



CITY OF BLACK DIAMOND COMBUSTIBLE/FLAMMABLE TANK ABANDONMENT OR REMOVAL

Tanks that are taken out of service must be removed or safeguarded in accordance to the International Fire Code 3404.2.13. Tanks removed from service for 90 days or more, abandoned in place or removed require a City of Black Diamond Fire Permit and an inspection at the time of the tank abandonment or removal.

TEMPORARY – OUT OF SERVICE (Less than 90 days)

1. Permits and inspections not required.
2. The fill line, gauge openings, vapor return and pump connections must be secured against tampering.
3. Vent lines must remain open and serviceable

OUT OF SERVICE (90 days to 359 days)

1. Requires permit and inspection
2. Flammable or combustible liquids must be removed from the tank.
3. All piping, including fill line, gauge openings, vapor return and pump connections must be capped or plugged and secured against tampering.
4. Vent lines must remain open and maintained in serviceable condition

OUT OF SERVICE (360 days)

1. Must be removed from the ground or abandoned in place in accordance with the International Fire Code. **Fire Permit and inspection required.**

TANKS ABANDONED IN PLACE

1. Flammable and combustible liquids must be removed from tank and all connected piping.
2. All lines including suction, inlet, gauge, vapor return and vapor lines must be disconnected.
3. The tank must be completely filled with an APPROVED inert solid material.
4. Remaining underground piping shall be capped or plugged.
5. A record of tank size, location and date of abandonment must be maintained.
6. All exterior above-grade fill piping shall be permanently removed when tanks are abandoned or removed.

REMOVAL AND DISPOSAL OF TANKS

1. Flammable and combustible liquids must be removed from tank and all connected piping.
2. Piping at tank openings that is not to be used further shall be disconnected.
3. Piping must be removed from the ground, unless specific permission for the piping to remain is granted by the fire code official when it is not practical to remove the piping and sufficient safeguards can be used to insure safety.
4. Tank openings must be capped or plugged, leaving a 0.125" to ¼" diameter opening to allow for pressure equalization.
5. Tanks shall be purged of vapor and inerted prior to removal. This will be tested by the inspector at time of removal.
6. All exterior above-grade fill and vent piping must be removed.
7. Tanks must be disposed of in accordance with federal, state and local regulations.

*Please see the attached WAC 173-360-110 to determine if your proposed project is exempt from Department of Ecology permits.

*The City of Black Diamond recommends the soil under the tank be tested for contamination prior to determining that the tank will be decommissioned in place. For tanks abandoned in place, the owner of the property remains responsible for any and all conditions of soil contamination that may exist including costs for future cleanup and disposal of contaminated material.

*If, during the process of tank removal, a spill or contaminated soil is discovered, the applicant shall be responsible for removal and proper disposing of contaminated soils as well as obtaining an inspection from a certified testing lab verifying removal of contaminated soils. A report of findings must be submitted to the City for review.

Permit Submittal Requirements:

- ✓ Completed Building Permit Master Application
- ✓ Sensitive Area Identification Form
- ✓ A site plan indicating where the tank is located along with property lines and all existing buildings.
- ✓ If abandoning tank in place, describe on the application how the tank is to be drained and washed and what materials will be used to fill the tank.

Applications can be obtained at the Community Development Department, 24301 Roberts Drive, Black Diamond or online at www.ci.blackdiamond.wa.us.

Inspections should be requested by calling Mountain View Fire & Rescue/City of Black Diamond Fire at (253) 735-0284, 9am to 5pm Monday through Friday.

filed 2/1/95, effective 3/4/95. Statutory Authority: Chapter 90.76 RCW.

**PART I
PROGRAM SCOPE, ADMINISTRATION, AND
ENFORCEMENT**

WAC 173-360-100 Purpose and authority. (1) The purpose of this chapter is to address the serious threat posed to human health and the environment by leaking underground storage systems containing petroleum and other regulated substances.

(2) The department of ecology is directed by chapter 90.76 RCW to establish an underground storage tank program designed, operated and enforced in a manner that, at a minimum, meets the requirements for delegation of the Federal Underground Storage Tank Program of the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. Section 6901, et seq.). The legislative intent is that state-wide requirements for underground storage tanks adopted by the department be consistent with and no less stringent than the objectives outlined in the federal regulations. Because certain areas of the state possess physical characteristics that make them especially vulnerable to threats from leaking underground storage tanks, local requirements more stringent than the state-wide requirements may apply in these environmentally sensitive areas.

(Note: All codes, standards, rules, or regulations cited in this chapter are available for inspection at the Department of Ecology, P.O. Box 47655, Olympia, WA 98504-7655.)

[Statutory Authority: Chapter 90.76 RCW. 95-04-102, § 173-360-100, filed 2/1/95, effective 3/4/95; 90-24-017, § 173-360-100, filed 11/28/90, effective 12/29/90.]

WAC 173-360-105 Intergovernmental agreements. In order to fully implement this chapter, and to protect surface and ground water resources that may cross jurisdictional boundaries, the department and delegated agencies may negotiate and enter into cooperative agreements with Indian tribal governments, adjacent states, and Canadian governmental agencies when agencies are delegated responsibility for carrying out all or a portion of the underground storage tank program contiguous with or affecting lands under tribal, state, or Canadian government jurisdiction. Such cooperative agreements shall not affect the regulatory jurisdiction of any party thereto with regard to any civil or criminal matters otherwise exercised by any party. Intergovernmental agreements shall further the purpose of this chapter, and shall serve to establish a framework for intergovernmental coordination and cooperation, and shall serve to minimize duplication and efficiently utilize program resources to manage underground storage tanks and protect surface and ground water resources.

[Statutory Authority: Chapter 90.76 RCW. 90-24-017, § 173-360-105, filed 11/28/90, effective 12/29/90.]

WAC 173-360-110 Applicability, exemptions, and deferrals. (1) The requirements of this chapter apply to all owners and operators of an underground storage tank (UST) system as defined in WAC 173-360-120 except as otherwise provided in subsections (2) and (3) of this section. It is the responsibility of owners and operators to ensure that any

[Ch. 173-360 WAC—p. 2]

UST supervisors they employ are properly certified in accordance with WAC 173-360-600 through 173-360-630.

(2) Exemptions. The following UST systems, including any piping connected thereto, are exempt from the requirements of this chapter:

(a) Any UST system holding hazardous wastes subject to Subtitle C of the Federal Solid Waste Disposal Act, or a mixture of such hazardous waste and other regulated substances.

(b) Any wastewater treatment tank system that is part of a wastewater treatment facility regulated under Section 402 or 307(b) of the Clean Water Act.

(c) Equipment or machinery that contains regulated substances for operational purposes such as hydraulic lift tanks and electrical equipment tanks.

(d) Any UST system whose capacity is one hundred ten gallons or less.

(e) Any UST system that has never contained more than a de minimis concentration of regulated substances as defined in WAC 173-360-120.

(f) Any emergency spill or overflow containment UST system that is expeditiously emptied after use.

(g) Farm or residential UST systems of one thousand one hundred gallons or less capacity used for storing motor fuel for noncommercial purposes (see definition of "farm" and "residential");

(h) UST systems used for storing heating oil for consumptive use on the premises where stored; except that such systems which store in excess of one thousand one hundred gallons are subject to the release reporting requirements of WAC 173-360-372;

(i) Septic tanks;

(j) Any pipeline facility (including gathering lines) regulated under:

(i) The Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1671, et seq.); or

(ii) The Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. App. 2001, et seq.); or

(iii) Which is an intrastate pipeline facility regulated under state laws comparable to the provisions of the law referred to in (j) (i) or (ii) of this subsection;

(k) Surface impoundments, pits, ponds, or lagoons;

(l) Storm water or wastewater collection systems;

(m) Flow-through process tanks;

(n) Liquid traps or associated gathering lines directly related to oil or gas production and gathering operations; or

(o) Storage tanks situated in an underground area (such as a basement, cellar, vault, mineworking drift, shaft, or tunnel) if the storage tank is situated upon or above the surface of the floor.

(3) Deferrals. The following UST systems are subject only to the requirements of WAC 173-360-130, 173-360-140, 173-360-160, 173-360-170, 173-360-190, 173-360-200, 173-360-372, 173-360-385 and 173-360-390. Any new deferred UST systems shall also be subject to the performance standards of WAC 173-360-300:

(a) Wastewater treatment tank systems not regulated under section 307(b) or 402 of the Clean Water Act;

(b) Any UST systems containing radioactive material that are regulated under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.);

(7/14/98)