

# Fact Sheet:

## Closure of Underground Storage Tanks



### Why would I want to Close a UST?

- Underground Storage tanks (USTs) are, as the name suggests, are buried underground and often completely out of sight. While USTs are a good way of placing an otherwise large and unsightly structure out of view and allows better use of surface space, damage, leaks or releases from the UST system may go many years before they are detected and can result in significant impacts to human health and the environment, and can be very expensive to clean up. Because of this, USTs have strict maintenance, inspection, testing, and monitoring schedules
- Closure of a UST or product piping may be required by DEM for a variety of circumstances, including, but not limited to: Components have exceeded the manufacturers reasonable expected lifespan; single wall construction with no secondary containment; Physical Damage or Excess Corrosion; Failed Tightness Tests; abandonment; failure to repair damage within required timeframe; Leaks; excessive repair required; or if the UST or product piping is unable to be repaired in accordance with the manufacturers specifications
- The owner may voluntarily close a system at any time
- Some financial lenders require removal of USTs prior to providing financing for property purchases or refinancing

### Who Regulates UST Closures?

- The answer to this generally depends on the size of the UST, what it is used for, and what the contents are. However, releases or leaks from USTs and UST systems are always regulated and must be reported to DEM immediately
- Closures of USTs containing gasoline, diesel, kerosene, aviation fuel, or other hazardous substances not specifically listed are regulated by DEM and oversight of the closure process is required
- Closures of USTs that are <1,100 gallons that contain any grade of heating fuel used for on-site heating (e.g., most home heating oil systems) are not regulated and DEM will generally not be involved in the closure process unless a leak or release is discovered
- Closures of USTs that are ≥ 1,100 gallons that contain any grade of heating fuel for distribution are regulated by DEM and oversight of the closure process is required
- Local Fire Departments and Municipalities may also regulate closure of USTs—always check with local officials before starting the closure process

### What types of Closures are allowed?

- **Permanent Closure- Removal:** All USTs, product piping, and associated components are removed from the ground and disposed of. This is the most common and preferred type of closure
- **Permanent Closure- Closure in Place:** USTs and product piping are filled with a flowable fill material and left in place. Soil and Groundwater core samples are taken to determine if a release occurred. Closure-in-Place is only allowed if removal of the UST and product piping would impact the integrity of nearby structures, roadways, or utilities, or if the UST is located inside a building
- **Temporary Closure:** USTs and product pipelines are emptied, purged, and taken out of service for up to 5 years. UST systems that have been ordered closed by DEM or no longer meet minimum UST system requirements are not eligible to be temporarily closed and must be permanently closed via removal or closure in place. Temporary closure is considered a separate process and is not covered by this fact sheet. Instructions for Temporary Closure, along with the application, can be found on our website at <http://www.dem.ri.gov/ust>

### Who can Perform Closures?

- DEM does not currently require any special certifications or licenses for individuals or companies performing UST system excavations and closures
- Due to the complexity, liability, and difficulty involved, DEM highly recommends that only individuals with experience perform UST closures
- DEM DOES require that anyone hauling hazardous materials from a UST closure (e.g., tank cleaning waste, contaminated soil) have a valid Waste Haulers Permit from the Office of Waste Management. For more information on this requirement, please call (401) 222-2797
- The State of Rhode Island Department of Labor and Training may require a contractor or other license(s) to perform UST closures. For additional information, the Department of Labor and Training can be reached at (401) 462-8000
- Municipalities and Fire Departments may require special permits, licenses, or certifications. Be sure to check with your local officials to see what is required
- If a Closure Assessment Report is required, collection of all data, analysis, and development of the report must be overseen by a Professional Engineer (PE), Certified Professional Geologist (CPG), or a Registered Professional Geologist (RPG)
- DEM is prohibited from recommending specific contractors, consultants, or vendors. If you do not know anyone able to conduct this work, searching the internet using your favorite search engine will usually yield good results. You can also talk to the individual who performs your annual UST system testing and repairs, gasoline distributor, or UST system component supplier for suggestions

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## Do I need a Closure Assessment?

- A Closure Assessment is a report summarizing the closure and includes results of soil screening and in some cases analytical results to help determine if a release occurred
- Closure Assessments are required for all UST systems containing gasoline, kerosene, and diesel fuels. They may be required for other systems at the discretion of DEM
- Lending agencies may require a closure assessment or other environmental assessment prior to providing financing. This may be an important consideration if you intend on refinancing, redeveloping, or selling the property
- A Closure Assessment and Closure Report must be performed by a 3rd party consultant who is a Professional Engineer (PE), Certified Professional Geologist (CPG), or a Registered Professional Geologist (RPG). In cases where a Closure Assessment Report is required, the Closure Certificate will not be issued until the Closure Assessment Report is received

## What if a Release is Discovered?

- If the UST and/or product pipeline being closed is not regulated by DEM and evidence of a release is discovered, the DEM Underground Storage Tank program must be notified immediately by calling (401) 222-2797
- If the UST and/or product pipeline being closed is regulated by DEM, most often the closure inspector will be the one to discover and report the release
- The facility will be assigned a DEM project manager to oversee the clean-up and the property will be designated a Leaking Underground Storage Tank (LUST) site
- Clean-up of contamination from qualifying UST systems may be eligible for financial assistance

## What about UST Replacement?

- Replacement USTs or product pipelines can usually be installed in conjunction with the closure of old USTs and/or product pipelines
- Replacement and Installation of USTs is regulated by DEM and prior approval is required for any UST or product piping installation, replacement, or repair. For more information, contact Greg Yekhtikian at (401) 222-2797 extension 7521

## What is the DEM Closure Process?

- 1) The owner of the UST system should hire a contractor and, if required, an environmental consultant
- 2) Submit a Permanent Closure Application to the DEM Permit Application Center. It may take up to 10 days to perform a technical review of the application and it is recommended that you submit the application at least 20 days prior to your preferred closure date. In most cases the contractor or consultant can assist with this. The closure application is available on our website at <http://www.dem.ri.gov/programs/benviron/waste/pdf/ustclosr.pdf>
- 3) Contact your local fire department and town/city officials to see if additional notifications or permits are required
- 4) DEM will review your application and assign a closure date and DEM Closure Inspector who will be on-site during the closure to inspect the UST system and determine if a release has occurred. For more information on scheduling closures, contact Frank Vogel at (401) 222-2797 extension 7522
- 5) The DEM Closure Inspector will contact you 1-3 days before the closure to setup a time to inspect the USTs and tank grave
- 6) If a closure assessment report is required, it must be submitted to DEM within 30 days
- 7) Upon receipt of all required documentation, DEM will issue a closure certificate documenting that the USTs were removed in compliance with DEM regulations

## How much does it Cost?

- DEM charges an administrative fee of \$75 for each UST that is closed. This fee helps to cover costs associated with the technical review of the application and closure assessment report, as well as time overseeing the closure
- Costs charged by contractors and consultants can vary widely by company, UST system type to be closed, time of the year, and availability. DEM recommends getting estimates from at least three contractors and consultants to ensure you are getting a fair price



If you have further questions, please contact our office at  
(401) 222-2797