

7150.0410 PERMANENT CLOSURE AND CHANGE IN STATUS TO STORAGE OF NONREGULATED SUBSTANCES.

Subpart 1. **Requirements.** In addition to the requirements of the most current Minnesota Fire Code, owners and operators must comply with the provisions in subparts 2 to 7 relating to permanent closure or change in status to storage of nonregulated substances.

Subp. 2. **Notice of closure or change in status.** At least ten days before beginning either permanent closure under subpart 3 or a change in status under subpart 4, owners and operators must notify the commissioner of their intent to permanently close or make the change in status, unless such action is in response to corrective action. The required assessment of the excavation zone under part 7150.0420 must be performed after notifying the commissioner but before completion of the permanent closure or a change in status.

Subp. 3. **Permanent closure.** To permanently close a tank, owners and operators must empty and clean it by removing all liquids and accumulated sludges from the tank and piping. All tanks and piping taken out of service permanently must also be either removed from the ground or filled in with an inert solid material.

Subp. 4. **Storage of nonregulated substances.** Continued use of an underground storage tank system to store a nonregulated substance is considered a change in status. Before a change in status to storage of a nonregulated substance, owners and operators must empty and clean the tank and piping by removing all liquid and accumulated sludge and conduct a site assessment according to part 7150.0420.

Subp. 5. **Certification of closers.** Owners and operators must ensure that persons performing permanent closures under subpart 3 or changes in status under subpart 4 are in compliance with certification requirements imposed by chapter 7105. Such persons must furnish copies of current certificates issued by the agency to the owner and operator before beginning a permanent closure under subpart 3 or a change in status under subpart 4.

Subp. 6. **Tank system closure certification.** Owners and operators must ensure that the person who permanently closes or changes the status of an underground storage tank system to a nonregulated substance certifies in the notification form that the methods used comply with this part.

Subp. 7. **Cleaning and closure procedures.** The cleaning and closure procedures listed in one of the following documents must be used as guidance for complying with this part. The documents are incorporated by reference under part 7150.0500:

A. American Petroleum Institute, Closure of Underground Petroleum Storage Tanks, API 1604 (1996);

B. American Petroleum Institute, Interior Lining and Periodic Inspection of Underground Storage Tanks, API 1631 (2001); or

C. American Petroleum Institute, Requirements for Safe Entry and Cleaning of Petroleum Storage Tanks, API 2015 (2001).

Statutory Authority: *MS s 116.49*

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

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