

7150.0090 NOTIFICATION AND CERTIFICATION.

Subpart 1. **Prenotification.** At least ten days before beginning any of the following activities, owners and operators must notify the agency in the manner prescribed by the commissioner of their intent to perform the activity:

- A. installation, replacement, or repair of a UST system, including tanks, piping, linings, containment sumps, and corrosion protection systems, but excluding dispensers and exposed components below grade that can be visually inspected;
- B. permanent closure of an underground storage-tank system;
- C. change in status of an underground storage-tank system to storage of a nonregulated substance; and
- D. inspection of a lining on an internally lined tank.

Subp. 2. **Notification of installation, replacement, or change in status.** Owners and operators who bring a UST system or components such as tanks, retrofit tanks, piping, or dispensers into use or make a change in status must, within 30 days of bringing the UST system into use or making a change in status, submit to the agency, in the manner prescribed by the commissioner, a notice of the existence of the UST system or type of change in status, including the information required by Minnesota Statutes, section 116.48, subdivisions 1 and 3.

Subp. 3. **Certification by owners and operators.** Owners and operators of new and replacement UST systems, including tanks, retrofit tanks, piping, and dispensers, must sign and certify in the notification form compliance with the following requirements:

- A. installation of tanks, piping, and dispensers according to parts 7150.0100 and 7150.0205, including secondary containment of new and replacement tanks, piping, and dispensers;
- B. financial responsibility under Code of Federal Regulations, title 40, part 280, subpart H;
- C. release detection according to parts 7150.0300 to 7150.0340; and
- D. corrosion protection according to part 7150.0215.

Subp. 4. **Certification by installers.** Owners and operators of new and replacement UST systems, including tanks, retrofit tanks, piping, or dispensers, must ensure that the installer signs and certifies in the notification form that:

- A. all work was performed as specified by the manufacturer's instructions;
- B. all work was performed according to the applicable codes of practice in parts 7150.0205 and 7150.0500;
- C. all work was performed according to applicable state and federal regulations, including this chapter; and
- D. the installer is in compliance with certification requirements imposed by chapter 7105.

Subp. 5. **Notification of cathodic protection testing.** Owners and operators of underground storage-tank systems with cathodic protection must notify the agency, or ensure that a cathodic protection tester notifies the agency, of the results of testing of cathodically protected tanks and piping as required by part 7150.0215, within 30 days of completion of testing, in the manner prescribed by the commissioner.

Subp. 6. **Notification of tank sale.** A person who sells a tank intended to be used as an underground storage tank or property that the seller knows contains an underground storage tank must notify the purchaser of the tank in writing prior to closing the transaction of the new owner's notification obligations under subpart 2 and Minnesota Statutes, section 116.48.

Subp. 7. **Notification of tank purchase.** A person who purchases property that the purchaser knows contains a UST system must notify the agency within 30 days after closing the transaction, pursuant to subpart 2. The notification must include the change in ownership and verify that all operators, including lessees, have read this chapter and have sufficient knowledge in the operation and maintenance of UST systems.

Subp. 8. **Notification of compatibility.** Owners and operators of a UST system must notify the agency at least 30 days before storing a regulated substance containing more than ten percent ethanol, more than 20 percent biodiesel, or any other regulated substance identified by the commissioner as a substance that could degrade components of a UST system. Owners and operators must demonstrate to the commissioner that the components of the UST system are compatible with the product being stored in accordance with part 7150.0100, subpart 9.

Subp. 9. **Notification of other regulated substances.** The commissioner must notify owners and operators in writing or electronically if the commissioner identifies any other regulated substances that require notice of compatibility under subpart 8.

Statutory Authority: *MS s 116.49*

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