

**7150.0010 APPLICABILITY.**

Subpart 1. **Scope.** The requirements of this chapter apply to all owners and operators of an underground storage tank system as defined in part 7150.0030, except as otherwise provided in this part.

Subp. 2. **Exclusions.** The following underground storage tank systems are excluded from the requirements of this chapter:

A. an underground storage tank system holding hazardous wastes listed or identified under chapter 7045 or Code of Federal Regulations, title 40, part 261, or a mixture of such hazardous waste and other regulated substances;

B. a wastewater treatment tank system that is part of a wastewater treatment facility regulated under United States Code, title 33, section 1317 or 1342;

C. equipment or machinery that contains regulated substances for operational purposes such as hydraulic lift tanks and electrical equipment tanks;

D. an underground storage tank system with a capacity of 110 gallons or less;

E. an underground storage tank system that contains a de minimus concentration of regulated substances;

F. an emergency spill or overflow containment underground storage tank system that is expeditiously emptied after use;

G. a farm or residential tank of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes;

H. a tank of 1,100 gallons or less capacity used exclusively for storing heating oil for consumptive use on the premises where stored;

I. a septic tank;

J. a pipeline facility, including gathering lines, regulated under United States Code, title 49, chapter 24 or 29;

K. a surface impoundment, pit, pond, or lagoon;

L. a storm water or wastewater collection system;

M. a flow-through process tank;

N. a storage tank situated in an underground area such as a basement, cellar, mineworking, drift, shaft, or tunnel if the storage tank is located upon or above the surface of the floor;

O. an oil-water separator;

P. underground storage tank systems containing radioactive material that are regulated under the Atomic Energy Act of 1954, United States Code, title 42, sections 2011 to 2296;

Q. an underground storage tank system that is part of an emergency generator system at nuclear power generation facilities regulated by the Nuclear Regulatory Commission under Code of Federal Regulations, title 10, part 50, Appendix A; and

R. airport hydrant fuel distribution systems.

Subp. 3. [Repealed, 32 SR 1751]

Subp. 4. **Emergency power generator tanks.** Parts 7150.0300 to 7150.0340 and 7150.0450, subpart 3, item D, do not apply to an underground storage tank system installed before December 22, 2007, that stores fuel for use by emergency power generators.

Subp. 5. **Heating oil tanks.** Parts 7150.0010; 7150.0030; 7150.0090, subparts 1, 2, 4, and 6; 7150.0100, subparts 7, 9, and 10; and 7150.0205, subparts 1 to 4, apply to an underground storage tank system of over 1,100 gallons capacity used exclusively for storing heating oil for consumptive use on the premises where stored.

**Statutory Authority:** *MS s 116.49*

**History:** *16 SR 59; 32 SR 1751; 34 SR 1610*

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