management;

(i) in-place tank disposal or tank removal;

(j) transportation of tank;

(k) permanent disposal; and

(l) other disposal activities which may affect human health, human safety, or the environment.

(4) No PST shall be permanently closed or undergo change-in-service before the owner or operator receiving final approval of the submitted permanent tank closure plan by the director, except as outlined in Subsection R311-204-2(2).

(a) closure plan approval is effective for a period of one year.

(b) if the PST has not been permanently closed or undergone change-in-service as proposed within one year following approval from the director, the plan must be re-submitted for approval, unless otherwise approved by the director.

(5) Permanent closure plans shall be prepared using the current approved form according to guidance furnished by the director.

(6) The owner or operator shall ensure that the approved permanent closure plan and approval letter are on site during closure activities.

(7) Any deviation from or modification to an approved closure plan must be approved by the director before implementation, and must be submitted in writing to the director.

(8) The director must be notified at least three business days before the start of closure activities.

**R311-204-3. Disposal.**

(1) Tank labeling. Immediately after being removed, tanks which are permanently closed by removal must be labeled with the following in letters at least two inches high:

(a) the facility identification number;

(b) the substance contained; and

(c) the date removed: "month/day/year."

(2) Removed tanks shall be expeditiously disposed of as regulated PSTs by the following methods:

(a) the tank may be cut up after the interior atmosphere is first purged or inerted.

(b) the tank may be crushed after the interior atmosphere is first purged or inerted.

(c) the tank may not be used to store food or liquid intended for human or animal consumption.

(d) the tank may be disposed of in a manner approved by the director.

(3) Any removed APST that is to be reused as an APST must be recertified by the manufacturer of the tank or undergo a tank inspection, conducted by a qualified contractor, using a nationally recognized standard such as STI SP001 or API 653.

(4) Tank transportation. Used tanks which are transported on roads of the state must be cleaned inside the tank before transportation, and be free of product, free of vapors, or made inert during transport.

**R311-204-4. Closure Notice.**

(1) Owners or operators of USTs which were permanently closed or had a change-in-service before December 22, 1988 must submit a completed closure notice, unless the tanks were properly closed on or before January 1, 1974.

(2) Owners or operators of USTs which are permanently closed after December 22, 1988, and APSTs closed or having a change-in-service as defined in 40 CFR 280 Subpart G after May 5, 2021 must submit a completed closure notice form and the following information within 90 days after tank closure:

(a) results from the closure site assessment conducted in accordance with Rule R311-205, including analytical laboratory results and chain of custody forms; and

(b) a site plat displaying depths and distances such that the sample locations can be determined solely from the site plat. The site plat shall include:

(i) scale;

(ii) north arrow;

(iii) streets;

(iv) property boundaries;

(v) building structures;

(vi) utilities;

(vii) PST system location;

(viii) location of any contamination observed or suspected during sampling;

(ix) location and volume of any stockpiled soil;

(x) the extent of the excavation zone; and

(xi) any other relevant features.

(c) sample identification numbers used on the site plat shall correspond to the chain of custody form and the lab analysis report.

(3) Owners and operators of PSTs that are temporarily closed for a period greater than three months must submit a completed temporary closure notice within 120 days after the beginning of the temporary closure.

(4) Closure notices for permanent and temporary closure shall be submitted on the current approved forms.

**R311-204-5. Remediation.**

(1) Any PST release management, abatement, investigation, corrective action or evaluation activities performed for a fee, or in connection with services for which a fee is charged, must be performed under the supervision of a certified PST consultant, except as outlined in Subsections 19-6-402(6)(b), R311-201-2(1), and R311-204-5(2).

(2) At the time of PST closure, a certified UST remover may over-excavate and properly dispose of up to 50 cubic yards of contaminated soil per facility, or another volume approved by the director, in addition to the minimum amount required for closure of the PST.

(a) this over-excavation may be performed without the supervision of a certified PST consultant.

(b) appropriate confirmation samples must be taken by a certified sampler in accordance with Rule R311-201 to determine the extent and degree of contamination.

**KEY: hazardous substances, petroleum, underground storage tanks**

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