



UST INFORMATION

PERMANENT UST SYSTEM CLOSURE AND CHANGES-IN-SERVICE

The following information provides a summary of the permanent closure and change-in-service requirements for underground storage tanks. The state of North Dakota has promulgated rules for underground storage tanks; the rules became effective December 1, 1989. The state rules are no more stringent than the Federal Underground Storage Tank (UST) Regulations (40 CFR Part 280).

In accordance with the above-referenced rules, an UST owner/operator who permanently closes an UST system must comply with the following requirements:

1. Notify the North Dakota Department of Environmental Quality (Department), in writing, of their intent to permanently close the UST system at least thirty (30) days before beginning closure;

2. Empty and clean the UST by removing all liquids and accumulated sludges;

(Note: API-RP 1604 and API-Publication 2015 may be used as guidance for cleaning and closure procedures.)

3. Measure for the presence of a release (i.e., site assessment) where contamination is most likely to be present at the site.

This Department recommends that the tank(s) be removed when an UST system is permanently closed. When a tank is removed from the ground, a visual inspection of the tank and the excavation should provide sufficient information to determine if and where the substance stored in the tank(s) has leaked into the subsurface soil. If during the removal contaminated soil, contaminated groundwater, free product or vapor is discovered, the UST owner and operator must report the release to this Department within (24) hours and begin corrective action in accordance with subpart F of the above-referenced regulations.

Should the tank(s) show no evidence of leakage and there is no apparent subsurface contamination (e.g., soil staining or strong petroleum odors), this Department will require no further sampling/measurement for contamination. Under these circumstances, the UST owner/operator would simply document the tank removal by submitting an amended Notification for Underground Storage Tanks (SFN-10980) along with a site assessment report (SFN-16932).

(Note: After the owner/operator has notified this Department of their intent to permanently close the UST system, the owner/operator will receive a letter from this office better explaining the necessary documents that must be submitted upon completion of the closure.)

An UST system can also be permanently closed by filling the tank(s) with an “inert” solid material. This method should only be considered when the tank(s) cannot be removed for reasons of location (e.g., under a building, next to a building foundation, etc.). Closing a tank in-place will require the UST owner/operator to perform a more comprehensive site assessment. Soil borings along with soil analysis will be necessary. Under these circumstances, the owner/operator should contact this office for recommendations on the number of borings, type of analysis, etc. Again, if during the performance of the site assessment, contaminated soil, contaminated groundwater, free product or vapor is discovered, the UST owner and operator must report the release to the North Dakota Department of Environmental Quality within twenty-four (24) hours.

NORTH DAKOTA DEPARTMENT OF ENVIRONMENTAL QUALITY

Regulatory Agency

North Dakota Department of Environmental Quality
Division of Waste Management
Underground Storage Tank Program
918 E. Divide Ave., 3rd Fl.
Bismarck, ND 58501-1947
Phone: 701.328.5166
Fax: 701.328.5200
Website: <https://deq.nd.gov>