



UST and SAF Bulletin

Arizona Department of Environmental Quality

Subject: ABOVEGROUND STORAGE TANKS
Effective:

Item: 04-10

TYPE

ABOVEGROUND STORAGE TANKS

BACKGROUND

- [Arizona Revised Statutes Title 49, Chapter 2, Article 3](#)
- [Arizona Revised Statutes Title 49, Chapter 2, Article 5, Section 282.02](#)
- [Arizona Revised Statutes Title 49, Chapter 2, Article 5, Section 283.02](#)
- [Arizona Revised Statutes Title 49, Chapter 4, Article 9](#)
- [Arizona Administrative Code - Title 18, Chapter 9, Article 2, Part C](#)
- [Arizona Administrative Code - Title 18, Chapter 13, Article 13](#)

ADEQ receives numerous calls regarding the regulation of aboveground storage tanks (ASTs) despite the fact that ADEQ does not regulate ASTs. This bulletin identifies various governmental entities that may have an interest in the construction, operation and maintenance of ASTs. It also describes conditions when a release from an AST may be covered by Title 49 of the Arizona Revised Statutes. Links to web sites containing other information about ASTs are also provided.

CONTENT

See attachment

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ABOVEGROUND STORAGE TANKS¹

Operation and Maintenance

The Arizona Department of Environmental Quality (ADEQ) does not regulate the installation, operation, maintenance or closure of aboveground storage tanks (ASTs). There are, however, some situations where ASTs may be regulated. For example, if a drywell drains an area that includes an AST, it may be necessary to obtain an [*Aquifer Protection Permit \(APP\)*](#) from ADEQ.

Other agencies have some measure of authority over ASTs. AST-related fire and explosion issues are handled either through the local fire authority or the [*State Fire Marshal's office*](#). [*Maricopa County Air Quality*](#) and [*Pima County Air Quality*](#) may require an air emissions permit for ASTs. Additionally, the EPA's [*Oil Pollution Prevention Rule*](#) requires a Spill Prevention Control and Countermeasure Plan (SPCC) if it is possible that a release from an AST could impact a navigable water of the United States.

Releases and Contamination from ASTs

ADEQ does not have release reporting requirements for ASTs unless a release 1) causes an immediate threat to public safety; 2) affects groundwater and crosses the property boundary; 3) affects soil which is subsequently excavated; and/or 4) affects surface water.

ADEQ's [*Emergency Response Unit*](#) will respond to AST releases that pose an immediate threat to public safety. If there is an emergency, you may call our 24-hour direct access to our Duty Office at (602) 771-2330 or, toll free in Arizona, (800) 234-5677, ext. 771-2330.

Releases from an AST that have affected groundwater and migrated beyond the boundary of the property on which the release occurred are subject to remedial and liability provisions of the [*Water Quality Assurance Revolving Fund \(WQARF\) program*](#).

ADEQ does not regulate soil affected by an AST release unless the affected soil is excavated and meets the criteria for [*Petroleum Contaminated Soil \(PCS\) Special Waste*](#). The affected soil may be

¹ The underlined, italicized words are links to related web pages.

considered PCS if the soil is excavated for storage, treatment or disposal and contains any of the 17 chemical constituents listed in [Arizona Revised Statutes \(A.R.S.\) §49-851 \(A\)\(3\)](#). If excavated, the soil must be treated in accordance with [Title 49 Chapter 4 of the Arizona Revised Statutes](#) and the soil remediation rules cited in the [A.A.C. R18-7-205](#) and listed in [Appendix A of A.A.C. Title 18, Chapter 7, Article 2.](#)

If a release from an AST affects or has potential to affect surface water ADEQ's Water Quality Compliance should be contacted.

If a party wishes to investigate and clean up non-regulated soil or groundwater contamination caused by a release from an AST, they may do so under the oversight of the [ADEQ Volunteer Remediation Program \(VRP\)](#). The VRP provides an opportunity for program participants to obtain the department's review and approval of remedial actions. If remediation levels and controls meet statutory requirements, participants may obtain a determination that the department will not take or require further action at the site. The VRP requires a fee for services.