



Title 10--DEPARTMENT OF NATURAL RESOURCES
Division 26 --Petroleum and Hazardous Substance Storage Tanks
Chapter 2--Underground Storage Tanks--Technical Regulations

Proposed Amendment

10 CSR 26-2.060 Taking USTs Out of Use

PURPOSE: This rule contains the requirements for underground storage tanks that are taken out of service.

(1) When an underground storage tank (UST) system is out of use, as defined in 10 CSR 26-2.012, ~~owners and operators must continue operation and maintenance of corrosion protection, as described in 10 CSR 26-2.031, and/or interior lining inspection and maintenance, as described in 10 CSR 26-2.021, until the site assessment described in 10 CSR 26-2.062 has been completed. Release reporting, investigation and corrective action, as described in 10 CSR 26-2.050--10 CSR 26-2.074~~ must be performed if a release is suspected or confirmed.

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(2) Owners and operators must also comply with the following requirements when a UST system is out of use for three (3) months or more:

- (A) Leave vent lines open and functioning; and
- (B) Cap and secure all other lines, pumps, manways and ancillary equipment.

(3) For a UST that remains out of use, within twelve (12) months of taking the UST system out of use, owners and operators must either:

- (A) Permanently close the UST system in accordance with 10 CSR 26-2.061, ~~10 CSR 26-2.062, and~~ 10 CSR 26-2.064, or
- (B) Complete a site assessment in accordance with 10 CSR 26-2.062.

(4) Within five (5) years of the date on which the UST was initially taken out of use, the owner or operator must permanently close the UST system, as described in 10 CSR 26-2.061, ~~10 CSR 26-2.062, and~~ 10 CSR 26-2.064.

(5) To re-open a steel tank system that has been out of use for more than 12 months, the tank owner or operator must:

- (A) Complete one of the following three options:
 1. Ensure that the steel tank is structurally sound, using an integrity test, defined in 10 CSR 26-2.021; and
 - A. If cathodically protected, the owner or operator must recertify the cathodic protection system in accordance with the requirements described in 10 CSR 26-2.031; or
 - B. If the tank was internally lined, the owner or operator must ensure that the lining is still functioning as designed and is in compliance with 10 CSR 26-2.021(3)(A);

2. Document that the tank has remained in compliance with the cathodic protection requirements described in 10 CSR 26-2.031;

3. Document that the tank has remained in compliance with the interior lining requirements described in 10 CSR 26-2.021(3)(A);

(B) Conduct line tightness testing and get a passing result; and

(C) Ensure that all ancillary equipment is tested for proper operation.

(6) To re-open a fiberglass-reinforced plastic tank system that has been out of use for more than 12 months, the tank owner or operator must:

(A) Have the tank and piping recertified by the manufacturer(s), or

(B) Provide tank deflection readings, confirming that these readings are within the manufacturer's allowable range, and

(C) Conduct line tightness testing and get a passing result, and

(D) Ensure that all ancillary equipment is tested for proper operation.

(7) To re-open a clad steel tank system that has been out of use for more than 12 months, the tank owner or operator must:

(A) Have the tank and piping recertified by the manufacturer(s), or

(B) Conduct line and tank tightness testing and get a passing result, and

(C) Ensure that all ancillary equipment is tested for proper operation.

(8) The department may grant an owner or operator a twelve-month extension to meet the site assessment requirement in subsection (3) of this rule. The department will consider at least the following criteria when reviewing a request for an extension:

(A) The UST had been in use no more than ten (10) years,

(B) Other USTs remain in use at the site,

(C) The owner or operator demonstrates that his or her financial responsibility mechanism allows additional time in which to report a release from the out-of-use UST and file a claim for that release, and

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(D) There is no evidence of a suspected or confirmed release.

(9) Owners and/or operators must notify the department within 30 days of any change in use of the tank (including taking the tank out of use or re-opening the tank).

AUTHORITY: sections 319.105, 319.107 and 319.111 RSMo 2000 and 319.137, RSMo Supp. 2009