



## Department of Commerce

Division of State Fire Marshal

John R. Kasich, Governor

Jacqueline T. Williams, Director



## Procedures for the Closure-In-Place of BUSTR USTs

Paragraph (F) of rule 1301:7-9-12 of the Administrative Code defines the conditions in which an underground storage tank system, 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 UST systems shall be removed from the ground in an appropriate manner unless extenuating circumstances prevent the removal of the UST system. 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 UST or portions thereof.

### Request for Closure-in-Place

A request to close-in-place a UST system shall be made in writing prior to the performance of this activity. In order to avoid costly delays, owners and operators are strongly encouraged to seek approval for closure-in-place at least 30-days prior to when the activity is scheduled to take place. The written request must be sent to the State Fire Marshal or a certified fire safety inspector with delegated authority for the jurisdiction where the UST system is located. BUSTR maintains a list of all fire departments that have been delegated to inspect underground storage tanks. A copy of this list may be obtained by going to the BUSTR website at: [www.com.ohio.gov/fire/BUSTRResources](http://www.com.ohio.gov/fire/BUSTRResources).

The closure-in-place request must be made in cases where an entire UST system is being closed as well as in cases where individual product lines are 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. After review and approval, a permit will be issued stating the conditions for closure-in-place. In some cases, an approval letter will be issued along with the permit.

### Defining Extenuating Circumstances

The most common examples of extenuating circumstances that justify the closure-in-place of UST systems are as follows:

- The UST system is located adjacent to building foundations or major utilities that will likely be damaged or weakened if the UST system is removed;
- The UST system is situated in a location where removal is physically impossible; or
- Removal of a UST system may expose people or the environment to unreasonable hazards.



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## Demonstrating Extenuating Circumstances

**Option 1:** The preferred method of demonstrating that extenuating circumstances are present at a site is to have the UST system evaluated by a registered professional engineer who is experienced in structural decisions. The professional engineer must prepare a letter stating why the UST system should be closed-in-place.

**Option 2:** Another method is to obtain a written statement from a certified fire safety inspector. For those areas that are not delegated, BUSTR usually provides the inspector. For those areas that are delegated, the local fire department usually provides the inspector. The certified fire safety inspector must indicate, in writing, the specific reasons why the UST is a candidate for closure-in-place.

## Receiving Approval to Close-in-Place

The request for closure-in-place and the supporting documentation along with the permit application will be evaluated by the State Fire Marshal or delegated fire department as appropriate. If the extenuating circumstances have been properly documented and justified, then a permit will be sent to the owner indicating that the closure-in-place has been approved. The owner must make the permit 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 permit with the property records for life.

## Performing the Closure-in-Place

The closure-in-place must be performed in accordance with paragraph (F) of rule 1301:7-9-12 of the Administrative Code 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 Recommended Practice 1604; Closure of Underground Petroleum Storage Tanks';
- 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 tank and piping must be thoroughly rinsed and flushed;
- The tanks must be completely filled with an inert, solid material with a density greater than water (e.g. sand, gravel, slurry) and the remaining underground piping must be capped;

The logo for the Ohio Department of Commerce, featuring the word "Ohio" in a bold, red, sans-serif font. The letter "O" is a solid red circle, while the letters "hio" are in a dark red color.

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- 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 paragraph (I) of rule 1301:7-9-12 of the administrative Code, if applicable. Owners and operators are encouraged to contact the BUSTR Corrective Action Section to determine closure assessment protocols for closure-in-place activities at 614-752-7938.

### **Bureau of Underground Storage Tank Regulations**

8895 East Main St., Reynoldsburg, Ohio 43068

614-752-7938

[www.com.ohio.gov/fire/BUSTRResources](http://www.com.ohio.gov/fire/BUSTRResources)