



DIVISION OF STATE FIRE MARSHAL

BUREAU OF UNDERGROUND STORAGE TANK REGULATIONS

FACT SHEET

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Ted Strickland
Governor

Kimberly A. Zurz
Director

Michael P. Bell
State Fire Marshal

Peter Chace
Bureau Chief

Procedures for the Closure-In-Place of Underground Storage Tanks

Ohio Administrative Code (OAC) 1301:7-9-12 defines the conditions in which an underground storage tank that is regulated by the Bureau of Underground Storage Tank Regulations (BUSTR) may be “closed-in-place”. It is the policy of the State Fire Marshal that out of service underground storage tanks shall be removed from the ground in an appropriate manner unless extenuating circumstances prevent the removal of the underground storage tanks. If the extenuating circumstances are justified and a request has been properly submitted to the State Fire Marshal or the appropriate delegated authority, then approval will be granted for the closure-in-place of the underground storage tank.

Who to Contact for Approval to Close-in-Place

A request to close-in-place an underground storage tank must be made in writing prior to the closure-in-place activity. In order to avoid costly delays, owners and operators are strongly encouraged to seek approval for closure-in-place at least a month before the activity is scheduled to take place. The written request must be sent to the delegated fire department for the jurisdiction where the underground storage tank is located or to the State Fire Marshal for those jurisdictions where authority has not been delegated. BUSTR maintains a list of all fire departments that have been delegated to inspect underground storage tanks. For a copy of this list, please contact BUSTR at (800) 686-2878.

The closure-in-place request must be made in cases where an entire underground storage tank system is being closed as well as in cases where an individual product line is being closed-in-place. The closure-in-place request is usually submitted along with the application for a permit for the work to be performed. Please note, receiving a permit to perform work on an underground storage tank system should not to be mistaken as approval for closure-in-place of an underground storage tank. The State Fire Marshal and many delegated fire departments issue a separate approval letter for the closure-in-place of an underground storage tank.

Defining Extenuating Circumstances

The most common examples of extenuating circumstances that justify the closure-in-place of underground storage tanks is where a substantial risk to people or the environment has been demonstrated, where the underground storage tank is located in an inaccessible location, or where the removal of the underground storage tank could potentially compromise the integrity of an adjacent structure. Other situations will be evaluated on a case by case basis. In all cases, the owner must provide justification as to why the underground storage tank can not be removed.

Demonstrating Extenuating Circumstances

The preferred method of demonstrating that extenuating circumstances are present at a site is to have the underground storage tank evaluated by a registered professional engineer who is experienced in structural decisions. The professional engineer must prepare a letter stating why the underground storage tank should be closed-in-place. Another means of

demonstrating extenuating circumstances is to obtain a written statement from a certified fire safety inspector with delegated authority over the underground storage tank being closed-in-place or from a certified fire safety inspector from BUSTR for those areas that are not delegated. The certified fire safety inspector must indicate, in writing, the specific reasons why the underground storage tank is a candidate for closure-in-place.

Submitting a Request to Close-in-Place

A letter, signed by the owner of the underground storage tank or the property owner, must be submitted to the delegated fire department or the State Fire Marshal as appropriate. The letter must request approval to close-in-place the underground storage tank, and the letter must also include a thorough description of the underground storage tank, its location, and any structures in close proximity. The letter must be accompanied by a written statement from a registered professional engineer or a certified fire safety inspector attesting that the underground storage tank qualifies for closure-in-place.

Receiving Approval to Close-in-Place

The request for closure-in-place and the supporting documentation will be evaluated by the delegated fire department or the State Fire Marshal as appropriate. If the extenuating circumstances have been properly documented and justified, then a written response will be sent to the owner indicating that the closure-in-place has been approved. The owner must make the approval letter available to the certified installer and the underground storage tank inspector at the time that the closure-in-place activity takes place. For future reference, the owner should keep the approval letter with the property records.

Performing the Closure-in-Place

The closure-in-place must be performed in accordance with OAC 1301:7-9-12 (F) and in accordance with the terms defined in the approval letter. In most cases the closure-in-place will be approved with the following conditions:

- The closure-in-place is to be performed in accordance with American Petroleum Institute (API) standard 2015-01 and API standard 1604-96;
- All flammable or combustible liquid from the tanks and all connecting lines must be removed;
- The suction, inlet gauge, and vent lines must be removed;
- The tanks must be completely filled with an inert, solid material with a density greater than water and the remaining underground piping must be capped;
- A record of tank size, location, date of closure-in-place, approval for closure-in-place and method used for placing the closed-in-place tanks in a safe condition must be maintained; and
- A closure assessment should be conducted, checking for contamination, as defined by Ohio Administrative Code 1301:7-9-12, if applicable.

Obtaining Additional Information:

BUSTR maintains a list of all fire departments which have been delegated to inspect underground storage tank systems. For a copy of the list or for additional information, please contact BUSTR at (800) 686-2878 or visit the BUSTR web site at www.com.state.oh.us/sfm/bust. If work is being performed in a delegated area, owners and operators are encouraged to contact the delegated fire department to determine if any other procedures are required as part of obtaining approval to close-in-place an underground storage tank.