



Regulated Storage Tanks

Inspection, Compliance,
and Remediation Program
Department of Agriculture
and Natural Resources



Outline

Who We Are

Regulated Tank Systems

Owner and Operator Training (UST)

Attention DANR!

Release Reporting

ASTs & SPCC

Notification Requirements

Alternative Fuel Compatibility

Tank Installations and Removals

Abandoned Tank Program

PRCF

Questions?

WHO WE ARE



DANR ICR Storage Tank Section

Storage Tank Section

DANR Inspection, Compliance, and Remediation Program

523 East Capitol Avenue, Pierre, South Dakota 57501

danr.tanksectionicr@state.sd.us | (605) 773-3296 | <https://danr.sd.gov>

Kayla Fawcett, PE

Engineering Manager

Storage Tank Section Team Leader

kayla.fawcett@state.sd.us

Justin Allen

Engineer III

North Central Region

justin.allen@state.sd.us

Marshall Brown

Environmental Scientist III

Northeast Region

marshall.brown@state.sd.us

Liam Kirk

Engineer I

South Central Region

liam.kirk@state.sd.us

Sioux Falls Satellite Office

1501 South Highline Ave,
Sioux Falls, South Dakota 57110
(605) 362-3500

Scott Bickler

Environmental Scientist II

Southeast Region

scott.bickler@state.sd.us

Rapid City Satellite Office

221 Mall Drive, Suite #201
Rapid City, South Dakota 57701 (605)
394-2229

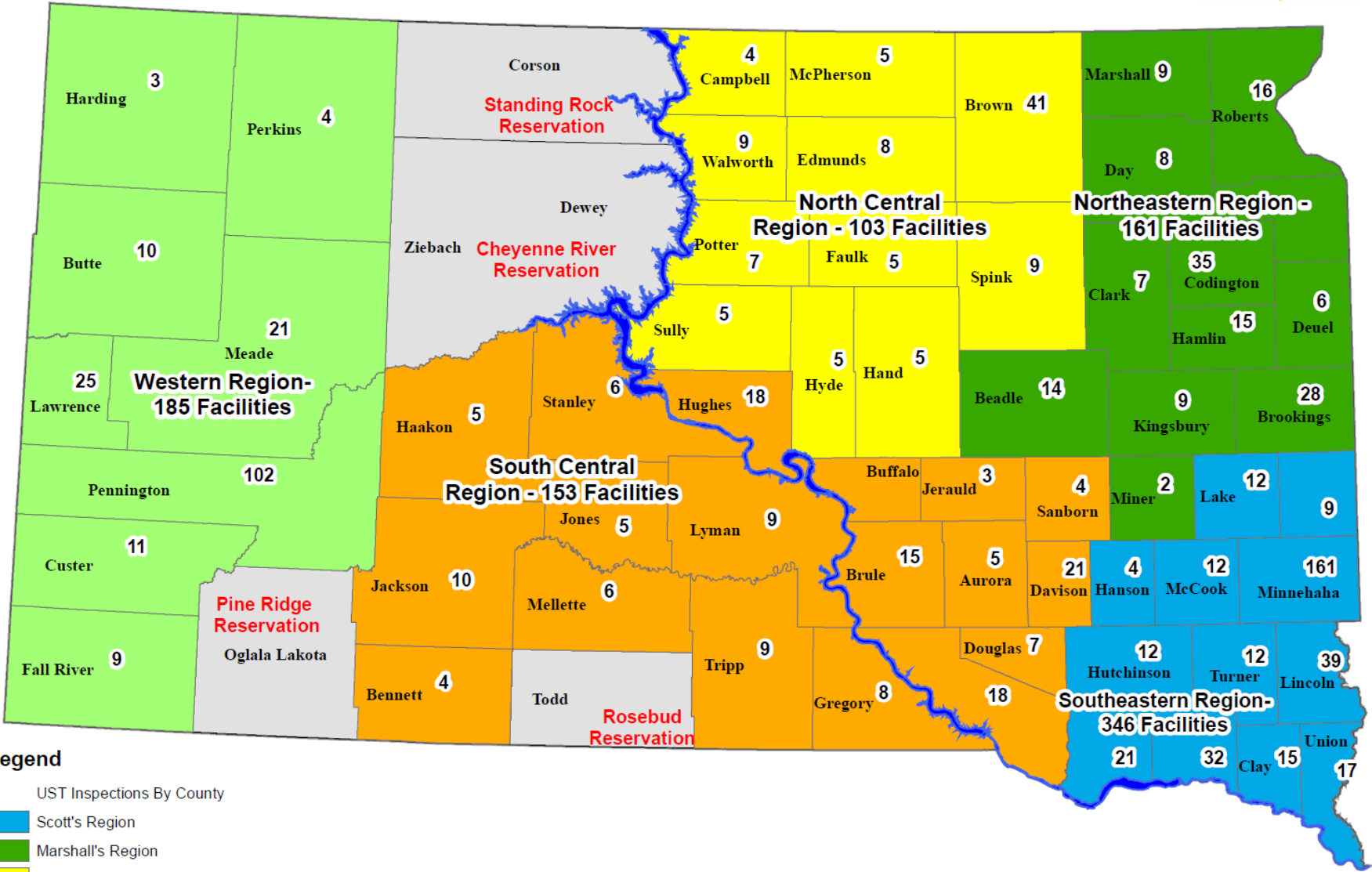
Zach Burggraff

Engineer III

Western Region

zachary.burggraff@state.sd.us

UST Inspections by Region



Legend

- UST Inspections By County
- Scott's Region
 - Marshall's Region
 - Justin's Region
 - Liam's Region
 - Zachary's Region

South Dakota Tank Regulations

- ▶ Underground Storage Tanks
 - ▶ ARSD Chapter 74:56:01
- ▶ Aboveground Storage Tanks
 - ▶ ARSD Chapter 74:56:03
- ▶ DANR regulates UST and AST systems that store regulated substances.
 - ▶ Exceptions: heating fuel tanks, farm tanks (less than 1,100 gallons if UST), tanks inside of buildings, basements, vaults, or similar underground areas.
- ▶ DANR required by EPA Energy Policy Act to inspect all UST systems at least once every 3 years.





Underground Storage Tanks (UST)

- ▶ Underground Storage Tank defined as any one or combination of tanks used to contain regulated substances and whose total volume is 10% or more beneath the ground.
- ▶ Exemptions
 - ▶ Any farm or residential tank with a capacity of 1,100 gallons or less used for storing fuel for noncommercial purposes.
 - ▶ Any tank used for storing heating oil for consumptive use on the premises where stored.

- ▶ The EPA adopted UST regulations in 1988 (40 CFR 280), which put an emphasis on properly maintaining and operating UST equipment to reduce UST releases.
- ▶ The latest revisions to existing UST regulations were adopted by EPA in 2015. Changes included additional requirements for leak detection and prevention. These regulations also established that all USTs in the United States, including those on tribal reservations, must meet the required minimum standards.

Federal Mandate

State Program Approval

South Dakota's UST program has been one of 39 states with State Program Approval (SPA) from the Environmental Protection Agency (EPA).

We agree to be no less stringent than EPA when regulating USTs, and the DANR is allowed the lead role for enforcement of UST regulations in South Dakota.

- ▶ Monthly Walkthroughs
- ▶ Release Detection (Monthly documentation)
- ▶ Leak Detection Equipment Functionality Tests (Annual)
- ▶ Spill Protection (Triennial functionality testing required)
- ▶ Overfill Protection (Triennial functionality testing required)
- ▶ Corrosion Protection (Triennial test by certified cathodic protection tester)
- ▶ Class A/B Tank Operator Training

UST Requirements

UST Owner/Operator Training

Remaining 2025 Training Dates:

July 29 th	Sioux Falls	Ramkota - Jefferson Room	1-5pm CST
July 30 th	Aberdeen	Ramkota	8am-12pm CST
July 31 st	Rapid City	Ramkota - Lincoln Room	8am-12pm MST
October 7 th	Sioux Falls	Ramkota - Jefferson Room	1-5pm CST
October 8 th	Rapid City	Ramkota - Lincoln Room	8am-12pm MST
October 9 th	Mitchell	Highland Conference Center	8am-12pm CST

Registration: <http://www.sdustoperatortraining.com/>

DANR Approved Training Vendors:

<https://danr.sd.gov/Agriculture/Inspection/StorageTanks/TankOperatorList.aspx>

DANR UST Owner and Operator Guide:

https://danr.sd.gov/Agriculture/Inspection/StorageTanks/docs/UST_Owner_&Operator_Guide.pdf

Attention DANR! - UST Issues

Let DANR know if you see:

- ▶ Pumps with slow flow
- ▶ Product in under dispenser containment
- ▶ Leaks under dispensers
- ▶ Issues with shear valves
- ▶ Visible damage to under dispenser containment/piping
- ▶ Liquid in a spill bucket
- ▶ Cracks/damage in the spill bucket
- ▶ Obstructions in the fill pipe





Attention DANR! - AST & UST Spills

In emergency situations, call 911 immediately.

If safe to do so, take immediate actions to control, stop and if necessary, safely remove hazardous material from the UST system.

Absorbent material should be used to contain and clean up released petroleum. Used absorbent material or other waste, must be stored in a properly labeled and sealed container. Waste material must be disposed of in an appropriate Subtitle D landfill.

DO NOT hose hazardous material into drains, vegetation or other possible pathways. If water is contaminated, it must be disposed of properly.

Release Reporting

Confirmed or suspected releases of regulated substances (Petroleum) that **exceed 25 gallons** need to be reported to DANR immediately. Notification to other agencies such as the National Response Center and local emergency managers may be necessary.

Smaller releases that don't impact surface or ground water and are completely cleaned up within 24 hours do not have to be reported.

Suspected releases from tank systems that are identified through testing, sampling, and monitoring indicating a release may have occurred must be reported to the DANR within 24 hours. In addition, unusual operating conditions, sudden loss of product, and the presence of water in the tank must be reported to DANR.

Aboveground Storage Tanks (AST)

- ▶ Any stationary, fixed in place aboveground tank which is used solely for the storage of regulated substances.
- ▶ Some exemptions; not subject to regulation:
 - ▶ Any agricultural or residential tank used for storing motor fuels for noncommercial purposes;
 - ▶ Any tank used for storing heating oil or motor fuels for consumptive use on the premises stored;
 - ▶ Septic tanks;
 - ▶ Any tank situated in an underground area such as basement, cellar, tunnel or subsurface mining infrastructure;
 - ▶ Any tank used for storing pesticides; and
 - ▶ The term does not apply to 55-gallon drums or other small volume containers.





New AST Installation requirements

Owners or operators of new AST systems located at facilities of 250,000 gallons total capacity or less must implement one or more of the following requirements:

- ▶ Adopt an approved overfill prevention method such as tank gauging;
- ▶ Satisfy the secondary containment requirement; and
- ▶ Adopt an approved release detection method.

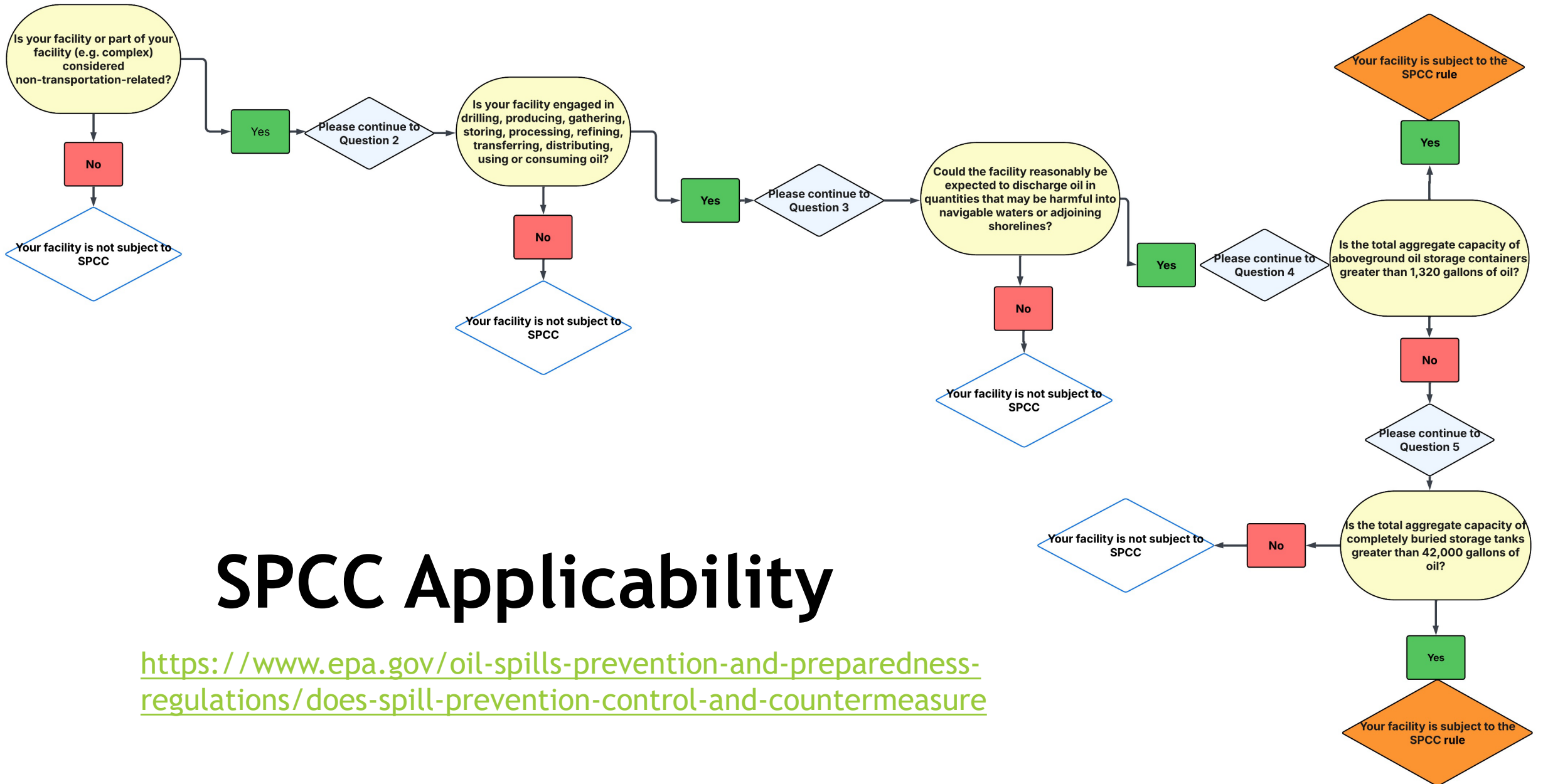
Plans and Specifications must be submitted to the Department for review at least 30 days prior to the commencement of any installation activity.

Spill Prevention, Control, and Countermeasure (SPCC) Plan

- ▶ SPCC Plan is a document that conveys exactly what your facility will do if an oil spill occurs, demonstrating to the EPA that you are prepared for such an incident (40 CFR 112).
- ▶ **EPA requires a SPCC plan for aboveground facilities with an aggregate facility volume of 1,320 gallons or greater of an oil product.**
 - ▶ If the aggregate volume of the facility is 10,000 gallons or greater, the SPCC plan must be certified by a Professional Engineer.
- ▶ EPA requires all facilities subject to SPCC rule implement an approved form of general secondary containment. The Water Resources Reform and Development Act (WRRDA) of 2014 modified how SPCC applies to on-farm storage of oil products.

SPCC Applicability

<https://www.epa.gov/oil-spills-prevention-and-preparedness-regulations/does-spill-prevention-control-and-countermeasure>



Notification Requirements

Tank System Installation and Upgrades:

- ▶ Plans and Specifications must be submitted to the department for review at least 30 days prior to the commencement of any installation activity.
 - ▶ Required for equipment upgrades and new tank system installations.
- ▶ Within 30 days following a new system installation, a notification form must be submitted to DANR.

Tank System Removal:

- ▶ Notify DANR 30 days prior to removal activities by submitting a Tank Removal Form.

Alternative Fuel Storage:

- ▶ AST - Submit updated AST Notification Form to DANR noting the new fuel storage.
- ▶ UST - Submit Alternative Fuel Compatibility Form to DANR for review and approval 30 days prior to storing or dispensing.



Alternative Fuel Compatibility Notification Form

Instructions: This form is to be completed and submitted to the South Dakota Department of Agriculture and Natural Resources at least 30 days prior to changing the contents of an underground storage tank (UST) to alternative fuels greater than 10% ethanol or greater than 20% biodiesel. This form will be used to verify the compatibility of UST system with the substance stored. Tank and dispenser information should be completed by someone knowledgeable of the tank system in question.

Tanks with interior lining will not be approved for alternative fuel storage.

Completed form can be submitted to the DANR by mail, email, or fax:

South Dakota Department of Agriculture and Natural Resources
Section, Compliance, and Remediation Program
3 East Capitol Avenue, Pierre, SD 57501

Phone: (605) 773-3296;
Fax: (605) 773-6035
Email: danr.tanksectionicr

Facility Information

Facility ID#: _____
Facility Name: _____
Address: _____
City: _____ Zip code: _____
County: _____

Owner Information

Name: _____
Company Name: _____
Address: _____
City: _____ Zip code: _____
Phone: _____ Fax: _____
Email: _____

Contractor Information

Contractor Name: _____
Address: _____
City: _____
State: _____ Zip code: _____
Phone: _____

Tank Information

Size (gal.): _____
Manufacturer: _____
Tank material: _____
Tank single /double wall: _____
Installation date (year): _____

Tank leak detection method

☐ Automatic Tank Gauge ☐ Interstitial Monitoring ☐ Inventory Control
☐ Manual Tank Gauging ☐ Statistical Inventory Control

Ethanol percentage: _____ % Biodiesel percentage: _____ %

Identify the Manufacturer, Model/Brand, and whether the piece of equipment is Underwriters Laboratories (UL) or Manufacturer approved for utilization with the alternative fuel indicated above.

UL/Manuf

Tank	Manufacturer	Model/Brand	UL (Y/N)	UL
Spill Bucket			<input type="checkbox"/> Yes <input type="checkbox"/> No	
Overfill Device			<input type="checkbox"/> Yes <input type="checkbox"/> No	
Drop Tube			<input type="checkbox"/> Yes <input type="checkbox"/> No	
Submersible Pump/ Suction Pump			<input type="checkbox"/> Yes <input type="checkbox"/> No	
ATC Pump			<input type="checkbox"/> Yes <input type="checkbox"/> No	

Alternative Fuel Compatibility for USTs

- ▶ For facilities that wish to store fuels containing ethanol concentrations of 10% or greater, or concentrations of 20% or greater of biodiesel, demonstration that their UST system is compatible with the substance is required.
- ▶ Must complete and submit to DANR an Alternative Fuel Compatibility notification form, at least 30 days prior to the tentative date of storage for review and approval.
- ▶ DANR recommends facilities work with their petroleum-equipment service provider to complete the form.

Improper storage of incompatible fuels may lead to catastrophic tank failures.

AST/UST Removal Process



The Department must receive a notification of any tank removal at least 30 days prior to the commencement of any removal activity.



A Certified Petroleum Release Remediator (C.P.R.R.) must be retained to collect representative soil samples, manage and document the removal process.



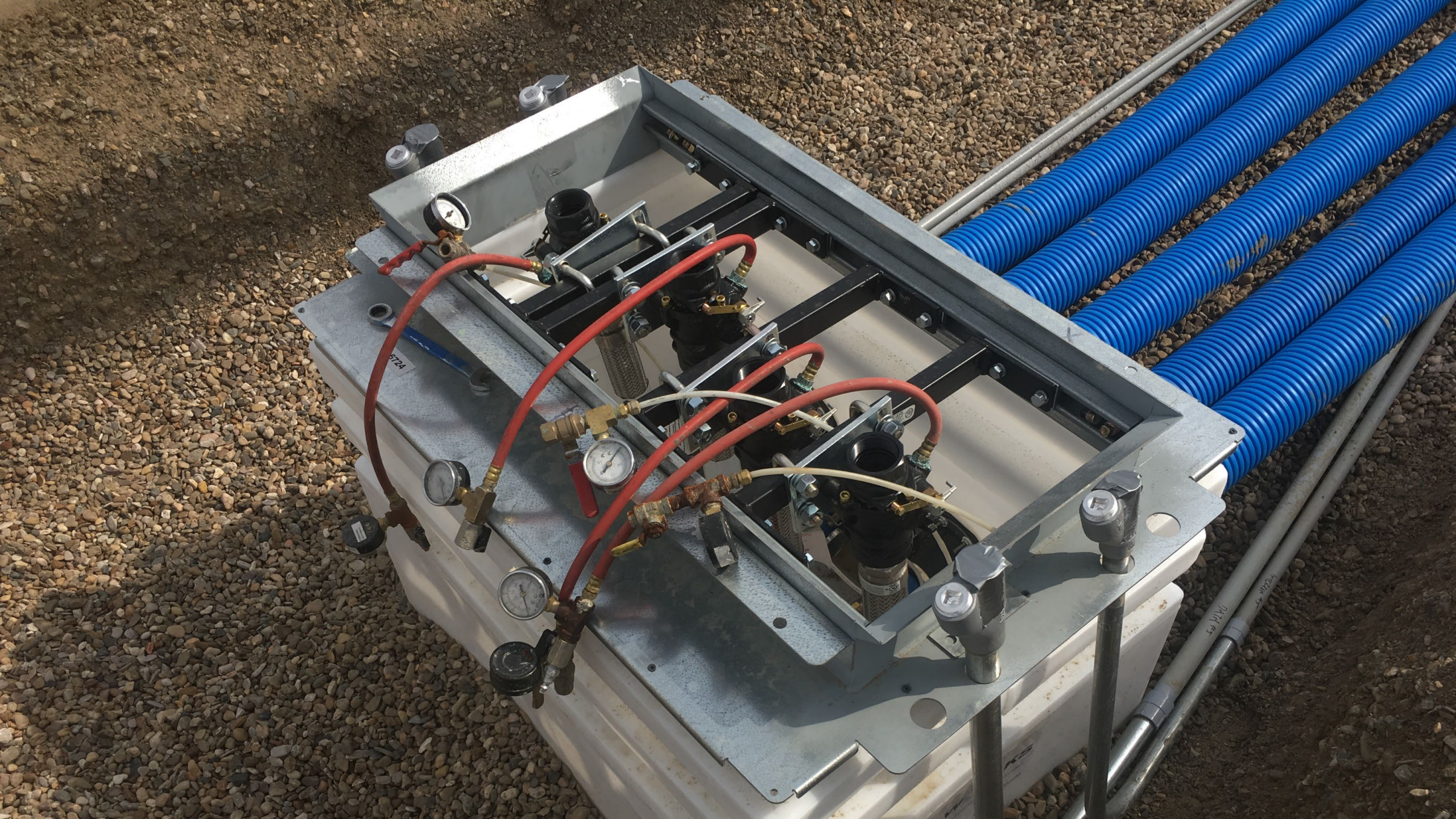
Hiring a qualified and experienced excavation contractor is recommended.



Further assessment and/or remediation may be required based upon contaminant concentrations documented in your consultant's tank removal report.



UST Installation - Mavericks, Rapid City





Tank Removals - Miller





Tank removal in Faulkton



Inerting tank with dry ice

A large, horizontal, cylindrical tank is being buried in a deep trench. The tank is partially covered by a layer of brown soil. A white hose is connected to the top of the tank, extending upwards and out of the frame. In the background, an orange excavator is visible, and a red building is in the distance. The scene is a construction site with a dirt road and some trees in the far background.

Inerting tank with with CO₂

Abandoned Tank Program

- ▶ State program that facilitates the removal, assessment and remediation of eligible USTs at no expense to the property owner.
- ▶ This is a voluntary program passed by the 2000 Legislature. DNR contracts for the removal of abandoned USTs that meet eligibility criteria. If necessary, DNR also provides assessment, monitoring, and additional cleanup at no cost to the tank owner.



Abandoned Tank Removal Program



Why should I consider getting my tank removed?

Tanks should be removed for two reasons. First, as tanks corrode, any petroleum that may still be in them will leak into our state's ground water. One gallon of gasoline has the potential to render one million gallons of water undrinkable. Leaks from tanks can also contaminate soil around the tanks and cause unhealthy gasoline vapors to seep into basements of private homes and businesses. Since these tanks are buried under several feet of soil, these problems can go unnoticed for years.

Second, the longer these old tanks remain in the ground, the more corroded they become. As the tanks become more corroded, there is an increased risk of the tank collapsing, and someone, or something, falling into the hole or tank.

What tanks will the state remove?

The state wants to remove every out-of-service underground storage tank that was used to store a petroleum product. Examples of petroleum products are gasoline, diesel, fuel oil, aviation fuel, waste oil, etc. The state will not remove petroleum tanks that may be inaccessible, such as beneath a building. The free tank removals do not apply to tanks that were in service for the sale of petroleum fuels on or after April 1, 1988. Also, non-petroleum tanks such as propane tanks, cisterns, and septic tanks are not eligible under this program.

How are the tanks removed?

All you need to do is give the state permission to dig up your tanks and do any necessary cleanup. After you give your permission, the Department of Agriculture and Natural Resources (DANR) will hire private contractors to remove any remaining product from the tank, remove the tank, and test the soil. The contractor will also remove piping and contaminated backfill around the tank. The contractor then fills the hole. The state pays for all the costs associated with removing the tanks from your property and any additional cleanup that is needed. However, the state does not pay to have the site resurfaced with new pavement, concrete, gravel, or grass.

What does the program cost me?

The best news associated with this program is that with the exception of resurfacing costs, it is free to the landowner! This is an opportunity that you cannot pass up if you own property with eligible underground storage tanks that are no longer in service.

The program is funded by DANR's Petroleum Release Compensation Fund (PRCF). This is a fund created in part to address environmental problems associated with spills from tanks. The money comes from a tank inspection fee imposed on wholesale distributors of petroleum fuels.

Is there a lien placed on my property by the state?

The answer is NO! When the program was first approved by the 2000 Legislature, the state was required to place a lien on the property for five years. However, a bill was introduced during the 2001 legislative session to eliminate the lien. The bill was approved by the legislature and, because of an emergency clause on the bill, went into effect immediately after it was signed.

How do I give my permission to have my tanks removed?

All you need to do is fill out the Tank Removal Form on the reverse of this sheet and return it to the address at the top of the form.

If I have questions, how can I get more information?

- Visit <http://danr.sd.gov>
- Call the Abandoned Tank Removal Program at (605) 773-3296;
- E-mail at DANRINTERNET@state.sd.us; or
- Write to: Abandoned Tank Removal Program, Department of Agriculture and Natural Resources, 523 E. Capitol Avenue, Pierre, SD 57501



Get Your Abandoned Underground Petroleum Tanks Removed for **FREE!!**

SD EForm 1620 V2

TANK REMOVAL FORM

Return To:

Petroleum Release Compensation Fund
Department of Agriculture & Natural Resources
Joe Foss Building
523 E. Capitol Ave. Pierre, SD 57501

Email: danrinternet@state.sd.us
Phone: 605-773-3769



Name of owner or person having legal custody of the property: _____

Mailing Address (Street/City/Zip): _____

Phone # _____

Cell or Evening # _____

Site Information:

Name or former name of business where tanks are located: _____

Site Address (Street/City/Zip): _____

Nearest Cross Street to the Site: _____

County: _____

Were any of the tanks at this facility used for the sale of petroleum fuels on or after April 1, 1988? ☐ Yes ☐ No

Type(s) of surfacing overlying tanks? Select all that apply: ☐ Concrete ☐ Asphalt ☐ Gravel ☐ Grass/Dirt

Number of pump islands: _____

Other Surfacing _____

Please fill out the following table to the best of your knowledge for the tanks at this location:

	Capacity (Gallons)	Used for storing what Substances?	Current contents & amount	Date last used
1				
2				
3				
4				
5				

I hereby give the state permission to remove my abandoned underground storage tank(s) and I certify and agree to the following terms:

1. I certify I am the owner or person having legal custody of an abandoned site and the taxes are current at the location described above;
2. I waive all claims against the state, its officers, agents, and employees for damages resulting directly or indirectly from the tank pulling or corrective action;
3. I agree to transfer ownership of the tanks and their contents to the state upon removal;
4. I understand the state will fill the excavations back to grade after removal, but will not replace or provide any resurfacing;
5. I, the owner or person having legal custody of the property described on this form, consent to officers, agents, employees, and authorized representatives of the state of South Dakota entering and having continued access to the property for the following purposes:
 - Removal of abandoned underground storage tanks and petroleum contaminated soil;
 - Taking of such soil, water, and air samples as necessary; and
 - Other actions related to the investigation, assessment, and corrective action of surface or subsurface contamination.

Printed Name of Owner or Legal Custodian _____

Signature _____

Date _____

https://danr.sd.gov/Funding/EnvironmentalFunding/docs/abandonedtanks/ATP_Application_Form_2023.pdf

Which tanks are eligible?

- ▶ Gas station or commercial petroleum retail tanks abandoned and unused no later than April 1, 1988.
- ▶ Waste oil tanks.
- ▶ Abandoned petroleum tanks located at noncommercial operations.
- ▶ To be eligible, tanks must be accessible to removal by excavation.



Which tanks are ineligible?

- ▶ Abandoned petroleum tanks used for retail fuel storage after April 1, 1988.
- ▶ Inaccessible tanks.
- ▶ Properly-abandoned tanks filled with an inert substance.
- ▶ Non-petroleum tanks.
- ▶ Aboveground Storage Tanks.



Petroleum Release Compensation Fund (PRCF)

- ▶ Reimburses owners/operators of covered facilities for eligible expenses related to cleanup and remediation of tank system releases and contamination present during tank removals.
- ▶ PRCF has a \$10,000 deductible to be paid by the owner/operator.
- ▶ Abandoned Tank Program and Tank Owner/Operator Training is funded by PRCF.
- ▶ For more information: **Pierre (Main Office)**
Foss Building
523 E. Capitol Ave.
Pierre, SD 57501
John McVey, Engineer III
Phone: (605) 773-3769
Mitchell Office
3200 West Havens Ave.
Mitchell SD 57301-1004
Brett Schutte, Environmental Scientist
Phone: (605) 995-8162
- ▶ <https://danr.sd.gov/Funding/EnviromentalFunding/Petroleum.aspx>

For More Information

- ▶ email DANR.TanksectionICR@state.sd.us
- ▶ Please contact Kayla Fawcett, Justin Allen, Marshall Brown or Liam Kirk in Pierre at 605-773-3296, In Sioux Falls contact Scott Bickler at 605-362-3500, and in Rapid City contact Zach Burggraff at 605-394-2229.
- ▶ <https://danr.sd.gov/Agriculture/Inspection/StorageTanks/default.aspx>

Notification and Testing Forms:

<https://danr.sd.gov/Agriculture/Inspection/StorageTanks/tankforms.aspx>



Interactive Tanks and Spills NR42
database available online at
[https://apps.sd.gov/NR42Interactive
Map#](https://apps.sd.gov/NR42InteractiveMap#)

Questions?

