

1 **Pollution Control Agency**2 **Adopted Permanent Rules Relating to Storage Tanks**3 **7001.0020 SCOPE.**

4 Except as otherwise specifically provided, parts 7001.0010 to 7001.0210 apply to the
5 following:

6 [For text of items A to F, see M.R.]

7 G. An agency permit required for the construction of a facility, building, structure,
8 or installation that attracts or may attract mobile source activity that results in emissions
9 of an air pollutant for which there is a state standard. Parts 7001.0100, subparts 4 and 5,
10 and 7001.0110 do not apply to permits for parking facilities described in part 7001.1270,
11 subpart 2, with a new or increased parking capacity of 5,000 vehicles or less. Part
12 7001.0150, subparts 1 and 2, does not apply to these permits.

13 H. The processing of certifications under section 401 of the Clean Water Act,
14 United States Code, title 33, section 1341, to the extent provided by parts 7001.1400 to
15 7001.1470.

16 I. An agency permit required for the construction or operation of a substance
17 storage facility which:

18 [For text of subitems (1) and (2), see M.R.]

19 (3) is not an excluded aboveground storage tank system under part 7151.1300,
20 subpart 2.

21 Part 7001.0040, subparts 1 and 3, apply to major facility substance storage permits
22 except that the time period referenced in those subparts shall be 90 days instead of 180
23 days. Parts 7001.0100, subparts 4 and 5; 7001.0110; and 7001.0150 do not apply to these
24 permits.

25 Part 7001.0080 applies to the permits in this item except that the time period referenced
26 in part 7001.0080 shall be five years instead of three years.

7001.0020

1 **7001.0050 WRITTEN APPLICATION.**

2 A person who requests the issuance, modification, revocation and reissuance, or
3 reissuance of a permit shall complete, sign, and submit to the commissioner a written
4 application. The person shall submit the written application in a form prescribed by the
5 commissioner. The application shall contain the items listed in items A to I unless the
6 commissioner has issued a written exemption from one or more of the data
7 requirements. After receiving a written request for an exemption from a data
8 requirement, the commissioner shall issue the exemption if the commissioner finds that
9 the data is unnecessary to determine whether the permit should be issued or denied.

10 The application must contain:

11 [For text of items A to H, see M.R.]

12 I. other information relevant to the application as required by parts 7001.0550 to
13 7001.0640, 7001.1050, 7001.1290, 7001.3175 to 7001.3475, 7001.4200, or 7041.0700.

14 **7001.4215 PUBLIC COMMENT.**

15 If the permit applicant requests or the agency determines that issuance, reissuance, or
16 modification of a permit involves issues that generate or are likely to generate
17 significant material adverse comment from the public, based on previous adverse public
18 comment on the proposed permit or related issues, the procedures in items A to C, prior
19 to issuance, reissuance, or modification of the permit, apply.

20 [For text of items A to C, see M.R.]

21 **7001.4230 RETENTION OF TANK AND SUBSTANCE TRANSMISSION LINE**
22 **RECORDS.**

23 If a substance storage facility is required to obtain a major facility permit under this
24 chapter, the permittee shall retain the following data on file at the facility for the
25 retention times specified for each of the following safeguards that are explicitly required
26 by the terms and conditions of the permit:

7001.4230

1 [For text of items A and B, see M.R.]

2 C. for each secondary containment area: records of visual inspections, for one year.

3 Unless otherwise addressed in the terms and conditions of the permit, the major
4 facility permittee shall retain all data specified in this part. The permittee shall, upon
5 agency request, make the data available to the agency for viewing and copying.

6 **7150.0030 DEFINITIONS.**

7 [For text of subps 1 to 21, see M.R.]

8 Subp. 22. **Hazardous material.** "Hazardous material" means:

9 A. a substance listed in Code of Federal Regulations, title 40, part 302, including
10 petroleum under subpart 36, item C, but not including:

11 [For text of subitems (1) to (3), see M.R.]

12 [For text of item B, see M.R.]

13 [For text of subps 23 to 53, see M.R.]

14 **7151.1100 PURPOSE.**

15 The purpose of this chapter is to provide for the protection of the public health and
16 the environment by establishing uniform performance standards and technical
17 requirements for aboveground storage of liquid substances which may cause pollution
18 of waters of the state.

19 **7151.1200 DEFINITIONS.**

20 [For text of subps 1 to 4, see M.R.]

21 Subp. 4a. **Asphalt cement.** "Asphalt cement" means a mixture of bituminous obtained
22 from native deposits or as a petroleum by-product used for roofing or paving that is in a
23 solid state at 100 degrees Fahrenheit or less.

24 [For text of subps 5 to 12, see M.R.]

25 Subp. 12a. **Double-bottomed tank.** "Double-bottomed tank" means a field-erected

1 aboveground storage tank that has been designed or modified to include a second tank
2 bottom and where (A) the bottoms are compatible with and impermeable to the
3 substance being stored, (B) the interstitial space between the bottoms is filled with a
4 minimum of three inches of a neutral sand or other noncorrosive material cushion, and
5 (C) there is a method in place for monitoring the interstitial space for leaks.

6 Subp. 13. **Double-walled tank.** "Double-walled tank" means an aboveground storage
7 tank with an inner, primary shell and an outer, secondary shell that extends around the
8 entire inner shell, and a method in place for monitoring the interstitial space between
9 the shells for leaks.

10 [For text of subp 14, see M.R.]

11 Subp. 14a. Facility. "Facility" means an assemblage of one or more aboveground
12 storage tanks, including any indoor tanks, together with any associated secondary
13 containment areas, appurtenances, and substance transfer areas, that are located at a
14 single property or multiple contiguous properties.

15 [For text of subps 15 to 24, see M.R.]

16 Subp. 25. **Other regulated substances.** "Other regulated substances" means any
17 substance, including a food-based product intended for human or animal consumption,
18 which may cause pollution of waters of the state and is not:

19 [For text of items A and B, see M.R.]

20 [For text of subps 26 and 27, see M.R.]

21 Subp. 28. **Piping or lines.** "Piping" or "lines" means a hollow cylinder or tubular
22 conduit that is constructed for conveying a substance from one point to another within
23 an aboveground storage tank system.

24 [For text of subps 29 to 32, see M.R.]

25 Subp. 33. **Substance.** "Substance" means any material which is liquid at ambient
26 pressures and temperatures which may cause pollution of waters of the state.

1 [For text of subps 34 to 41, see M.R.]

2 **7151.1300 APPLICABILITY.**

3 [For text of subpart 1, see M.R.]

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

6 [For text of items A to J, see M.R.]

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

10 [For text of items L to N, see M.R.]

11 O. stormwater collection systems;

12 P. septic tanks; and

13 Q. an aboveground storage tank that ~~stores a substance~~ is located at a site for a
14 period of 30 days or less.

15 **7151.4100 TEMPORARY STORAGE.**

16 Subpart 1. **Scope.** This part applies to storage of a substance in an aboveground
17 storage tank that is located at a site for a period of more than 30 days but less than one
18 year. Temporary storage tanks regulated under this part are exempt from all other
19 requirements except as provided in subparts 2, 3, and 4.

20 [For text of subps 2 to 4, see M.R.]

21 **7151.5100 REQUIREMENT.**

22 [For text of subps 1 and 2, see M.R.]

23 Subp. 3. **Tanks storing other regulated substances.** Owners and operators of new
24 tanks storing other regulated substances need not comply with parts 7151.5400, subpart
25 4; 7151.5500; 7151.5600; and 7151.5700.

1 Subp. 4. **Tanks storing asphalt cement.** Owners and operators of new tanks storing
2 asphalt cement need not comply with parts 7151.5200, subpart 3, item A, subitem (2);
3 7151.5400, subpart 4; 7151.5500; 7151.5600; and 7151.5700.

4 **7151.5200 TANK AND PIPING STANDARDS.**

5 [For text of subps 1 and 2, see M.R.]

6 Subp. 3. **Used aboveground storage tanks.**

7 A. Except as provided in item C, an aboveground storage tank that has been
8 removed from a facility must not be reinstalled at a second facility for the purpose of
9 substance storage unless:

10 [For text of subitems (1) and (2), see M.R.]

11 B. Except as provided in item C, a tank that has been lifted or moved within a
12 facility must not be reinstalled for the purpose of substance storage unless:

13 [For text of subitems (1) and (2), see M.R.]

14 [For text of item C, see M.R.]

15 **7151.5600 CORROSION PROTECTION.**

16 Subpart 1. **Tanks.** The floor of a steel aboveground storage tank must be protected
17 from corrosion using one of the following methods:

18 [For text of A to C, see M.R.]

19 D. the tank is double-bottomed with a ~~vacuum pulled on the interstitial space;~~

20 (1) a vacuum pulled on the interstitial space; or

21 (2) a cathodic protection system installed in the interstitial space;

22 [For text of items E to G, see M.R.]

23 [For text of subp 2, see M.R.]

24 Subp. 3. **Design criteria.** Cathodic protection of new steel tanks and lines must meet
25 the following design criteria:

1 [For text of items A and B, see M.R.]

2 **7151.5700 OVERFILL PROTECTION.**

3 [For text of subpart 1, see M.R.]

4 Subp. 2. **Double-walled tanks.** Double-walled tanks which are not otherwise located
5 within a secondary containment area meeting the requirements of part 7151.5400 must
6 have one of the following systems for overfill prevention:

7 [For text of items A and B, see M.R.]

8 [For text of subp 3, see M.R.]

9 **7151.6100 REQUIREMENT.**

10 [For text of subps 1 and 2, see M.R.]

11 Subp. 3. **Tanks storing other regulated substances.** Owners and operators of tanks
12 storing other regulated substances need not comply with parts 7151.6400, subpart 4,
13 item A; 7151.6500; 7151.6600; and 7151.6700.

14 Subp. 4. **Tanks storing asphalt cement.** Owners and operators of tanks storing
15 asphalt cement need not comply with parts 7151.6400, subpart 4, item A; 7151.6500;
16 7151.6600; and 7151.6700.

17 **7151.6200 TANK AND PIPING STANDARDS.**

18 Subpart 1. **Tank and piping standards.** Owners and operators of aboveground
19 storage tank systems shall ensure that existing systems used to store regulated
20 substances will not structurally fail or corrode.

21 [For text of subp 2, see M.R.]

22 **7151.6400 SECONDARY CONTAINMENT.**

23 [For text of subps 1 and 2, see M.R.]

24 Subp. 3. **Materials.** All secondary containment systems for existing aboveground
25 storage tanks must meet the materials requirements of subpart 5 or part 7151.5400,
26 subpart 3.

7151.6400

1 Subp. 4. **Design.**

2 A. If the tank is lifted or moved within a facility, the secondary containment
3 system must meet the design requirements of part 7151.5400, subpart 4.

4 B. If the tank is moved from a facility and reinstalled on a second facility, the tank
5 must meet the standards for new aboveground storage tanks in part 7151.5100.

6 [For text of subp 5, see M.R.]

7 Subp. 6. **Containment area evaluation.** Owners and operators shall perform
8 postinstallation permeability testing on containment areas constructed of native soils,
9 amended soils, or imported clay liners requiring a minimum permeability standard
10 under subpart 5. A qualified soil technician or testing company shall evaluate the top
11 three feet of soil, below any cover material, for vertical soil permeability. Evaluation
12 must:

13 A. comport with approved ASTM standard field or lab sampling techniques;

14 B. utilize the soil sampling matrix below to quantify permeability rates of soils in
15 smaller containment areas:

16 Secondary Containment Area Size	17 Minimum Number of Soil Samples
18 (Square Feet)	19 Necessary
19 <10,000	3
20 10,000 - 50,000	4
21 >50,000	22 Equal to the number of tanks 23 contained in the secondary 24 containment basin (minimum 25 of 4 samples); and

26 [For text of item C, see M.R.]

27 [For text of subp 7, see M.R.]

28 **7151.6600 CORROSION PROTECTION.**

29 [For text of subpart 1, see M.R.]

30 Subp. 2. **Tanks.** The floor of an existing steel aboveground storage tank must be
31 protected from external corrosion using one or more of the following methods:

7151.6600

1 [For text of items A to C, see M.R.]

2 D. the tank is double-bottomed with a vacuum pulled on the interstitial space;

3 (1) a vacuum pulled on the interstitial space; or

4 (2) a cathodic protection system installed in the interstitial space;

5 [For text of items E to G, see M.R.]

6 [For text of subps 3 and 4, see M.R.]

7 Subp. 5. **Exclusions.** A secondary containment area for tanks or tank systems which
8 complies with the requirements of part 7151.5400, subparts 1, 2, 3, items B to I, and 4, is
9 excluded from the requirements of this part.

10 [For text of subps 6, see M.R.]

11 **7151.6700 OVERFILL PROTECTION.**

12 [For text of subpart 1, see M.R.]

13 Subp. 2. **Exclusions.** A secondary containment area for tanks or tank systems which is
14 constructed to a 1×10^{-7} centimeters per second permeability standard and meets the
15 requirements of part 7151.5400 or 7151.6400, subparts 1 to 4, is excluded from the
16 requirements of this part.

17 [For text of subp 3, see M.R.]

18 **7151.7100 REQUIREMENT.**

19 [For text of subpart 1, see M.R.]

20 Subp. 2. **Exclusions.** The following aboveground storage tanks are excluded from the
21 requirements of parts 7151.7100 to 7151.7500:

22 A. tanks 1,100 gallons or less but greater than 500 gallons and located within 500
23 feet of Class 2 surface water;

24 B. tanks storing other regulated substances are excluded from part 7151.7200,
25 subparts 4; 6, item B; and 7 only; and

1 C. tanks storing asphalt cement are excluded from part 7151.7200, subparts 4; 6,
2 item B; and 7 only.

3 **7151.7200 MONITORING.**

4 [For text of subps 1 to 5, see M.R.]

5 Subp. 6. **Tank inspection.** All field-erected steel tanks must be internally and
6 externally inspected by a certified tank inspector pursuant to American Petroleum
7 Institute standard 653. Initial inspections must be completed in accordance with the
8 following schedule:

9 A. external inspections shall be conducted by November 2, 2003, or a maximum of
10 five years after the initial construction date, whichever is later; and

11 B. internal inspections shall be conducted by November 2, 2008, or a maximum of
12 ten years after the initial construction date, whichever is later.

13 [For text of subps 7, see M.R.]

14 **7151.8200 OUT-OF-SERVICE ABOVEGROUND STORAGE TANK SYSTEMS.**

15 Subpart 1. **Application.** If a substance is not introduced to or removed from an
16 aboveground storage tank system for one year or more, or if an aboveground storage
17 tank system is to be permanently closed, the owner or operator shall:

18 [For text of items A and B, see M.R.]

19 Subp. 2. **Out of service.** The owner or operator of an aboveground storage tank
20 system taken out of service shall:

21 [For text of items A to C, see M.R.]

22 D. dispose of tank bottom sludges in accordance with applicable state or federal
23 requirements;

24 [For text of items E and F, see M.R.]

25 **7151.8400 CONTAMINATION DETERMINATION.**

1 [For text of subpart 1, see M.R.]

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

4 A. a tank storing other regulated substances;

5 B. a tank, which has been removed, that exclusively contained number 6 grade fuel
6 oil or asphalt cement; and

7 [For text of item C, see M.R.]