

7151.1300 APPLICABILITY.

Subpart 1. **Scope.** This chapter applies to owners or operators of aboveground storage tank systems except for:

- A. major facilities required to obtain a permit under chapter 7001; and
- B. aboveground storage tank systems exempt under subpart 2.

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

A. wastewater treatment equipment including a wastewater clarifier, wastewater treatment basin, and tanks which are regulated under the national pollutant discharge elimination system, the sewage disposal system, or other pretreatment permits;

B. equipment or machinery containing substances for operational purposes such as integral hydraulic lift tanks, lubricating oil reservoirs for pumps and motors, electrical equipment, and heating and cooling equipment;

C. an indoor tank;

D. a tote tank;

E. an aboveground storage tank containing hazardous wastes which are subject to a treatment or storage permit issued pursuant to chapter 7001;

F. an aboveground storage tank containing agricultural chemicals regulated under Minnesota Statutes, chapter 18B, 18C, or 18D;

G. a vehicle, such as a tank truck or railroad tank car, designed and used to transport substances from one location to another unless:

(1) the vehicle contains substances and remains in the same location more than 30 consecutive days; or

(2) the vehicle dispenses substances and is refilled while in the same location;

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

I. an aboveground storage tank constructed of stainless steel containing other regulated substances;

J. an aboveground storage tank containing drinking water, filtered surface water, demineralized water, noncontact cooling water, or water stored for fire or emergency purposes and other waters which meet the standards defined in chapter 7050 or 7052;

K. an aboveground storage tank, located on a farm, in which the contents of the tank are used by the tank owner or operator for farming purposes, and the contents are not being commercially distributed;

L. an aboveground storage tank located on residential property of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes;

M. an aboveground storage tank of 1,100 gallons or less capacity used for storing heating oil for consumption on the premises where stored;

N. any aboveground storage tank of 1,100 gallons or less capacity, not otherwise exempt under items A to M, unless that tank is greater than 500 gallons capacity and is located within 500 feet of a Class 2 surface water;

O. stormwater collection systems;

P. septic tanks; and

Q. an aboveground storage tank that is located at a site for a period of 30 days or less.

Statutory Authority: *MS s 115.03*

History: *23 SR 883; 25 SR 556*

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