

Underground Storage Tanks Frequently Asked Questions

1. What is an underground storage tank (UST)?

A UST is a tank and associated piping with 10% or more of its volume below ground and which stored or is storing a regulated substance.

A regulated substance is an element, compound or solution which, if released into the environment, may present danger to the public health or welfare, or the environment and includes the following:

1. Any petroleum or petroleum based substances (motor fuels, petroleum solvents, lubricants, used oil, etc.);
2. Any substance that exhibits hazardous characteristics defined in the Resource Conservation and Recovery Act (RCRA) hazardous waste regulations –or-
3. Any substance regulated under the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA).

2. What Underground Storage Tanks are exempt from regulation?

1. USTs whose capacity is 110 gallons or less.
2. Heating oil tanks for consumptive use on site where stored.
3. Septic tanks.
4. Flow through process tanks.
5. Tanks located in an underground area such as a basement and installed upon or above the floor.
6. USTs used for operational purposes of equipment or machinery such as hydraulic lifts.
7. USTs holding waste defined as hazardous by federal EPA RCRA hazardous waste regulations.
8. USTs used as emergency spill or overfill containment and emptied immediately after use.
9. USTs used as part of a pipeline facility regulated under the Natural Gas Pipeline Safety or Hazardous Liquid Pipeline Safety Acts.
10. USTs used as part of a wastewater treatment system regulated under the federal Clean Water Act, Section 402 or 307(b).
11. USTs used only for farm or residential purposes, less than or equal to 1,100 gallons and installed prior to July 1, 1987. However, the tanks must be registered with the Iowa Department of Natural Resources (DNR). Farm and residential USTs installed after June 30, 1987 are subject to all fees and requirements but do not have to show financial responsibility.

3. Which Underground Storage Tanks are deferred from parts of the rules?

1. USTs that store diesel fuel solely for use by emergency power generators are deferred from leak detection requirements except for USTs installed after November 28, 2007.
2. The following USTs only need to comply with release response and corrective action rules:
 - Wastewater treatment tanks systems;
 - UST systems containing radioactive material regulated under the Atomic Energy Act;
 - UST systems that are part of emergency generator facilities regulated by the Nuclear Regulatory Agency

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4. What are the tank registration requirements?

Owners and operators of regulated UST systems are required to register their tanks with the DNR. This includes tanks taken out of operation after January 1, 1974 and not removed prior to July 1, 1985. When installing new USTs, the tanks must be registered with the department within 30 days of the 3rd inspection of installation.

The registration fee is \$10 per tank. Owners of USTs of 1,100 gallons or more capacity must also pay an annual tank management fee of \$65 per tank.

Tanks registered with the DNR and less than 1,100 gallons capacity are issued only permanent tags. Tanks of 1,100 gallons or more capacity are issued annual tags as well as permanent tags. The new annual tags must be attached to the fill pipe by April 1 of each year.

5. What happens if a supplier delivers product to an unregistered tank?

A regulated substance may not be deposited in a tank which does not have current DNR tank tags on the fill pipe. See above for specifics on types of tank tags for tank size. The department must issue a delivery authorization in order for tanks without tags to receive fuel.

6. What about an aboveground storage tank (AST)?

ASTs must be registered with the Division of the State Fire Marshal, Iowa Department of Public Safety, 215 E 7th St, Des Moines IA 50319. The State Fire Marshal's office can be reached by calling 515-725-6145. Contact the State Fire Marshal's office for design and installation requirements.

ASTs and associated piping installation and corrosion protection must be approved by local authorities (local Fire Marshal, zoning administrator, etc.). Only tanks designed for use above ground may be used for above ground storage. Tanks designed for underground storage cannot be used for above ground storage due to inherent design and structural deficiencies.

7. What is required of my underground home heating oil tank?

Home heating oil tanks are not regulated by the DNR. They are not required to be registered with the department and sampling for contamination is not required when being removed. However, if contamination is noticed or suspected, it must be reported to the DNR. Check with the local fire inspector for any local ordinances concerning home heating oil tanks.

8. I just discovered an underground tank on my property. What must I do?

If the tank was last used prior to January 1974 and is currently empty, department's regulation do not require tank registration, tank removal or testing for contamination. If you remove the tank and discover contamination, this must be reported to the DNR. If contamination is above department action levels, the site is required to follow the same corrective action rules as regulated tanks.

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If the tank was operated after January 1, 1974, the tank must be registered and removed from the ground and sampled for contamination according to the department's closure guidance documents.

9. What should I do if I spill petroleum or another regulated substance or find that my UST is leaking?

The first thing that should be done is make every possible effort to contain a spill as much as possible. If a UST is found to be leaking, it must be emptied immediately.

Owners and operators of UST systems must report a release of regulated substance to the DNR within 24 hours, or within 6 hours if a hazardous condition exists. A hazardous condition is considered to exist if a potential explosive condition is created (gasoline in a sewer where vapors could cause explosive conditions), or other imminent health, safety or environmental hazard may result.

10. How do I pay for cleaning up a release?

All regulated USTs must have insurance or another approved financial assurance mechanism to provide the financial resources necessary to assess and clean up releases of a regulated substance and to provide coverage against claims by injured third parties. Certain UST systems may be eligible for financial assistance from a State UST Fund. The administrator of the UST Fund (a different governmental entity than the DNR) may be contacted at 515-267-9101 or information specifically about the application process can be obtained by calling 515-207-7847.

11. How can I obtain information about UST sites?

The Storage Tanks database containing information on tank sites is available on the web at <http://programs.iowadnr.gov/tanks/>

The link to the Storage Tanks database site can also be found at www.iowadnr.gov/ust where you may also find the web application help document. The database tracks regulated sites depending on the year the tank system was installed. Each registered known UST site has a registration number, e.g. 198617966.

The department maintains hard-copy records available to the public on UST sites that were required to be registered. Files are indexed by city, file number and registered owner. If the site has not been identified as a contaminated site, the file (referenced by a UST registration number) will include information on the number of tanks and their contents, information on the closure of the tanks and any soil or groundwater testing that was conducted when the tanks were removed or filled in place. If the site is a contaminated site, the files (referenced by a LUST number) may contain assessment reports showing the extent of soil and groundwater contamination and the potential risks it poses to health, safety and the environment; and what type of cleanup system is proposed or in place. Copies of records can be obtained for a charge by calling 515-725-8480 or they are available for review at the DNR headquarters located in the Wallace State Office Building, 502 E 9th St, Des Moines IA 50319. Visitors to the building are to check in with the 4th floor receptionist.