

# NON-REGULATED UNDERGROUND STORAGE TANKS

Most underground storage tanks (USTs) are regulated, which means they must be monitored for leaks, be protected from corrosion, and have spill and overfill prevention equipment. When regulated tanks are no longer being used, a site assessment must be performed and the tank must be either removed from the ground or permanently closed in place. However, there are a few notable exceptions to these regulations.

## **USTs That Are Not Regulated**

- All heating oil tanks are exempt from the regulations if used for consumptive use on the premises where stored. (Heating oil tanks used for resale of fuel are not exempt.)
- Farm or residential motor fuel tanks (such as those containing gasoline or diesel fuel) 1,100 gallons or less in capacity are not regulated.
- All USTs under 110 gallons in capacity are not regulated.

## **Heating Oil Tanks**

### **USTs that are considered heating oil tanks:**

- USTs that store heating oil for consumptive use on the property where they are located are considered heating oil tanks and, therefore, are exempt from the technical regulations.
- Heating oil is defined as: petroleum that is No. 1, No. 2, No. 4-light, No. 4-heavy, No. 5-light, No. 5-heavy, No. 6 technical grades of fuel, and other residential fuel oils (including Navy Special Fuel Oil and Bunker C). Heating oil is typically used in the operation of heating equipment, boilers, or furnaces.
- Kerosene can also be considered as heating oil. USTs containing kerosene are not regulated if used on the premises where stored for heating purposes and not used for resale.

### **Heating oil tanks are considered commercial USTs if they are greater than 1,100 gallons in capacity (unless they serve four or fewer households).**

- Although heating oil tanks are not regulated, commercial heating oil tanks must be registered, annual tanks fees must be paid, and an operating permit must be obtained in order to receive fuel.
- For more information about how to register a commercial UST, call the appropriate Division of Waste Management (DWM) regional office (see map) or call the DWM central office at 919-733-8486.

## **Farm and Residential USTs**

- **Farm tanks** are tanks that are located on land devoted to the production of crops or raising animals.

- **Residential tanks** are tanks located on noncommercial property used primarily for dwelling purposes.

To be considered exempt from the regulations, both farm and residential tanks must **be 1,100 gallons or less in capacity and used for non-commercial purposes**. For example, tanks located on farm or residential property but used for fuel resale are not exempt from the regulations.

### **Spills and Leaks from Non-Regulated USTs**

#### **Reporting releases:**

Any release must be reported to the appropriate DWM regional office **immediately** after discovery. If contamination occurs, cleanup will be required.

#### **Cleanup funds:**

North Carolina has a **Commercial Leaking Petroleum Underground Storage Tank Cleanup Fund** available to assist **owners, operators, and landowners** for the cleanup of contaminated soil and groundwater. There is NO Noncommercial Fund available.

*For more information about this cleanup Fund, contact the Trust Fund Group at the DWM central office (919-733-8486).*

### **Abandoned Non-Regulated USTs**

#### **Closure:**

The State of North Carolina does not require that non-regulated USTs be removed from the ground once they are no longer in operation. Additionally, soil samples are not required unless it is obvious that a release has occurred. However, a tank owner is advised to empty a non-regulated tank once it is no longer being used to limit the chances of a release.

*\*Potential buyers are sometimes reluctant to buy property with underground storage tanks. Therefore, although tank owners are not required to remove non-regulated tanks, it may be a good idea in the interests of resale.*

### **For More Information**

Contact your regional DWM office (see map)

Or

Contact the DWM central office at:

NCDENR

Division of Waste Management

UST Section

1637 Mail Service Center

Raleigh NC 27699-1637

(919) 733-8486