TCEQ REGULATORY GUIDANCE
Program Support and Environmental Assistance Division
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Temporarily Removing Petroleum Storage Tanks from Service

This is *module l* of the PST Super Guide, a comprehensive guide to issues relating to petroleum storage tanks (PSTs). This super guide provides an overview of laws and regulations for PSTs and can be used as an aid in minimizing potential risks. The guide does not replace laws and regulations which take precedence over any information in this publication.

Who should use this guide?

Underground storage tank (UST) owners and operators should use *module l* to understand the requirements for temporarily removing a UST from service. UST owners and operators should note:

- You, the owner or operator of a PST, are responsible for ensuring compliance with all applicable laws and regulations.
- If your PST system is in Medina, Bexar, Comal, Kinney, Uvalde, Hays, Travis, or Williamson County, additional requirements related to protecting the Edwards or the Trinity Aquifer may apply (Title 30, Texas Administrative Code [30 TAC],[1] Chapters 213 and 214).
- In addition to TCEQ rules, local governments and other state and federal agencies may have rules that apply.

For more compliance information, contact Small Business and Local Government Assistance at 800-447-2827 or TexasEnviroHelp@tceq.texas.gov.

Why would I want to temporarily remove my tanks from service?

TCEQ requires that you temporarily remove your tanks from service when your UST system is no longer required for its intended purpose. There is always a risk that your tank could release a regulated substance, leading to costly remediation and cleanup fees. To minimize your risk, when your operations temporarily do not require the UST, consider emptying it. If you do not plan to use a tank in the future you should budget to permanently remove it from service. See Permanently Removing Petroleum Storage Tanks from Service[2] (RG-475m) for more information.

1. www.tceq.texas.gov/goto/view-30tac
2. www.tceq.texas.gov/downloads/assistance/publications/rg-475m.pdf

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What are the temporarily out of service (TOOS) requirements?

When temporarily removing your UST from service, you must maintain the system at a standard that prevents contamination of soil and groundwater.

Submit an amended UST registration within 30 days of temporarily removing your tanks from service using STEERS[3] or the UST Registration and Self-Certification Form[4] (TCEQ-00724). Continue to follow the operational requirements for TOOS tanks until the system is brought back into service or permanently removed from service.

For **all** TOOS USTs, whether a regulated substance is stored or not, you must:

- Keep all vent lines open and functioning to prevent vapors building up and potentially causing an explosion.
- Cap, plug, or lock any system piping, pumps, manways, tank access point, and ancillary equipment to prevent access, tampering, or vandalism.
- Maintain corrosion protection.
- Maintain operator training requirements and continue retraining every three years.
- Maintain approved financial assurance.

If you continue storing regulated substances in your TOOS tanks, you must also:

- Monitor for release detection.
- Submit annual self-certification.
- Comply with requirements for release reporting, investigations, and corrective action if a release of a regulated substance is suspected or confirmed.

TOOS USTs must maintain financial assurance unless the UST qualifies to have the financial assurance requirement waived. To waive the financial assurance requirement for TOOS tanks, you must:

- Empty your UST system.
- Perform a **site check** and any necessary corrective action.

Find the full requirements for temporarily removing tanks from service in 30 TAC Section 334.54.[5]

3. www3.tceq.texas.gov/steers/
4. www.tceq.texas.gov/goto/00724
5. texas-sos.appianportalsgov.com/rules-and-meetings?chapter=334&interface=VIEW_TAC&part=1&subchapter=C&title=30

When is my UST considered empty?

For your UST to be considered empty, the following conditions must be met:

- All regulated substances have been removed as completely as possible by accepted industry procedures.
- Any residue from stored regulated substances remaining in the system does not exceed 2.5 centimeters deep and 0.3% by weight of the system at full capacity.
- The volume or concentration of regulated substances remaining in the system will not pose an unreasonable risk to human health or safety or to the environment.

It is recommended that you keep an invoice and any written documentation from the company that removed the regulated substance.

What is a site check?

Site checks are used to determine if a release occurred from the UST system. They must follow the American Society for Testing and Materials (ASTM) guidance Standard Practice for Environmental Site Assessments: Phase II Environmental Site Assessment Process[6] (ASTM E1903). If you want to do a site check, use qualified personnel that follow this recognized industry practice. TCEQ recommends hiring an environmental consulting firm registered as a Correction Action Specialist (CAS).

For more information, see the Temporarily Out of Service UST Systems: Site Check Requirements webpage.[7]

What are the site check requirements?

Site checks performed must be capable of detecting and measuring the presence of a release where potential contamination is most likely located. This includes inspecting any existing tank hold observation wells for the presence of non-aqueous phase liquid and sampling where releases are most likely to occur from the UST system.

Below are the minimum sampling requirements for assessing releases at the UST system:

- Sample the tank hold.
    - Make at least two soil borings as close to the tank hold as possible, down to at least one foot deeper than the bottom of the tank hold.
        - One must be placed close to the fill port.
        - Other borings may be placed on other sides of the tank hold.

6. www.astm.org/e1903-19.html
7. www.tceq.texas.gov/permitting/registration/pst/toos-ust-site-check

    - Make additional borings along each side of the tank hold if:
        - the tank hold has more than two tanks, or
        - any tank has a capacity greater than 2,000 gallons.
    - Collect two soil samples from each boring.
        - One at the interval with the highest contamination as indicated by staining, odors, or field instrument reading. If no obvious contamination is present, take sample between the midpoint of the maximum tank diameter and total depth.
        - A second sample at the bottom of the boring.
    - If groundwater is encountered before reaching the bottom of the boring, collect a groundwater sample by installing a temporary monitor well.
- Sample under the dispenser(s).
    - Make one soil boring adjacent to each dispenser, at least one foot deep into the native soil below the dispenser sump.
    - Collect one sample from the bottom of the boring.
    - Separate dispenser samples are not required if the dispensers are located directly above the tank hold.

What do I do after a site check?

The next step after a site check depends on whether a release or contamination are identified.

If the results show contamination **is not present**:

- Keep site check results on site or available upon request showing that a release was not identified.
- Complete and submit the Temporarily Out of Service UST Site Check Certification Form[8] (TCEQ-21014) to waive financial assurance requirement. The owner must review the site check results with the contractor prior to submitting the TCEQ-21014 form.

If the results show contamination **is present**:

- Submit site check results with the Release Determination Report Form[9] (TCEQ-00621) to the Remediation Division PST Program.
- Complete corrective action as required by the Remediation Division PST Program.

8. www.tceq.texas.gov/downloads/permitting/waste-registration/forms/pst/21014.pdf
9. www.tceq.texas.gov/downloads/remediation/pst/responsible-party/00621.pdf

How do I return my UST to service?

The following steps must be taken before returning the system to service:

- Notify the TCEQ using the Underground and Aboveground Petroleum Storage Tank Construction Notification Form[10] (TCEQ-00495) at least 30 days beforehand.
    - Also notify the regional office 24-72 hours before scheduled activity.
- If your system was TOOS for more than six months, have a licensed UST contractor complete both tank and piping tightness tests to detect releases as small as 0.1 gallon per hour.
- Ensure that an approved method of release detection is in use.
- Obtain acceptable financial assurance (if financial assurance lapsed).
- Ensure that approved methods of spill and overfill prevention and control are in use.
- Submit an amended UST registration within 30 days after returning your UST to service using STEERS[11] or the UST Registration and Self-Certification Form[12] (TCEQ-0724).

What records must I keep while my UST is TOOS?

Continue to maintain installation records, original and amended registration records, and financial assurance records until the system is permanently removed from service. If the UST system was in use during the past five years, maintain operational records to document compliance.

If you emptied your tank and conducted a site check, keep your empty documentation, results of the site check, and corrective action documentation (if applicable).

At a minimum, records of the following must be maintained for at least five years after the UST system is temporarily removed from service:

- Date of temporary removal from service.
- Name, address, and telephone number of any person who prepared the UST system for temporary removal from service.
- Procedures used to prepare and empty the system.
- Any extension requests and approvals.

10. www.tceq.texas.gov/goto/00495
11. www3.tceq.texas.gov/steers/
12. www.tceq.texas.gov/goto/00724

Once the UST has been returned to service, maintain the following:

- Date returned to service.
- Name, address, and telephone number of any person who conducted the tank and piping tightness tests.
- Results of the tank and piping tightness tests (if applicable).

Where do I find more information?

Find complete requirements in 30 TAC[13] for:

- Temporary Removal from Service (30 TAC Section 334.54)
- Release Reporting and Correction Action (30 TAC Chapter 334, Subchapter D)
- Financial Assurance for USTs (30 TAC Chapter 37, Subchapter I)
- Tanks in the Edwards Aquifer (30 TAC Chapter 213)
- Tanks over other aquifers (30 TAC Chapter 214)

Other online resources include:

- Temporarily out of service tanks[14] assistance developed by our Small Business and Local Government Assistance (SBLGA) program.
- Temporarily Out of Service UST Systems: Site Check Requirements webpage[15] developed by the PST Registration Program.
- Find Registered Corrective Action Specialists[16] to perform site checks.
- Investigating and Reporting Releases from Petroleum Storage Tanks[17] (RG-411).
- Links to additional webpages about registering PSTs, technical requirements for regulated PSTs, and leaking petroleum storage tank cleanup are available on the Petroleum Storage Tanks Registration[18] webpage.
- Forms for PST facilities.[19]
- TCEQ's forms and publications search.[20]

13. www.tceq.texas.gov/goto/view-30tac
14. www.tceq.texas.gov/assistance/industry/pst/temporarily-out-of-service-tanks
15. www.tceq.texas.gov/permitting/registration/pst/toos-ust-site-check
16. www.tceq.texas.gov/remediation/pst_rp/license.html
17. www.tceq.texas.gov/downloads/remediation/pst/responsible-party/investigating-and-reporting-releases-from-psts-rg-411.pdf
18. www.tceq.texas.gov/permitting/pst_cert.html
19. www.tceq.texas.gov/remediation/pst_rp/downloads.html
20. www.tceq.texas.gov/publications