

CHAPTER 62-762 ABOVEGROUND STORAGE TANK SYSTEMS

12-762.100	Intent. (Repealed)
12-762.101	Intent.
12-762.200	Definitions. (Repealed)
12-762.201	Definitions.
12-762.210	Referenced Standards. (Repealed)
12-762.211	Reference Standards.
12-762.300	Applicability. (Repealed)
12-762.301	Applicability.
12-762.400	Registration and Registration Fees. (Repealed)
12-762.401	Registration and Financial Responsibility.
12-762.410	Registration Fees. (Repealed)
12-762.450	Notification and Financial Responsibility. (Repealed)
12-762.451	Notification and Reporting.
12-762.460	Reporting. (Repealed)
12-762.480	Financial Responsibility. (Repealed)
12-762.500	Performance Standards for New Storage Tank Systems. (Repealed)
12-762.501	Performance Standards for Category C Storage Tank Systems.
12-762.510	Performance Standards for Existing Shop-Fabricated Storage Tank Systems. (Repealed)
12-762.511	Performance Standards for Category-A and Category-B Storage Tank Systems.
12-762.520	Performance Standards for Existing Field-Erected Storage Tank Systems. (Repealed)
12-762.590	Containment and Integrity Plans for Mineral Acid Storage Tanks. (Repealed)
12-762.600	General Release Detection Standards. (Repealed)
12-762.601	Release Detection Standards.
12-762.611	Release Detection Methods.
12-762.641	Performance Standards for Release Detection Methods.
12-762.700	Repairs, Operation and Maintenance of Storage Tank Systems. (Repealed)
12-762.701	Repairs, Operation and Maintenance of Storage Tank Systems.
12-762.710	Recordkeeping and Inventory Requirements. (Repealed)
12-762.711	Recordkeeping.
12-762.720	Inventory Requirements. (Repealed)
12-762.730	Operating Requirements for Cathodic Protection. (Repealed)
12-762.800	Out of Service and Closure Requirements. (Repealed)
12-762.801	Out-of Service and Closure Requirements.
12-762.820	Discharge Reporting and Response. (Repealed)
12-762.821	Incident and Discharge Response.
12-762.840	Locally Administered Programs. (Repealed)
12-762.850	Equipment Approval and Alternate Procedures. (Repealed)
12-762.851	Alternative Requirements and Equipment Approvals.
12-762.860	Approval of Storage Tank Systems and Release Detection Equipment. (Repealed)
12-762.891	Mineral Acid Storage Tank Requirements.
12-762.900	Forms. (Repealed)
12-762.901	Storage Tank Forms.

62-762.101 Intent.

(1) Except for aboveground mineral acid storage tank systems, the purpose of this chapter is to provide standards for the registration, construction, installation, operation, maintenance, repair, closure, and disposal of storage tank systems that store regulated substances, and to minimize the occurrence and environmental risks of releases and discharges. This chapter provides

standards for aboveground storage tank systems having individual storage tank capacities greater than 550 gallons.

(2) For mineral acid storage tank systems, the purpose of this chapter is to minimize the occurrence and environmental risks of discharges from aboveground storage tanks having capacities greater than 110 gallons that contain hydrobromic, hydrochloric, hydrofluoric, phosphoric or sulfuric acid. Mineral acid storage tank systems are only subject to Rule 62-762.891, F.A.C.

(3) The purpose of this chapter is to establish a registration program for compression vessels and aboveground hazardous substance storage tank systems with individual capacities greater than 110 gallons. These systems are only subject to subsections 62-762.401(1)-(2), F.A.C.

(4) This chapter implements the requirements of Chapter 376, F.S. Final agency action related to the functions that may be carried out by a locally administered program (County) under contract with the Department pursuant to Section 376.3073, F.S., shall be taken by the Department.

Specific Authority 376.303, 376.322(3) FS. Law Implemented 376.303, 376.322(3), 376.3073 FS. History—New 6-21-04.

Editorial Note: Formerly 62-761.100.

62-762.201 Definitions.

The following words, phrases or terms used in this chapter, unless the context indicates otherwise, shall have the following meaning:

(1) "Airport or seaport hydrant piping" means the pressurized integral piping system, including hydrant pits, associated with petroleum storage tank systems serving airports, seaports, or military bases.

(2) "Ammonia" includes organic amines and inorganic compounds that are liquids at standard temperature and pressure that, when discharged, release free ammonia (NH₃), or ammonium ion (NH₄⁺).

(3) "AST" means an aboveground storage tank.

(4) "AST Category-A system" means a system that was installed on or before March 12, 1991.

(5) "AST Category-B system" means a system that was installed after March 12, 1991, and before July 13, 1998.

(6) "AST Category-C system" means a system that was installed on or after July 13, 1998. ASTs that are removed and relocated after July 13, 1998 are considered Category-C systems.

(7) "Bulk product facility" means a waterfront location with at least one aboveground tank with a capacity greater than 30,000 gallons that is used for the storage of pollutants.

(8) "Bulk product piping" means on-site integral piping with an internal diameter greater than three inches that:

(a) Originates at the first stationary or landward valve from a vessel loading or unloading area, and that delivers regulated substances up to and including the first valve within the dike field area of a bulk product facility; or

(b) Is utilized for transporting regulated substances.

(9) "Cathodic protection" means a method of preventing corrosion of a metal surface by making that surface the cathode of an electrochemical cell through the use of devices such as galvanic anodes or impressed current.

(10) "Cathodic Protection Tester" means a person who can demonstrate an understanding of the principles and measurements of all common types of cathodic protection systems as applied to buried or submerged metal piping and tank systems. At a minimum, such persons shall have education and experience in soil resistivity, stray current, structure-to-soil potential, and component electrical isolation measurements of buried metal piping and tank systems.

(11) "Chlorine" includes organic and inorganic compounds that are liquids at standard temperature and pressure that, when discharged, may release free chlorine (Cl₂) or chlorides (Cl⁻).

(12) "Compatible" means the ability of two or more substances to maintain their respective physical and chemical properties upon contact with one another for the design life of the storage tank system under conditions likely to be encountered in the storage tank system.

(13) "Compression vessel" means any stationary aboveground container, tank, or on-site integral piping system, or combination hereof, that has a capacity of greater than 110 gallons and that is primarily used to store pollutants or hazardous substances above atmospheric pressure or at a reduced temperature in order to lower the vapor pressure of the contents. Manifold compression vessels that function as a single vessel shall be considered as one vessel.

(14) "Contamination" or "contaminated" means the presence of regulated substances in surface water, groundwater, soil, sediment, or upon the land, in quantities that result in exceedances of applicable cleanup target levels in Chapter 62-770, F.A.C.,

- where petroleum or petroleum products are present, or water quality standards in Chapter 62-3, 62-302, 62-520, or 62-550, F.A.C.
- (15) "Corrosion professional" means a person who, by reason of knowledge of the physical sciences and the principles of engineering and mathematics acquired by a professional education and related practical experience, is qualified to engage in the practice of corrosion control on buried or submerged metal components of a storage tank system. Corrosion Professionals shall be accredited or certified by NACE International, or be a professional engineer registered in the State of Florida.
- (16) "County" means a locally administered program under contract with the Department to perform compliance verification activities at facilities with storage tank systems.
- (17) "Cut and cover tank" means a tank that is constructed with steel or reinforced concrete that is surrounded by soil above the natural surface of the ground.
- (18) "Dike field area" means the area around the tank or tanks that extends from the circumference of the base of an AST to the top of the berm, dike, or retaining wall surrounding the tank.
- (19) "Discharge" includes, but is not limited to, any spilling, leaking, seeping, pouring, misapplying, emitting, emptying, or lumping of any regulated substance which occurs and which affects lands and the surface and ground waters of the state.
- (20) "Discovery" means:
- Either actual knowledge or knowledge of facts that could reasonably lead to actual knowledge of the existence of an accident, discharge, or an unmaintained storage tank system; or
 - Discovery as specified in the Petroleum Contamination Site Cleanup Criteria subsection 62-770.200(7), F.A.C.
- (21) "Dispenser" means a dispensing system that is used to transfer vehicular fuel from a fixed point to a vehicle.
- (22) "Dispenser liner" means a liner installed as secondary containment beneath a dispenser to prevent discharges of regulated substances.
- (23) "Dispensing system" means equipment that is used to transfer regulated substances from integral piping through a rigid or flexible hose or pipe to another point of use outside of the storage tank system.
- (24) "Double-bottomed" means an AST that has secondary containment in the form of an outer tank bottom having a closed interstitial space between the primary tank bottom and the secondary outer tank bottom.
- (25) "Double-walled" means a storage tank that has an outer tank wall, or integral piping that has an outer wall that provides secondary containment of the primary tank or piping.
- (26) "Empty" means all regulated substances have been removed so that no more than one inch in depth or 0.3 percent by weight of total system capacity of regulated substances remains in the storage tank system.
- (27) "Existing contamination" means:
- The presence of free product or sheen on the groundwater;
 - The presence of vapor levels in monitoring wells measured in accordance with DEP's "Guidelines for Vapor Monitoring" or by a Flame Ionization Detector or an equivalent instrument in excess of:
 - 500 parts per million total petroleum hydrocarbons for storage tank systems containing gasoline or equivalent petroleum products; or
 - 50 parts per million total petroleum hydrocarbons for storage tank systems containing kerosene, diesel or other equivalent petroleum products;
 - Results of analytical tests on a groundwater sample that:
 - Exceed the cleanup target levels for petroleum products' chemicals of concern specified in Table V of Chapter 62-770, F.A.C.; or
 - Indicate the presence of a hazardous substance that is not described in subparagraph (c)1. above; or
 - Indicate the presence of a regulated substance that is not described in subparagraph (c)1. above; or
 - After July 13, 1998, results of analytical tests on a soil sample that:
 - Exceed the lower of direct exposure I and leachability Table V cleanup target levels for petroleum products' chemicals of concern listed in Table IV of Chapter 62-770, F.A.C.; or
 - Indicate the presence of a hazardous substance that is not described in subparagraph (d)1. above; or
 - Indicate the presence of a regulated substance that is not described in subparagraph (d)1. above.
- (28) "Facility" means a nonresidential location containing, or that contained, any stationary tank or tanks containing, or that contained regulated substances, and that have, or had, individual capacities greater than 550 gallons for AST systems.
- (29) "Field-erected storage tank" means an AST that is constructed by assembling it on-site at the facility.

(30) "Flow-through process tank" is a tank that forms an integral part of a production process through which there is a steady, variable, recurring, or intermittent flow of materials during the operation of the process. Flow-through process tanks include tanks associated with vapor recovery units and oil-water separators. Flow-through process tanks do not include storage tanks used for the storage of regulated substances before their introduction into the production process or for the storage of finished products or by-products from the production process.

(31) "Free product" means a regulated substance in excess of 0.01 foot in thickness, measured at its thickest point, floating on water, surface water or groundwater.

(32) "Hazardous substances" means those substances defined as hazardous substances in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Pub. L. No. 96-510, 94 stat. 2767, as amended by the Superfund Amendments and Reauthorization Act of 1986.

(33) "Heating oil" means any petroleum based fuel used in the operation of heating equipment, boilers, or furnaces.

(34) "High viscosity" means a pollutant with a viscosity of 30 centistokes (cSt) and higher at 40 degrees Centigrade, such as American Society for Testing and Materials (ASTM) grades 5 and 6 residual oils, intermediate fuel oils, or Bunker C fuel.

(35) "Hydraulic lift tank" means a tank that holds hydraulic fluid for a closed-loop mechanical system used to operate lifts, elevators, and other similar devices.

(36) "Hydrostatic test" means a test for a storage tank or storage tank system component that is performed in accordance with his chapter using equilibrium and the pressure of liquids to test the integrity of the tank or system component.

(37) "Impervious" means:

(a) A synthetic material or another material approved in accordance with subsection 62-762.851(2), F.A.C., that is compatible with the stored regulated substance, and has a permeability rate to the regulated substance stored of 1×10^{-7} cm/sec or less; or

(b) For concrete structures, a material that:

1. Meets the design and construction standards of ACI 350R-89 and ACI 224R-89; or
2. Is applied to the concrete in accordance with NACE International Standard RP0892-92.

(38) "In contact with the soil" means integral piping connected to ASTs or any portion of a tank, that:

(a) Physically touches the soil; or

(b) Is not in direct contact with the soil, and is separated from the soil only by a casing, wrapping, or other material that is not impervious.

(c) Those portions of integral piping that are elevated and that are not in direct contact with the soil are excluded from this definition.

(39) "Incident" is a condition or situation indicating that a discharge may have occurred from a storage tank system.

(40) "Industrial occupancy building" is an enclosed structure that contains an AST system that is used in association with an industrial or manufacturing process, or for electric power generating utilities, provided that the building was constructed and is used primarily for industrial, manufacturing, or electric power generating purposes, and not solely for the purpose of storing regulated substances. An industrial occupancy building is a structure that has an impervious floor without valves, drains, or other openings that would permit pollutants to be discharged. Industrial occupancy buildings constructed after July 13, 1998, must:

(a) Be constructed in accordance with NFPA 30, Section 2-5, Installation of Tanks Inside of Buildings, and Section 5-3, Facility Design;

(b) Have at least Type II construction in accordance with NFPA 220, Chapter 3;

(c) Be ventilated in accordance with NFPA 68 and 69; and

(d) Be verified as meeting the above construction requirements by either a registered architect or a professional engineer registered in the State of Florida.

(41) "In-service" means a storage tank system that is being actively maintained and operated in accordance with this chapter. Non-compliance with any specific rule within this chapter does not exclude the system from being considered "in-service." Subject to the above, a storage tank system is also considered to be in-service if it:

(a) Contains regulated substances or has regulated substances regularly added to or withdrawn from the system;

(b) Is emptied solely for the purpose of cleaning, routine maintenance, or a change in product, for a time period not exceeding 15 days; or

(c) Contains non-regulated substances and is still maintained in an in-service status at the request of the owner or operator.

(42) "Integral piping" means on-site piping, originating or terminating at the regulated storage tank or tanks, that conveys

regulated substances. Vapor recovery lines, pipeline facilities, and vent lines are not considered integral piping. Integral piping is not considered on-site if the piping crosses state boundaries, or two or more county boundaries. Integral piping includes all valves, elbows, joints, flanges, pumps, and flexible connectors, up to the:

- (a) Union of the piping with the dispensing system;
- (b) Fill cap or fill valve;
- (c) Forwarding pump used for transferring regulated substances to a flow-through process tank or an industrial production or manufacturing point of use; or
- (d) First flange or connection within the loading rack containment area.

(43) "Internal lining" means a material that is applied internally on AST bottoms or USTs to protect the tank from internal corrosion.

(44) "Interstitial monitoring" is a release detection method that is used to determine the presence of regulated substances or water between the primary and secondary containment. Interstitial monitoring can be performed within:

- (a) A closed interstitial space between two steel or impervious barriers that are sealed, not open to the atmosphere, and designed to be tested for a breach of integrity of the interstitial space; or
- (b) An open interstitial space between two steel or impervious barriers that are open to the atmosphere, and not designed to be tested for a breach of integrity of the interstitial space.

(45) "Liner" means an impervious material that meets the performance standards of paragraph 62-762.501(1)(e), F.A.C., that is used externally as a method of secondary containment.

(46) "Liquid trap" means sumps, well cellars, and other traps used in association with oil and gas production, gathering and extraction operations (including gas production plants) to collect oil, water, and other liquids. Liquid traps may temporarily collect liquids for subsequent disposition or reinjection into a production or pipeline stream, or may collect and separate liquids from a gas stream.

(47) "Maintenance" means the normal operational upkeep to prevent a storage tank system from releasing regulated substances.

(48) "Mobile tank" is:

- (a) An AST that is moved to a different location at least once every 180 days; and
 1. Has a current valid vehicle registration with the Florida Department of Highway Safety and Motor Vehicles and has current test and inspection markings in accordance with 49 C.F.R. 180.415; or
 2. Is designed and constructed to be moved to other service locations, and its relocation within a facility or from site to site is inherent in its use; or
 3. Is used for on-site construction activities, provided that the construction activities do not exceed 12 months, or the life of the construction project as long as construction is continuous, and the tanks are removed from the site when the construction is complete; and
- (b) Not considered mobile if it is connected to stationary underground or aboveground integral piping, unless associated with the production of an agricultural commodity, provided that the tank is moved to a different location at least once every 180 days.

(49) "Nationally Recognized Laboratory" means an organization that can perform quantitative and qualitative tests on storage tank system equipment, evaluate the test data and equipment performance, and make determinations of the equipment's capability of meeting the technical standards of this chapter. A Nationally Recognized Laboratory shall have at least five years of professional storage tank system equipment testing experience. Nationally Recognized Laboratories include organizations such as Underwriter's Laboratories, Carnegie Mellon Research Institute, Midwest Research Institute, Ken Wilcox Associates, Factory Mutual, and American Board of Engineering and Technology (ABET) Accredited Universities.

(50) "On-site" means on the same or geographically contiguous property as the facility regulated under this chapter, that is under the same ownership or control, and which may be divided by a public or private right-of-way or an easement. Piping connecting ASTs with pipeline facilities are considered on-site up to the point where it crosses through the dike wall surrounding the AST.

(51) "Operational life" refers to the period from the start of installation of the storage tank system to the completion of the closure of the storage tank system in accordance with subsection 62-762.801(3), F.A.C.

(52) "Operator" means any person operating a facility, whether by lease, contract, or other form of agreement.

(53) "Out-of-service" means a storage tank system that:

- (a) Is designated as an out-of-service system by owner or operator notification to the Department on Form 62-761.900(2);
- (b) Is empty as defined in subsection 62-762.201(26), F.A.C.; and
- (c) Does not have regulated substances transferred into or withdrawn from the tank as specified in subsection 62-762.801(2), F.A.C., for a maximum time of:
1. Two years of being taken out-of-service for USTs; or
 2. Five years of being taken out-of-service for ASTs; or
 3. Ten years of being taken out-of-service for storage tank systems with secondary containment.
- (54) "Overfill" is a release or discharge that occurs when a tank is filled beyond its capacity.
- (55) "Owner" means any person as defined in Section 376.301(23), F.S., owning a facility.
- (56) "Pesticides" means all preparations, products, and substances included in the Department of Agriculture and Consumer Services' Rule 5E-2.002, F.A.C.
- (57) "Petroleum" includes:
- (a) Oil, including crude petroleum oil and other hydrocarbons, regardless of gravity, which are produced at the well in liquid form by ordinary methods and which are not the result of condensation of gas after it leaves the reservoir; and
- (b) All natural gas, including casinghead gas, and all other hydrocarbons not defined as oil in paragraph (a).
- (58) "Petroleum product" means any liquid fuel commodity made from petroleum.
- (a) Forms of fuel considered to be petroleum products include all fuels known or sold as:
1. Diesel fuel;
 2. Kerosene;
 3. Gasoline; and
 4. Fuels containing mixtures of gasoline and other products.
- (b) Forms of fuel excluded from this definition are:
1. Liquefied petroleum gas;
 2. American Society for Testing and Materials (ASTM) grades no. 5 and no. 6 residual oils;
 3. Bunker C residual oils;
 4. Intermediate fuel oils used for marine bunkering with a viscosity of 30 and higher;
 5. Asphalt oils; and
 6. Petrochemical feedstocks.
- (59) "Pipe" or "piping" means any hollow cylindrical or tubular conveyance through which regulated substances flow.
- (60) "Pipeline facilities" are pipe systems, rights-of-way and any associated equipment, gathering lines, buildings, or break-out tanks necessary for the long range transportation of regulated substances.
- (61) "Piping sump" or "Submersible turbine pump sump" means a liner installed as secondary containment or a monitoring port at the top of a tank or at the lowest point in the integral piping to detect releases.
- (62) "Pollutants" includes any "product" as defined in Section 377.19(11), F.S., pesticides, ammonia, chlorine, and derivatives hereof, excluding liquefied petroleum gas.
- (63) "Pressure test" means a test to determine the integrity of integral piping performed in accordance with subparagraph 62-762.641(3)(e)1., F.A.C.
- (64) "Pressurized piping" means piping through which regulated substances flow due to a pump that is not located at the dispensing system.
- (65) "Product" as defined in Section 377.19(11), F.S., means any commodity made from oil or gas and includes refined crude oil, crude tops, topped crude, processed crude petroleum, residue from crude petroleum, cracking stock, uncracked fuel oil, fuel oil, treated crude oil, residuum, gas oil, casinghead gasoline, natural gas gasoline, naphtha, distillate, condensate, gasoline, used oil, kerosene, benzene, wash oil, blended gasoline, lubricating oil, blends or mixtures of oil with one or more liquid products or byproducts derived from oil or gas, and blends or mixtures of two or more liquid products or byproducts derived from oil or gas, whether hereinabove enumerated or not.
- (66) "Regulated substance" means a liquid at standard conditions of temperature and pressure (60 degrees Fahrenheit and 14.7 pounds per square inch absolute), that is a pollutant when stored in an AST.
- (67) "Release" means:
- (a) A discharge; or

- (b) A loss of regulated substances from a storage tank system into the system's secondary containment.
- (68) "Release detection" means a method of:
- (a) Determining whether a discharge of regulated substances has occurred; or
 - (b) Detecting the presence of regulated substances within a storage tank system's secondary containment.
- (69) "Release detection response level" is the point of measurement, calculation, observation, or level that is established for each individual release detection device or method at which an investigation must be initiated to determine if an incident, release, or discharge has occurred.
- (70) "Repair" means to restore or replace any defective or damaged parts of a storage tank system. Replacement of a non-defective part is not a repair.
- (71) "Residential storage tank system" means a storage tank system that is located on property used primarily for dwelling purposes, and the storage and use of regulated substances in the tank is for residential purposes.
- (72) "Secondary containment" means a release detection and prevention system that meets the performance standards of paragraph 62-762.501(1)(e), F.A.C., and includes dispenser liners, piping sumps, double-walled tanks and piping systems, or single-walled tanks or piping systems that are contained within a liner or an impervious containment area. A Release Prevention Barrier, as specified in API Standard 650, Appendix I, is considered secondary containment for field-erected aboveground storage tank bottoms.
- (73) "Sheen" means a regulated substance less than or equal to 0.01 foot in thickness, measured at its thickest point, or visibly observed, floating on surface water, groundwater, or within secondary containment.
- (74) "Shop-fabricated storage tank" means an AST that is constructed at the tank manufacturer's plant and transported to the facility for installation.
- (75) "Significant loss or gain" means the sum of losses and gains of a regulated substance over a 30 day or monthly period that exceeds:
- (a) For tanks with capacities between 111 and 2,000 gallons with an individual flow-through less than 5,000 gallons during the previous 30 days:
 - 1. One percent of the tank capacity; or
 - 2. One percent of the total weekly output; or
 - 3. Fifty gallons, whichever is greatest.
 - (b) For tanks with capacities between 2001 and 29,999 gallons, or tanks with an individual flow-through exceeding 5,000 gallons during the previous 30 days:
 - 1. One percent of the tank capacity; or
 - 2. One percent of the amount of product dispensed during the previous 30 days, plus 130 gallons, whichever is greatest.
 - (c) For tanks with capacities of 30,000 gallons or greater:
 - 1. One percent of the tank capacity; or
 - 2. One half of one percent of the amount of product dispensed during the previous 30 days, whichever is greater.
- (76) "Small diameter piping" means integral piping with an internal diameter of three inches or less that is utilized for transporting regulated substances.
- (77) "Storage tank system" means a tank used to contain regulated substances, its integral piping, and all its components, including dispensing systems, spill containment devices, overfill protection devices, secondary containment systems, and any associated release detection equipment.
- (78) "Suction piping" means piping through which regulated substances flow due to a pump located at the dispensing system.
- (79) "Tank" means an enclosed stationary container or structure that is designed or used to store regulated substances, and the volume of which, including the volume of underground piping, is less than ten percent beneath the surface of the ground. For purposes of this chapter, cut and cover tanks are considered aboveground storage tanks.
- (80) "Temporary out-of-service" is a designation of a service status for a field-erected storage tank system that is emptied solely for the purpose of cleaning, routine maintenance, or change of product for a time period exceeding thirty days, but less than six months.
- (81) "UST" means an underground storage tank.
- (82) "Unmaintained" means:
- (a) A storage tank system that was not closed in accordance with Department rules; or

- (b) An out-of-service storage tank system that is not returned to in-service status within:
1. Five years of its being out-of-service for ASTs; or
 2. Ten years of its being out-of-service for storage tank systems with secondary containment.
- (83) "Upgrade" means the addition or retrofit of cathodic protection, internal lining, spill prevention, overflow protection, or secondary containment, to a storage tank system, or the installation of single wall corrosion resistant storage tanks, to improve the ability of the storage tank system to prevent discharges of regulated substances.
- (84) "Vehicular fuel" means a petroleum product used to fuel motor vehicles, including aircraft, watercraft, and vehicles used on and off roads and rails.

Specific Authority 376.303 FS, Law Implemented 376.303 FS, History--New 6-21-04.

Editorial Note: Formerly 62-761.200.

62-762.211 Reference Standards.

(1) Referenced standards are available for inspection at the County Offices, and the Department of Environmental Protection's District and Tallahassee Offices, and may be obtained from the following sources:

- (a) ACI International (American Concrete Institute), Post Office Box 9094, Farmington Hills, Michigan 48333-9094, (248) 348-3700;
- (b) American Petroleum Institute (API), 1220 L Street, N.W. Washington, D.C. 20005, (202) 682-8000;
- (c) ASME International (The American Society of Mechanical Engineers), 22 Law Drive, Box 2300, Fairfield, New Jersey 07007-2300, (800) 843-2763;
- (d) Florida Department of Environmental Protection (DEP), Storage Tank Regulation Section, 2600 Blair Stone Road, MS 1525, Tallahassee, Florida 32399-2400, (850) 245-8839;
- (e) NACE International (National Association of Corrosion Engineers), Post Office Box 218340, Houston, Texas 77218-8340, (281) 492-0535;
- (f) National Fire Protection Association (NFPA), 1 Battery March Park, Post Office Box 9101, Quincy, Massachusetts 02269-1101, (800) 344-3555;
- (g) Petroleum Equipment Institute (PEI), Post Office Box 2380, Tulsa, Oklahoma 74101-2380, (918) 494-9696;
- (h) Society for Protective Coatings (SSPC) 40 24th Street, 6th Floor, Pittsburgh, Pennsylvania 15222-4643, (412) 281-2331;
- (i) Steel Tank Institute (STI), 570 Oakwood Road, Lake Zurich, Illinois 60047, (847) 438-8265;
- (j) Underwriters Laboratories (UL), 333 Pfingsten Road, Northbrook, Illinois 60062-2096, (847) 272-8800; and
- (k) Government Printing Office, Superintendent of Documents, Attention: New Orders, Post Office Box 371954, Pittsburgh, Pennsylvania 15250-7954, (202) 512-1800.

(2) Titles of documents. References to documents listed in paragraphs (a) through (k) below are made throughout this chapter. Each document or part thereof is adopted and incorporated as a standard only to the extent that it is specifically referenced in this chapter.

- (a) ACI International:
 1. ACI 224R-89, "Control of Cracking in Concrete Structures," May, 1990; and
 2. ACI 350R-89, "Environmental Engineering Concrete Structures," June, 1990.
- (b) American Petroleum Institute Standards:
 1. API Specification 12B, "Specification for Bolted Tanks for Storage of Production Liquids," February, 1995;
 2. API Specification 12D, "Specification for Field Welded Tanks for Storage of Production Liquids," November, 1994;
 3. API Specification 12F, "Specification for Shop Welded Tanks for Storage of Production Liquids," November, 1994, with Addenda 1, February, 1997;
 4. API Specification 12P, "Specification for Fiberglass Reinforced Plastic Tanks," January, 1995;
 5. API Standard 570, "Piping Inspection Code: Inspection, Repair, Alteration, and Rerating of In-Service Piping Systems," June, 1993;
 6. API Standard 620, "Design and Construction of Large Welded Low-pressure Storage Tanks", February, 1996, with Addenda 1, December, 1996, with Additional Pages for Addendum 1, February, 1997;
 7. API Standard 650, "Welded Steel Tanks for Oil Storage," July, 1993, with Addendum 1, December, 1994, Addendum 2,

December, 1995, and Addendum 3, December, 1996;

8. API Recommended Practice 651, "Cathodic Protection of Aboveground Petroleum Storage Tanks," April, 1991;
9. API Recommended Practice 652, "Lining of Aboveground Petroleum Storage Tank Bottoms," April, 1991;
10. API Standard 653, "Tank Inspection, Repair, Alteration and Reconstruction," December, 1995, with Addendum 1, December, 1996;
11. API Recommended Practice 1110, "Recommended Practice for the Pressure Testing of Liquid Petroleum Pipelines," December, 1991; and
12. API Recommended Practice 2350, "Overfill Protection for Petroleum Storage Tanks," January, 1996.

(c) ASME International:

1. B31.4-1992, "Liquid Transportation Systems for Hydrocarbons, Liquid Petroleum Gas, Anhydrous Ammonia, and Alcohols" January, 1993 with 1994 Addenda; and
2. B96.1-1993, "Welded Aluminum-Alloy Storage Tanks," June, 1993.

(d) Florida Department of Environmental Protection:

1. "Storage Tank System Closure Assessment Requirements" April, 1998;
2. "Guidelines for Vapor Monitoring," April, 1998; and
3. "Guidelines for Site-Suitability Determinations for External Monitoring," February, 1998.

(e) NACE International:

1. NACE Standard RP-0169-96, "Control of External Corrosion on Underground or Submerged Metallic Piping Systems," September, 1996;
2. NACE Standard RP-0892-92, "Linings over Concrete for Immersion Service," December, 1992; and
3. NACE Standard RP-0193-93, "External Cathodic Protection of On-Grade Metallic Storage Tank Bottoms," October, 1993.

(f) National Fire Protection Association:

1. NFPA 30, "Flammable and Combustible Liquids Code," August, 1996;
2. NFPA 30A, "Automotive and Marine Service Station Code," August, 1996;
3. NFPA 329, "Handling Underground Releases of Flammable and Combustible Liquids," Chapters 3, 4, and 5, August, 1992;
4. NFPA 68, "Guide for Venting of Deflagrations," February, 1994;
5. NFPA 69, "Standard on Explosion Prevention Systems," February, 1997; and
6. NFPA 220, "Standard on Types of Building Construction," Chapter 3, August, 1995.

(g) Petroleum Equipment Institute: PEI/RP200-96, "Recommended Practices for Installation of Aboveground Storage Systems for Motor Vehicle Fueling," 1996.

(h) Society for Protective Coatings:

1. SSPC-TU 2/NACE 6G197, SSPC Publication No. 97-04, "Design, Installation, and Maintenance of Coating Systems for Concrete Used in Secondary Containment," February, 1997; and
2. SSPC-PA 1, "Paint Application Specification No. 1," August, 1991.

(i) Steel Tank Institute:

1. STI R892-89, "Recommended Practice for Corrosion Protection of Underground Piping Networks Associated with Liquid Storage and Dispensing Systems," 1989;
2. STI F911-93, "Standard for Diked Aboveground Storage Tanks," November, 1993; and
3. STI F921, "Standard for Aboveground Tanks with Integral Secondary Containment," April, 1996.

(j) Underwriters Laboratories Standards:

1. UL 142, "Steel Aboveground Tanks for Flammable and Combustible Liquids," April, 1993;
2. UL 567, "Pipe Connectors for Petroleum Products and LP Gas," June, 1996;
3. UL 971, "Nonmetallic Underground Piping for Flammable Liquids," October, 1995; and
4. UL 2085 "Protected Aboveground Tanks for Flammable and Combustible Liquids," December, 1997.

(m) Government Printing Office, Code of Federal Regulations:

1. Title 33, Part 154, July 1997;
2. Title 33, Part 156.170, July 1997;
3. Title 40, Part 112, July 1997;
4. Title 40, Part 280, Subpart H, July 1997;

5. Title 40, Part 302, July 1997; and
6. Title 49, Part 180.415, October, 1996.

(3) Applicability of Reference Standards: Unless otherwise specified in this rule, Category-A and Category-B facilities are subject to the Reference Standards listed in the Department's storage tank rules that were in effect at the time of facility construction or operation. Category-C facilities shall comply with subsection 62-762.211(2), F.A.C., on or after July 13, 1998.

Specific Authority 376.303 FS, Law Implemented 376.303, FS, History--New 6-21-04.

Editorial Note: Formerly 62-761.210.

62-762.301 Applicability.

(1) General Requirements:

(a) Aboveground storage tank systems: The requirements of this chapter, unless specified otherwise, apply to owners and operators of facilities, or owners and operators of aboveground stationary storage tank systems with individual storage tank capacities greater than 550 gallons, that contain or contained:

1. Vehicular fuel, subject to Chapter 17-61, F.A.C., after May 21, 1984;
2. Pollutants after March 12, 1991; or
3. Pollutants in unmaintained storage tank systems.

(b) Aboveground compression vessels and hazardous substance storage tank systems: Owners and operators of compression vessels and hazardous substance storage tanks with capacities of greater than 110 gallons containing hazardous substances are only required to comply with subsections 62-762.401(1)-(2), F.A.C.

(c) Aboveground mineral acid storage tank systems: Owners and operators of facilities, or owners and operators of aboveground mineral acid storage tank systems with capacities of greater than 110 gallons containing mineral acids are only required to comply with Rule 62-762.891, F.A.C.

(d) This rule is applicable to non-residential facilities.

(2) Exemptions: The following aboveground systems are exempt from the requirements of this chapter:

(a) Any storage tank system storing any hazardous waste listed or identified under Subtitle C of the Resource Conservation and Recovery Act, or a mixture of such hazardous waste and other regulated substances;

(b) Any storage tank system regulated under the Toxic Substances Control Act (15 U.S.C. 2065);

(c) Any pesticide waste degradation system regulated under Chapter 62-660, F.A.C.;

(d) Storage tank systems used solely for temporary storage of mixtures of pesticides and diluent for reapplication as pesticides;

(e) Any storage tank system with a storage capacity of less than 30,000 gallons used for the sole purpose of storing heating oil or consumptive use on the premises where stored;

(f) Any tank that contains asphalt or asphalt products not containing other regulated substances;

(g) Any storage tank system storing regulated substances that are solid or gaseous at standard temperature and pressure;

(h) Any storage tank containing LP gas;

(i) Any storage tank system that contains small quantities (de minimus, as per 40 C.F.R. Section 280.10(b)(5)) of regulated substances;

(j) Any wastewater treatment tank system that is part of a wastewater treatment facility regulated under Section 402 or 307(b) of the Clean Water Act;

(k) Any septic tank system;

(l) Any stormwater or wastewater collection system;

(m) Any surface impoundment, pit, pond, or lagoon;

(n) Any agricultural storage tank system of 550 gallons capacity or less;

(o) Any residential storage tank system;

(p) Any emergency spill or emergency overflow containment storage tank system that is emptied as soon as possible after use, and that routinely remains empty;

(q) Any flow-through process tank system. For industrial and manufacturing facilities, integral piping is considered to terminate at the forwarding pump or valve used to transfer regulated substances to process, production, or manufacturing points of use or systems within the facility;

(r) Any storage tank system, liquid trap, or associated gathering lines directly related to oil or gas production and gathering operations regulated by Chapter 377, F.S.;

(s) Equipment or machinery that contains regulated substances for operational purposes, such as hydraulic lift or fluid tank systems and electrical equipment tank systems;

(t) Any pipeline facilities;

(u) Any storage tank system containing radionuclides or that is part of an emergency generator system for nuclear power generation at facilities regulated by the Nuclear Regulatory Commission under 10 C.F.R. Part 50 Appendix A;

(v) Vapor recovery holding tanks and associated vapor recovery piping systems; or

(w) Any rail or tanker truck loading or unloading operations (loading racks) specified in Chapter 5 of NFPA 30;

(x) Drip irrigation systems that:

1. Are not in contact with the soil;
2. Are constructed of corrosion resistant materials;
3. Are compatible with the products stored;
4. Contain less than 80% concentration of fertilizer materials by volume; and
5. Are applied on site.

(y) Systems used exclusively for the storage of aqueous solutions of sodium hypochlorite;

(z) Any mobile tank;

(aa) Any system located entirely within an industrial occupancy building;

(bb) Any storage tank system located entirely within an enclosed building or vault with an adequate roof and walls to prevent rainwater from reaching the system, and with an impervious floor containing no valves, drains, or other openings that would permit pollutants to be discharged from the system that were constructed before July 13, 1998; or

(cc) Any mobile double-wall tank, regardless of how long it is located at a facility, that is connected with a power module system that is used for the emergency or supplemental generation of electrical power by an electric utility as defined in Chapter 366, F.S. This exemption is limited to tanks that are designed and constructed to be moved to other service locations, and the relocation within a facility or from site to site is inherent in its use.

Specific Authority 376.303 F.S. Law Implemented 376.303 F.S. History—New 6-21-04.

Editorial Note: Formerly 62-761.300.

62-762.401 Registration and Financial Responsibility.

(1) General registration requirements.

(a) The owner or operator of any facility, or the owner or operator of a storage tank system, aboveground hazardous substance tank, or compression vessel, shall register the storage tank system, aboveground hazardous substance tank, or compression vessel with the Department on Form 62-761.900(2).

(b) A completed registration form shall be submitted to the Department no later than 30 days after regulated or hazardous substances are put into any new storage tank system, above ground hazardous substance tank, or compression vessel.

(2) Registration fees.

(a) General requirements.

1. Registration fees are due from the tank or facility owner or operator, as indicated in this section, for all registered storage tank systems and compression vessels, except for:

- a. Storage tank systems that have been properly closed in accordance with subsection 62-762.801(3), F.A.C.; and
- b. ASTs at federally-owned or operated facilities.

2. A registration fee of \$50.00 per tank or vessel shall be submitted for each initial registration of a storage tank system or compression vessel. The fee shall be paid within 30 days after receipt of an invoice by the Department.

3. A renewal fee of \$25.00 per tank shall be paid to the Department for each storage tank system not meeting the closure requirements of subsection 62-762.801(3), F.A.C., by July 1 each year.

4. A replacement fee of \$25.00 per tank shall be paid to the Department for each tank that is replaced for the purpose of facility upgrading, within 30 days after receipt of an invoice by the Department.

5. A late fee of \$20.00 per tank shall be paid to the Department for any renewal that is received after July 31.

6. Each facility shall receive a registration placard upon payment of all applicable fees. The placard shall be displayed in plain view in the office, kiosk, or at another suitable location at the facility where the tank is located.

(b) Specific requirements.

1. Bulk product facilities. Owners or operators shall submit:

- a. An annual renewal fee of \$25.00 for each tank with a capacity of 250,000 gallons or less by July 1 of each year; and
- b. An annual renewal fee of one dollar per every 10,000 gallons of storage capacity, for each tank with a storage capacity greater than 250,000 gallons, by July 1 of each year, not to exceed \$1,000.00 per tank.
- c. In no circumstances will the owner or operator of any facility pay an annual fee greater than \$5,000 for all pollutant storage tanks located at the facility.

2. Compression vessels and aboveground hazardous substance storage tanks.

- a. Owners and operators shall submit a renewal fee of \$25.00 per tank or vessel to the Department by July 1 each year.
- b. In no circumstance will the owner or operator of any facility pay an annual fee greater than \$2500.00 for all registered compression vessels and aboveground hazardous substance storage tanks located at the facility.

(3) Financial responsibility.

(a) General requirements.

1. The owner or operator of a facility, or individual tanks, if of different ownership, shall demonstrate financial responsibility to the Department. If the owner and operator of a tank are separate persons, only one person is required to demonstrate financial responsibility. However, both persons are liable in event of noncompliance. Financial responsibility is only required for tanks containing petroleum or petroleum products. Financial responsibility is the ability to pay for corrective action and third-party liability resulting from a discharge at the facility.

2. The demonstration of financial responsibility shall be made by the owner or operator in accordance with C.F.R. Title 40, Part 280, Subpart H. Owners or operators shall substitute "aboveground" or "aboveground and underground" for "underground," where applicable, for any documents required in C.F.R. Title 40, Part 280, Subpart H, that are submitted to the Department to demonstrate financial responsibility.

3. Financial responsibility requirements for petroleum storage systems containing petroleum products may be supplemented by participation in the Florida Petroleum Liability Restoration and Insurance Program to the extent provided by Section 376.3072, F.S.

4. Notwithstanding the owner's or operator's financial responsibility status, the owner or operator may, in accordance with Chapter 376 or 403, F.S., be liable for any discharge at the facility.

(b) Aboveground storage tank systems. The minimum requirements for financial responsibility for ASTs containing petroleum or petroleum products became effective on January 1, 1995, and are the same as provided by C.F.R. Title 40, Part 280, Subpart H, except for the following:

1. For a storage tank system with a capacity greater than 550 gallons and less than or equal to 10,000 gallons, the demonstration of financial responsibility for corrective action and third-party liability shall be a minimum of \$500,000.00 per incident and \$1 million annual aggregate.

2. For a storage tank system with a capacity greater than 10,000 gallons and less than or equal to 30,000 gallons, the demonstration of financial responsibility for corrective action and third-party liability shall be a minimum of \$1 million per incident and \$1 million annual aggregate.

3. For a storage tank system with a capacity greater than 30,000 gallons and less than or equal to 250,000 gallons, the demonstration of financial responsibility for corrective action and third-party liability shall be a minimum of \$1 million per incident and \$2 million annual aggregate.

4. For a storage tank system with a capacity greater than 250,000 gallons, the demonstration of financial responsibility for corrective action and third-party liability shall be a minimum of \$3 million per incident and \$6 million annual aggregate.

Specific Authority 376.303 FS, Law Implemented 376.303 FS, History--New 6-21-04.

Editorial Note: Formerly 62-761.400.

62-762.451 Notification and Reporting.

(1) Notification requirements.

(a) Verbal or written notice shall be provided to the County:

1. At least 30 days before installation or upgrading to meet the requirements of Rule 62-762.501, F.A.C., unless the County agrees to a shorter time period;
2. At least 10 days before an internal inspection of a UST, an API 653 internal inspection, a change in service status, closure, or closure assessment, any of which is performed to meet the requirements of this chapter;
3. At least 48 hours before:
 - a. Initiating activities specified in subparagraphs 1. or 2. above, to confirm the date and time of the scheduled activities;
 - b. The establishment of temporary out-of-service status for field-erected ASTs; and
 - c. Performing any tightness test required under this chapter.
4. Before the close of the County's next business day for an emergency change to an out-of-service status made as required by Rule 62-762.821, F.A.C. Verbal or written notification of the activities specified in subparagraphs 1. or 2. above performed as a direct result of the emergency change in service shall be made to the County before initiating the activities.
 - (b) Within 30 days after completion, the owner or operator shall notify the Department of the following items on Storage Tank Registration Form 62-761.900(2):
 1. Any change in ownership of a facility or of a storage tank system. Notice of change of ownership shall be provided to the Department by the new owner. The notice shall include a copy of the bill of sale or a letter of acceptance by the new owner;
 2. Closure or upgrading of a storage tank system;
 3. Any change or correction in the information reported in the registration form, including changes in the type of regulated substances stored. A change within the same blend of regulated substances should not be reported (e.g., regular unleaded to premium unleaded gasoline); and
 4. The establishment of, or changes to, the method of demonstrating financial responsibility required by subsection 62-762.401(3), F.A.C.
 - (2) Incident notification requirements.
 - (a) Notification of the discovery of the following incidents shall be made to the County on Incident Notification Form 62-761.900(6) within 24 hours or before the close of the County's next business day:
 1. A failed or inconclusive tightness, pressure, or breach of integrity test;
 2. Internal inspection results, including perforations, corrosion holes, weld failures, or other similar defects, that indicate that a release could have occurred;
 3. Unusual operating conditions, such as the erratic behavior of product dispensing equipment, the sudden loss of product from a storage tank system, or any unexplained presence of water in a tank or unexplained presence of water with or without sheen in a piping sump, unless system equipment is found to be defective but not leaking;
 4. The presence of odors of a regulated substance from surface water or groundwater, soil, basements, sewers and utility lines at a facility or in the surrounding area from which it could be reasonably concluded that a release or discharge may have occurred;
 5. The loss of a regulated substance from a storage tank system exceeding 100 gallons on impervious surfaces, other than secondary containment, such as driveways, airport runways, or other similar asphalt or concrete surfaces, provided that the loss does not come in contact with pervious surfaces;
 6. The loss of a regulated substance exceeding 500 gallons inside a dike field area with secondary containment;
 7. A positive response of release detection devices or methods described in Rule 62-762.641, F.A.C., or approved under subsection 62-762.851(2), F.A.C. A positive response shall be the indication of a release of regulated substances, an exceedance of the Release Detection Response Level, or a breach of integrity of a storage tank system; and
 8. The presence of free product in a piping sump.
 - (b) Incident Notification Form 62-761.900(6) need not be submitted if:
 1. Within 24 hours of discovery of an incident, or before the close of the County's next business day, the investigation of the incident confirms that a discharge did not occur; or
 2. An Incident Notification Form was previously submitted for that incident.
 - (3) Discharge reporting requirements.
 - (a) Upon discovery of an unreported discharge, the owner or operator shall report the following to the County on Discharge Report Form 62-761.900(1) within 24 hours or before the close of the County's next business day:
 1. Results, or receipt of results, of analytical or field tests of surface water or groundwater indicating the presence of contamination by:

- a. A hazardous substance from a UST system;
- b. A regulated substance, other than petroleum products; or
- c. Petroleum products' chemicals of concern specified in Table V or VII, as applicable, in Chapter 62-770, F.A.C.;
- 2. Free product or sheen of a regulated substance, or a regulated substance that is visibly observed in soil, on surface water, in groundwater samples, on basement floors, in subsurface utility conduits or vaults, or in sewer lines at the facility or in the surrounding areas;
- 3. A spill or overflow event of a regulated substance to soil or another pervious surface, equal to or exceeding 25 gallons, unless the regulated substance has a more stringent reporting requirement specified in C.F.R. Title 40, Part 302;
- 4. Results of analytical or field tests of soil indicating the presence of contamination by:
 - a. A hazardous substance from a UST system;
 - b. A regulated substance, other than petroleum products;
 - c. Petroleum products' chemicals of concern that exceed the lower of direct exposure I and leachability Table V cleanup target levels specified in Table IV in Chapter 62-770, F.A.C., unless due to a spill or overflow event in a quantity less than that described in subparagraph 3. above; or
 - 5. Soils stained by regulated substances that are observed during a closure assessment performed in accordance with subsection 62-762.801(4), F.A.C.
 - (b) Copies of analytical or field test results that confirm a discharge shall be submitted to the County with Discharge Report Form 62-761.900(1).
 - (c) A request for a retraction of a submitted Discharge Report Form may be submitted to the County or the Department if evidence is presented that a discharge did not occur at the facility.
 - (d) A Discharge Report Form 62-761.900(1) does not need to be submitted for previously reported discharges.

Specific Authority 376.303, 376.309 FS. Law Implemented 376.303, 376.309 FS. History--New 6-21-04.

Editorial Note: Formerly 62-761.450.

62-762.501 Performance Standards for Category C Storage Tank Systems.

- (1) General performance standards. AST Category-C systems shall be constructed and installed in accordance with the requirements of this section. AST Category-C systems shall be made of, or internally lined with, materials that are compatible with the regulated substance stored in the system. The following requirements are applicable to AST systems:
 - (a) Siting. Persons are advised that, pursuant to paragraphs 62-521.400(1)(l)-(n) and subsection (2), F.A.C., no storage tank shall be installed within 500 feet of any existing community water supply system or any existing non-transient non-community water supply system. No Category-C system shall be installed within 100 feet of any other existing potable water supply well. These prohibitions shall not apply to the replacement of an existing storage tank system within the same excavation or dike field area, or the addition of new storage systems meeting the standards for Category-C systems at an existing facility.
 - (b) Exterior coatings. Exterior portions of aboveground tanks and aboveground integral piping, excluding double-walled systems, shall be coated or otherwise protected from external corrosion. The coating shall be designed and applied to resist corrosion, deterioration, and degradation of the exterior wall. SSPC-PA 1, Paint Application Specification No. 1 may be used to protect storage tank systems from external corrosion.
 - (c) Spill containment. USTs and shop-fabricated ASTs shall be installed with a spill containment system at each tank fill connection. The spill containment system shall be a fixed component that is designed to prevent a discharge of regulated substances when the transfer hose or pipe is detached from the tank fill pipe. The spill containment system shall meet the requirements of paragraph 62-762.501(1)(e), F.A.C.
 - (d) Dispensing systems.
 - 1. The dispensing system used for transferring fuels from storage tanks shall be installed and maintained in accordance with the provisions of NFPA 30 and Chapters 2, 4 and 9 of NFPA 30A.
 - 2. Dispensers shall be designed, constructed, and maintained to provide access for examination and removal of collected product and accumulated water from dispenser liners.
 - (e) Secondary containment.
 - 1. The materials used for secondary containment shall be:

- a. Impervious to the regulated substance and able to withstand deterioration from external environmental conditions;
 - b. Non-corrosive or of corrosion-protected materials;
 - c. Capable of containing regulated substances for at least 30 days; and
 - d. Of sufficient thickness and strength to withstand hydrostatic forces at maximum capacity to prevent a discharge during its operating life.
2. Liners, unless previously approved by the Department, shall be approved by the Department in accordance with subsection 62-762.851(2), F.A.C. Liners shall not be constructed or consist of naturally occurring in-situ soils.
3. Secondary containment constructed of concrete shall be:
- a. Designed and constructed in accordance with ACI 350R-89 and ACI 224R-89; or
 - b. Lined on the visible interior surfaces of the dike field area in accordance with NACE International Standard RP 0892-92, or SSPC Publication 97-04, Design, Installation, and Maintenance of Coating Systems for Concrete Used in Secondary Containment; or
 - c. Designed, evaluated, and certified by a professional engineer registered in the State of Florida that the concrete secondary containment system meets the General Construction Requirements specified in subparagraph 62-762.501(1)(e)1., F.A.C.
4. For cathodically protected tanks and integral piping, secondary containment systems shall not interfere with the operation of the cathodic protection system.
5. Storage tank system equipment with closed interstitial spaces, such as double-bottomed ASTs and double-walled integral piping in contact with the soil that is connected to ASTs, shall be designed, constructed and installed to allow for the detection of a breach of integrity in the inner or outer wall by the monitoring of the interstitial space in accordance with paragraph 62-762.641(3)(a), F.A.C. A breach of integrity test shall be performed before the storage tank system is put into service.
6. Secondary containment systems shall be designed and installed to direct any release to a monitoring point or points.
7. Airport and seaport hydrant pits. Underground hydrant pits shall be installed with a spill catchment basin, secondary containment, or other spill prevention equipment to prevent the discharge of pollutants during fueling of aircraft, vessels, or at any other time the hydrant system is in use. Any such equipment shall be sealed to and around the hydrant piping with an impervious, compatible material.
8. Field-fabricated dispenser liners and piping sumps installed before July 13, 1998 do not have to be approved in accordance with Rule 62-762.851, F.A.C.
- (f) Cathodic protection.
1. Test stations. Cathodic protection systems shall be designed, constructed, and installed with at least one test station or method of monitoring to allow for a determination of current operating status. Cathodic protection test stations shall provide direct access to the soil electrolyte in close proximity to each cathodically protected structure for placement of reference electrodes, and monitoring wires that connect directly to cathodically protected structures. Facilities where direct access to soil in close proximity to cathodically protected structures is present, and where electrical connections to cathodically protected structures can be conveniently accomplished, need not have separate dedicated cathodic protection test stations.
2. The cathodic protection system shall be operated and maintained in accordance with paragraph 62-762.701(1)(b), F.A.C.
3. Any field-installed cathodic protection system shall be designed by a Corrosion Professional.
- (g) Relocation of ASTs. Tanks that have been removed and that are to be reinstalled at a different location shall:
- 1. For field-erected tanks, comply with API Standard 653; or
 - 2. For shop-fabricated tanks, be reinstalled in accordance with manufacturer's specifications, if applicable, and with the standards in Rule 62-762.501, F.A.C., that were in effect on July 13, 1998.
- (h) Reuse of storage tanks. Unless it is recertified for use by a professional engineer registered in the State of Florida, or is certified by the manufacturer, and is brought into service in accordance with Rule 62-762.501, F.A.C.:
- 1. A UST can not be used or reused as an AST for the storage of regulated substances; and
 - 2. An AST can not be used or reused as a UST for the storage of regulated substances.
- (2) Aboveground storage tank systems.
- (a) Installation.
- 1. All components of a storage tank system shall be installed in accordance with the manufacturer's instructions.
 - 2. Storage tank systems shall be installed according to the applicable provisions of NFPA 30, NFPA 30A and PEI/RP200-96.
- (b) Tank construction standards.

1. Shop-fabricated tanks shall be constructed in accordance with one of the following:
 - a. UL 142;
 - b. API Standard 620;
 - c. API Specification 12B;
 - d. API Specification 12F;
 - e. API Specification 12P;
 - f. STI F911-93;
 - g. STI F921®;
 - h. ASME B96.1; or
 - i. UL 2085.
2. Field-erected tanks shall be constructed in accordance with one of the following:
 - a. ASME B96.1;
 - b. API Standard 620;
 - c. API Standard 650;
 - d. API Specification 12B; or
 - e. API Specification 12D.
3. Field-erected tanks shall have an inspection and testing frequency established in accordance with API Standard 653 and maintained for the life of the tank.
4. Steel tanks in contact with soil shall have a cathodic protection system meeting the following requirements:
 - a. The cathodic protection system shall be designed, constructed, and installed in accordance with API RP 651 and NACE International Standard RP-0193-93;
 - b. A field-installed cathodic protection system shall be designed by a Corrosion Professional;
 - c. The cathodic protection system shall be designed and installed with at least one test station in accordance with subparagraph 62-762.501(1)(f)1., F.A.C., or a method of monitoring to allow for a determination of current operating status; and
 - d. The cathodic protection system shall be operated and maintained in accordance with paragraph 62-762.701(1)(b), F.A.C.
5. Tanks constructed of any other material, design, or corrosion protection shall be approved by the Department in accordance with subsection 62-762.851(2), F.A.C.
 - (c) Secondary containment.
 1. All tanks installed or constructed at a facility after July 13, 1998 shall have secondary containment beneath the tank and within the dike field area, except for the following:
 - a. Tanks containing high viscosity regulated substances are exempt from the requirements for secondary containment. However, used or waste oil tanks, regardless of viscosity, shall have secondary containment beneath the tank and within the dike field area.
 - b. Double-walled shop-fabricated tanks approved in accordance with subsection 62-762.851(2), F.A.C., do not have to be installed in a dike field area.
 - c. Shop-fabricated tanks containing petroleum contact water pursuant to Chapter 62-740, F.A.C., that are subject to this chapter, elevated above and not in contact with the soil, and that have an impervious surface directly beneath the area of the tank.
 - d. Field-erected tanks used for the temporary storage of petroleum contact water pursuant to Chapter 62-740, F.A.C., that are subject to this chapter, and that have passed an internal inspection for structural integrity in accordance with API Standard 653.
 - e. AST Category-C field-erected tanks constructed within a dike field area with AST Category-A field-erected tanks shall have secondary containment beneath the tank, but shall not be required to have secondary containment within the dike field area until December 31, 1999.
 2. Release prevention barriers such as double-bottoms, liners, or other undertank secondary containment systems for field-erected tanks shall be designed and constructed in accordance with API Standard 650.
 3. Dike field areas with secondary containment shall:
 - a. Conform to the requirements of NFPA 30, Chapter 2-3;
 - b. Contain a minimum of 110% of the maximum capacity of the tank or of the largest single-walled tank within the dike field area. Capacity calculations shall include the volume occupied above the area of the "footprint" of the tank bottom or the largest tank within the dike field area;
 - c. If not roofed or otherwise protected from the accumulation of rainfall, be constructed with a manually controlled pump or

siphon, or a gravity drain pipe which has a manually controlled valve to remove accumulated liquids. Gravity drain pipes shall be designed and constructed to prevent a discharge in the event of fire;

d. Have all integral piping and other penetrations that pass through the secondary containment of dike field areas sealed around the outside of the penetration with an impervious compatible material to prevent the discharge of pollutants; and

e. If constructed of steel, be tested in accordance with UL 142.

(d) Overfill protection.

1. No transfer of regulated substances shall be made unless the volume available in the tank is greater than the volume of regulated substances to be transferred. The transfer shall be repeatedly monitored to prevent overfilling.

2. Overfill protection shall be performed in accordance with API RP 2350.

3. At a minimum, fillbox covers shall be marked in accordance with API RP 1637, or an equivalent method approved by the Department in accordance with subsection 62-762.851(2), F.A.C.

4. All tanks shall be equipped with at least one of the following:

a. A gauge or other measuring device that accurately shows the level of pollutant in the tank and that is visible to the person who is monitoring the filling;

b. A high level warning alarm;

c. A high level liquid flow cutoff controller;

d. An impervious dike field area; or

e. Another device approved in accordance with subsection 62-762.851(2), F.A.C.

5. Calibrated stick measurements of the level of pollutants in the tank shall only be used for tanks with a capacity of 15,000 gallons or less that are not loaded with high-volume pressurized nozzles. Such tanks shall not be loaded beyond 95% capacity.

(e) Dispenser liners.

1. Dispensers connected to AST systems that are installed or replaced after July 13, 1998 shall be installed with liners meeting the performance standards of paragraph 62-762.501(1)(e), F.A.C., beneath the union of the piping and the dispenser. Dispensers mounted directly upon a tank are exempt from this requirement.

2. Hydrostatic tests shall be performed for all dispenser liners before placing the system into service. The duration of the tests shall be at least:

a. Twenty-four hours for field-fabricated dispenser liners; or

b. Three hours for factory-made dispenser liners.

3. Dispenser liners shall be installed to allow for interstitial monitoring in accordance with paragraph 62-762.641(3)(a), F.A.C.

(f) Piping sumps.

1. Piping sumps installed after July 13, 1998 shall meet the performance standards of paragraph 62-762.501(1)(e), F.A.C. The sumps shall be designed, constructed, and installed to minimize water entering the sump.

2. Hydrostatic tests shall be performed for all piping sumps before placing the system into service. The duration of the tests shall be at least:

a. Twenty-four hours for field-fabricated piping sumps; or

b. Three hours for factory-made piping sumps.

3. Piping sumps shall be installed to allow for interstitial monitoring in accordance with paragraph 62-762.641(3)(a), F.A.C.

(3) Integral piping for aboveground storage tank systems.

(a) Installation.

1. All integral piping shall be installed in accordance with the manufacturer's instructions, if applicable.

2. All integral piping shall be installed according to the applicable provisions of NFPA 30, NFPA 30A, and ASME B31.4.

3. A tightness test shall be performed on underground small diameter piping associated with ASTs before any new underground piping system is placed into service. A pressure test shall be performed for underground bulk product piping before the piping system is placed into service.

4. All piping that is not in contact with the soil, installed after July 13, 1998, shall meet the construction standards in paragraphs 62-762.501(3)(a)-(d), F.A.C.

(b) Integral piping construction standards.

1. Fiberglass reinforced plastic piping or other non-metallic piping installed at a facility shall be listed with UL 971, UL 567, certified by a Nationally Recognized Laboratory that these standards are met, or approved in accordance with subparagraph 62-

62.501(3)(b)3., F.A.C.

2. Coated steel piping shall be constructed in accordance with ASME B31.4. Integral piping in contact with the soil shall be cathodically protected in accordance with API RP 1632, NACE International RP-0169-96, and STI R892-96.

3. Integral piping constructed of other materials, design, or corrosion protection shall be approved by the Department in accordance with subsection 62-762.851(2), F.A.C.

(c) Small diameter piping.

1. Pressurized small diameter piping systems connected to dispensers shall be installed with shear valves or emergency shutoff valves in accordance with NFPA 30A, Section 4-3.6, if applicable. These valves shall be designed to close automatically if a dispenser is dislodged from the integral piping. The valves shall be rigidly anchored independently of the dispenser.

2. Gravity-fed small diameter integral piping systems must be installed with an isolation valve at the point of connection to the storage tank to prevent the discharge of regulated substances in the case of piping failure. The valve shall meet the standards of NFPA 30A, Section 2-1.7.

3. Swing-joints shall not be installed.

(d) Bulk product piping. Bulk product piping shall be constructed and installed in accordance with NFPA 30, and ASME 331.4.

(e) Secondary containment.

1. Small diameter integral piping that is in contact with the soil or that transports regulated substances over surface waters of the state shall have secondary containment.

2. Bulk product piping that is in contact with the soil shall have secondary containment.

3. Remote fill piping that is in contact with the soil shall have secondary containment.

4. Integral piping that is in contact with the soil, and that is connected to storage tanks containing high viscosity regulated substances is exempt from the requirements for secondary containment.

Specific Authority 376.303 FS. Law Implemented 376.303 FS. History—New 6-21-04.

Editorial Note: Formerly 62-761.500.

62-762.511 Performance Standards for Category-A and Category-B Storage Tank Systems.

(1) General. This section provides deadlines for Category-A and Category-B storage tank systems to meet the standards for Category-C storage tank systems in accordance with Rule 62-762.501, F.A.C.

(a) Installation:

1. Installation shall be completed by the deadlines specified in Table AST. However, if installation or upgrade activities are initiated before the deadlines, work can continue after the deadlines, provided that all work is completed within 90 days of:

a. Contract execution; or

b. Receipt of construction approval or permits.

2. Installation is considered to have begun if:

a. All federal, state, and local approvals or permits have been obtained or applied for to begin physical construction for installation of the system; or

b. Contractual obligations have been made for installation of the system which cannot be canceled or modified without substantial economic loss, provided that such obligations are pursued diligently in good faith to achieve the requirements of this rule.

(b) By December 31, 1998:

1. All pressurized small diameter piping systems connected to dispensers shall have shear valves or emergency shutoff valves installed in accordance with paragraph 62-762.501(3)(c), F.A.C.

2. Cathodic protection test stations shall be installed in accordance with subparagraph 62-762.501(1)(f)1., F.A.C., for cathodically protected AST systems without test stations.

3. ASTs that have been reinstalled as USTs shall meet the requirements of Rule 62-762.501, F.A.C.

(c) After July 13, 1998, a closure assessment shall be performed in accordance with subsection 62-762.801(4), F.A.C., before the installation of dispenser liners, piping sumps, or secondary containment of tanks and integral piping.

(d) Valves meeting the requirements of Section 2-1.7 of NFPA 30A, shall be installed by January 13, 1999 on any storage tank

system located at an elevation that produces a gravity head on the dispenser or on small diameter piping.

(e) Small diameter piping transporting regulated substances over surface waters of the state shall have secondary containment by December 31, 2004.

(2) Aboveground storage tank systems.

(a) All storage tank systems with tanks having capacities greater than 550 gallons that contain vehicular fuel and that were subject to Chapter 17-61, F.A.C., shall have met the requirements of such chapter by January 1, 1990.

(b) AST Category-B tanks, with the exception of tanks exempt under sub-subparagraph 62-762.501(2)(c)1.a., F.A.C., installed or constructed at a facility after March 12, 1991, shall have secondary containment for the tank.

(c) Integral piping that is in contact with the soil and that is connected to AST systems shall have secondary containment if installed after March 12, 1991. For integral piping that is exempt under subparagraph 62-762.501(3)(e)4., F.A.C., it is not required to install secondary containment.

(d) By January 1 of the appropriate year shown in Table AST below, unless specified otherwise, all AST Category-A and Category-B storage tank systems shall meet the following requirements or be permanently closed in accordance with subsection 62-762.801(3), F.A.C.

TABLE AST

Year Tank or

Integral Piping

Installed

Before July 13, 1998

1993

P

2000

TVX

2005

W

2010

U

Key to Table AST

P = With the exception of high viscosity bulk product piping, bulk product piping in contact with soil and not in secondary containment shall be tested in accordance with API RP 1110, ASME B31.4, or an equivalent method approved by the Department in accordance with Rule 62-762.851, F.A.C. Such testing shall be performed annually thereafter.

T =

1) With the exception of siting and material construction standards, Category-A and Category-B systems shall meet the performance standards of Rule 62-762.501, F.A.C. In addition:

a) Storage tank system construction standards that include cathodic protection remain applicable; and

b) Storage tanks where the entire bottom of the tank is in contact with concrete do not have to seal the concrete beneath the tank until such time that the tank bottom is replaced. However, concrete secondary containment systems designed in accordance with sub-subparagraph 62-762.501(1)(e)3.a., F.A.C., do not have to be sealed.

2) Category-A bulk product piping in contact with the soil shall be upgraded with secondary containment, unless:

a) A structural evaluation is performed in accordance with API 570, as specified in "U" (2) (b), of Table AST, and results of the structural evaluation indicate that the bulk product piping has remaining useful life; or

b) The integral piping conveys high viscosity regulated substances, that are exempt from secondary containment in accordance with subparagraph 62-762.501(3)(e)4., F.A.C.; or

c) The integral piping is protected from corrosion and is tested annually in accordance with ASME B31.4, API 1110, or an equivalent method approved by the Department in accordance with Rule 62-762.851, F.A.C. This piping shall have secondary containment by January 1, 2010, in accordance with "U" of Table AST.

3) Initial internal and external inspections, examinations, and tests for each tank shall be performed in accordance with API Standard 653, and an appropriate reinspection interval for each tank shall be established in accordance with API Standard 653. If any deficiency is discovered during the inspections, the person performing the evaluation of the tank in accordance with API 653 must verify that the tank is ready for service before the storage tank is put back into service. This verification must be documented in the internal inspection records. Future tests for each tank shall be performed in accordance with the inspection interval established in accordance with API 653 (1996). Baseline inspections already conducted according to the API Standard 653 (1991) will be accepted.

4) As an alternative to installing secondary containment underneath an AST Category-A or Category-B storage tank, the interior bottom of the tank and at least 18 inches up the sides may be internally lined in accordance with API RP 652. Secondary containment must nonetheless be installed in the dike field area and be continuously bonded to the perimeter of the tank foundation.

J =

- 1) All internally lined single bottom storage tanks, with the exception of tanks exempt under paragraph 62-762.501(4)(a), F.A.C., shall be upgraded with secondary containment.
- 2) All AST Category-A bulk product piping in contact with the soil, except for piping exempt from secondary containment requirements under subparagraph 62-762.501(8)(e)4., F.A.C., shall be:
 - a) Upgraded with secondary containment in accordance with paragraph 62-762.501(1)(e), F.A.C.; or
 - b) Instead of being upgraded with secondary containment, be evaluated for structural integrity by:
 1. Establishing and maintaining the piping inspection intervals in accordance with API 570, Section 4-2, by January 1, 2000;
 2. Determining the remaining life of the system in accordance with API 570, Section 5.0, by January 1, 2000. If the determination indicates that the piping:
 1. Must be repaired, then the piping shall be repaired within three months of the determination in accordance with API 570 and Rule 62-762.701, F.A.C.;
 2. Is leaking, then the piping must be immediately taken out of operation. If the piping cannot be repaired, it must be closed or upgraded with secondary containment within one year of the determination;
 3. Is not leaking, but has corroded to a point where it no longer has structural integrity, then the piping shall be closed, or upgraded with secondary containment by January 1, 2000; or
 4. Has remaining useful life, then the piping shall be closed or upgraded with secondary containment when the API 570 inspection and remaining life determination data indicates that closure or replacement is necessary.
 3. Providing a certification by a professional engineer registered in the State of Florida that the evaluation meets the above criteria.

K =

- 1) Secondary containment for cut and cover or concrete storage tanks.
- 2) Spill containment in accordance with paragraph 62-762.501(1)(c), F.A.C.
- 3) Dispenser liners for shop-fabricated tanks in accordance with paragraph 62-762.501(2)(e), F.A.C.
- 4) Secondary containment in accordance with paragraphs 62-762.501(1)(e) and (2)(c), F.A.C., for dike field areas of facilities with hop-fabricated tanks having dike field area secondary containment that is constructed of concrete or installed with synthetic liners not meeting these requirements.

L =

- 1) Secondary containment in accordance with paragraphs 62-762.500(1)(e) and (3)(c), F.A.C., for dike field areas of facilities with field-erected tanks having dike field area secondary containment that is constructed of concrete or installed with synthetic liners not meeting these requirements.
 - 2) Secondary containment for small diameter piping extending over surface waters.
 - 3) Secondary containment for small diameter petroleum contact water piping in contact with the soil.
- ¶ = Deadline to determine integrity of single wall bulk product piping with an API 570 structural integrity evaluation in accordance with the option for Category-A systems in "U" of Table AST.

Specific Authority 376.303 FS, Law Implemented 376.303 FS, History--New 6-21-04.

Editorial Note: Formerly 62-761.510.

62-762.601 Release Detection Standards.

(1) General.

- (a) Storage tank systems shall have a method, or combination of methods, of release detection that:
 1. Can detect a new release from any portion of the storage tank system;
 2. Is installed, calibrated, operated and maintained in accordance with the manufacturer's instructions, including routine maintenance and service checks for operability to ensure that the device is functioning as designed; and
 3. Meets the applicable performance standards in Rule 62-762.641, F.A.C. All manufacturer's instructions, and the performance claims and their manner of determination described in writing by the equipment manufacturer or installer shall be retained for as long as the storage tank system is used.
- (b) A release detection response level shall be described in writing for each method or combination of methods of release detection used for a storage tank system.

- (c) A release detection method shall be established and provided for all storage tank systems upon installation.
- (d) Except as otherwise specified in Rules 62-762.601-.641, F.A.C., the release detection method or combination of methods used at a facility shall be performed at least once a month, but not exceeding 35 days, to determine if a release from the storage tank system has occurred.
- (e) At least once a month, but not exceeding 35 days, any storage tank and component of a storage tank that can be inspected visually shall be visually inspected in accordance with paragraph 62-762.641(2)(e), F.A.C. A visual inspection is not required for any system component that has a continuous or monthly electronic release detection sensor. Continuous electronic leak detection devices shall be inspected for proper operation on a monthly basis. Inspection may consist of visual observation or remote verification of proper operation.
- (f) A site suitability determination shall be performed for UST systems by December 31, 1998, and January 1, 2000 for AST systems, in accordance with paragraphs 62-762.641(2)(a)-(d), F.A.C., for storage tank systems using groundwater or vapor monitoring wells for release detection. If the site suitability determination indicates that on-site conditions are unsuitable for external monitoring, another method of release detection must be used.
- (g) Vapor monitoring plans shall be performed by January 1, 2000, for AST systems, in accordance with paragraph 62-762.641(2)(d), F.A.C., for storage tank systems using vapor monitoring for release detection.
- (h) Any component of a storage tank system with secondary containment shall have an interstitial monitoring method meeting the requirements of paragraph 62-762.641(3)(a), F.A.C.
- (i) Pressurized piping, excluding bulk product piping, shall be equipped with a line leak detector that meets the standards of subparagraph 62-762.641(3)(c)1., F.A.C. Gravity piping systems are exempt from this requirement.
- (j) Any storage tank system not provided with a method, or combination of methods, of release detection in accordance with this section, shall be closed in accordance with subsection 62-762.801(3), F.A.C., by the date upon which release detection is to be provided.
- (k) Groundwater and vapor monitoring wells meeting the standards for external monitoring specified in paragraphs 62-762.641(2)(a)-(d), F.A.C., that are no longer used for release detection, shall be closed in accordance with subsection 62-32.500(4), F.A.C., by December 31, 2010. Wells not meeting these standards shall be closed in accordance with subsection 62-32.500(4), F.A.C., by December 31, 1998, unless the wells are:
1. Used for contamination assessment purposes as specified in Rule 62-770, F.A.C.; or
 2. Required by rules adopted by a County government in accordance with Section 376.317, F.S.
- (2) Aboveground storage tank systems.
- (a) The following methods of release detection that were implemented before March 12, 1991, shall be capable of detecting the leak rate or quantity specified in paragraph 62-762.641(1)(a), F.A.C., by December 31, 1999:
1. Any groundwater monitoring plan that meets the requirements of Rule 62-528.700, F.A.C.; or
 2. Any Spill Prevention Control and Countermeasure plan as required by 40 C.F.R. Section 112.
- (b) All monitoring wells used for release detection shall meet the standards in subsection 62-762.641(2), F.A.C., by January 1, 2000, or be properly closed in accordance with subsection 62-532.500(4), F.A.C.
- (c) Release detection for field-erected storage tanks with secondary containment beneath the tank shall comply with API standard 650, Appendix I.
- (d) Storage tanks upgraded with internal lining shall, by the completion of the installation of the internal lining, be provided with a method of release detection that meets the standards in subsection 62-762.641(2), F.A.C.
- (e) AST integral piping in contact with the soil shall be provided with a method, or combination of methods, of release detection. Integral piping in contact with the soil having secondary containment shall have interstitial monitoring, and single-walled integral piping in contact with the soil shall have release detection meeting the requirements of subsection 62-762.611(3), F.A.C.
- (f) Facilities using a Spill Prevention Control and Countermeasure plan as required by 40 C.F.R. Section 112, for release detection, or a groundwater monitoring plan meeting the requirements of Rule 62-528.700, F.A.C., for release detection, shall meet the release detection requirements of Rule 62-762.611, F.A.C., by December 31, 1999.
- (g) ASTs containing high viscosity regulated substances are exempt from all release detection requirements except for visual inspections pursuant to paragraph 62-762.641(2)(e), F.A.C.

62-762.611 Release Detection Methods.

- (1) General.
 - (a) Category-A and Category-B systems. Release detection methods shall be one of the methods specified in this section, and shall meet the performance standards contained in Rule 62-762.641, F.A.C.
 - (b) Category-C systems. Release detection methods shall be either interstitial or visual monitoring of secondary containment in accordance with Rule 62-762.641, F.A.C. Small diameter pressurized piping shall have a line leak detector in accordance with subparagraph 62-762.641(3)(c)1., F.A.C. A breach of integrity test shall be performed every five years for Category-C storage tank systems with closed interstitial spaces, unless the test is a continuous test.
- (2) Aboveground storage tank systems.
 - (a) Tanks. Category-A and Category-B ASTs shall be equipped with one or more of the following release detection systems:
 1. Tanks with secondary containment shall have an interstitial monitoring system:
 - a. Between the walls of a double-walled tank;
 - b. In the interstice between the tank and any liner used for secondary containment;
 - c. Between the tank bottom and the secondary containment for double-bottomed tanks;
 2. Tanks without secondary containment or that are exempt from secondary containment shall have a visual inspection performed in accordance with paragraph 62-762.611(3)(b), F.A.C.
 3. Tanks with internal lining and cut and cover tanks shall have a method of release detection that meets the requirements of subsection 62-762.641(2), F.A.C.
 - (b) Visual inspections of tank systems. A visual inspection of the exterior of each tank, the aboveground integral piping system, the secondary containment within the dike field area (if applicable), the dike field area, and any other storage system components shall be conducted and documented at least once a month, but not exceeding 35 days.
- (3) Integral piping.
 - (a) Small diameter piping in contact with the soil. Single-walled piping that is in contact with soil shall be equipped with one of the following release detection systems:
 1. Suction or gravity piping shall have:
 - a. An annual line tightness test; or
 - b. An external monthly monitoring or release detection method meeting the requirements of subsection 62-762.641(2), F.A.C., designed to detect a discharge from any portion of the integral piping.
 2. By December 31, 1998, pressurized piping shall have:
 - a. Mechanical line leak detectors meeting the requirements of paragraph 62-762.641(3)(c), F.A.C., and either an annual line tightness test, or an external release detection method meeting the requirements of paragraph 62-762.641(3)(c), F.A.C.; or
 - b. Electronic line leak detectors meeting the requirements of paragraph 62-762.641(1)(a), F.A.C.
 3. Exemptions. Release detection is not required for piping associated with:
 - a. Suction pumps, provided that a single check valve is installed directly below the suction pump, and the piping is sloped so that the contents of the pipe will drain back to the tank if the suction is broken; and
 - b. Manifold piping systems.
 - (b) Small diameter piping not in contact with the soil, or that is exempt from secondary containment. These systems shall be visually inspected in accordance with paragraph 62-762.611(2)(b), F.A.C.
 - (c) Small diameter piping with secondary containment that is in contact with the soil. Double-walled piping, or single-walled piping with secondary containment shall be equipped with the following release detection systems:
 1. Interstitial monitoring; and
 2. A method of testing for a breach of integrity that meets the requirements of subparagraph 62-762.641(3)(a)2., F.A.C., for Category-C systems, as applicable.
 - (d) Bulk product and hydrant piping.
 1. Single-walled piping in contact with the soil:
 - a. Shall be pressure tested annually in accordance with paragraph 62-762.641(3)(d), F.A.C.; or
 - b. Instead of annual testing, a monthly release detection system meeting the requirements of subsection 62-762.641(2) F.A.C., may be installed.

2. Piping not in contact with the soil, or that is exempt from secondary containment, shall be visually inspected in accordance with paragraph 62-762.611(2)(b), F.A.C.

3. Piping with secondary containment that is in contact with the soil, such as double-walled piping or single-walled piping with secondary containment, shall be equipped with the following release detection systems:

- a. Interstitial monitoring; and, if applicable,
- b. For Category-C systems, a method of testing for a breach of integrity that meets the requirements of subparagraph 62-762.641(3)(a)2., F.A.C., for piping with closed interstitial spaces.

Specific Authority 376.303 FS, Law Implemented 376.303 FS, History—New 6-21-04.

Editorial Note: Formerly 62-761.610.

62-762.641 Performance Standards for Release Detection Methods.

(1) General. Methods of release detection shall:
(a) Be capable of detecting a release of 0.2 gallons per hour or 150 gallons within 30 days with a probability of detection of 0.95, and a probability of false alarm of 0.05, with the exception of:

1. Tightness testing requirements in subparagraphs 62-762.641(3)(c)2. and (3)(d)1., F.A.C.;
2. Visual inspections in paragraph 62-762.641(2)(e), F.A.C.;
3. Groundwater or vapor monitoring in subsection 62-762.641(2), F.A.C.; and
4. Manual tank gauging in subparagraph 62-762.640(3)(c)1., F.A.C.

(b) With the exception of bailers and monitoring wells, be approved in accordance with subsection 62-762.851(2), F.A.C.

(c) Have a release detection response level described in writing for each method or combination of methods.

(2) External release detection methods.

(a) Well construction standards.

1. Monitoring well requirements. Monitoring wells shall be constructed and installed by a licensed water well contractor when required by Chapter 62-531, F.A.C. Monitoring wells shall:

- a. Be a minimum of two inches in interior diameter;
- b. Be slotted from the bottom to two feet below ground surface;
- c. Have a minimum slot size of 0.010 inch;
- d. Be backfilled with clean sand or a gravel filter pack to prevent blockage of the slots;
- e. Be constructed of at least schedule 40 PVC without any joints, or of another corrosion protected material;
- f. Be grouted into the borehole from the surface to the top of the filter pack plug with neat cement grout or other equivalent materials. Grouting shall not extend below the top of the well slotting. Bentonite slurry grouts shall not be used;
- g. Unless the monitoring well has an extended exterior casing, be equipped with a minimum six inch diameter manhole designed to prevent water intrusion with a one inch minimum grade increase above the surrounding surface. The well opening shall extend at least one inch above the bottom of the manhole;
- h. Be equipped with a watertight cap. The well shall be kept locked or secured to prevent tampering at all times except when the monitoring well is being sampled or maintained. Monitoring wells shall be marked in accordance with API RP 1615;
- i. Extend no deeper than 20 feet below ground surface. If such a depth penetrates a confining layer below the excavation, the monitoring well shall extend no deeper than to within six inches of the confining layer. Any well that penetrates a confining layer shall immediately be properly abandoned in accordance with Rule 62-532.500, F.A.C.; and
- j. If installed within a secondary containment liner system, extend no deeper than six inches from the liner.

2. Groundwater monitoring wells shall:

- a. Extend at least five feet below the normal groundwater surface level; and
 - b. Be properly developed by the licensed water well contractor before the initial sampling.
3. Vapor monitoring wells shall meet the requirements specified in DEP's "Guidelines for Vapor Monitoring."
4. Electronic sensors, probes, or fiber-optic systems shall be tested at least annually to verify that they operate in accordance with the Department's approval given pursuant to subsection 62-762.851(2), F.A.C.

5. Groundwater and vapor monitoring wells using the placement of sensors or probes in vertical, horizontal, or directionally-drilled wells shall be designed and installed in accordance with the equipment approval for that system granted in subsection 62-

62.851(2), F.A.C.

(b) Site suitability determinations.

1. A site suitability determination shall be performed for each facility using groundwater or vapor monitoring. The site suitability determination shall be performed in accordance with DEP's "Guidelines for Site Suitability Determinations for External Monitoring" by a Professional Geologist registered in the State of Florida. If the site is not suitable for external monitoring, another method of release detection must be used.

2. The following facilities having Category-A and Category-B ASTs that use external monitoring are not required to perform site suitability determinations:

a. Facilities located in counties having rules more stringent than the Department as specified in Chapter 376.317, F.S.

b. Facilities with monitoring wells located in the tank excavation, provided that a demonstration can be made that the excavation contains sand or gravel backfill, and the wells were properly constructed and installed within the backfill.

(c) Groundwater monitoring.

1. The regulated substance shall be immiscible in water and have a specific gravity of less than one.

2. Groundwater monitoring shall not be used for release detection after free product or a sheen is discovered in a monitoring well, unless:

a. A Site Rehabilitation Completion Order has been issued by the Department following the remediation of the free product or sheen, and there is no longer any free product in the monitoring well; or

b. Free product or sheen is not present and has not been observed in the well within the previous thirty (30) months, as demonstrated by records of at least six (6) monthly ground water monitoring sampling events, and within the previous two years, the system has been tested tight with tank and line piping tests or another internal method of release detection performed in accordance with subsection 62-762.641(3), F.A.C.

3. Another method of release detection specified in Rule 62-762.611, F.A.C., other than groundwater monitoring, shall be used when:

a. There is less than one foot of groundwater present in the well; or

b. The groundwater level is above the slotted portion of the well.

4. Records. The following information shall be maintained in accordance with the recordkeeping requirements of this chapter:

a. Date of sampling;

b. Depth of well;

c. Depth to groundwater;

d. Any presence of odor of stored regulated substances; and

e. Any sheen or free product found.

(d) Vapor monitoring.

1. Vapor monitoring can only be used to monitor regulated substances that are sufficiently volatile to be detected in soils or groundwater by vapor monitoring equipment.

2. The measurement of vapors in a vapor monitoring well shall not be rendered inoperative by groundwater, rainfall, soil moisture or other known interferences so that a discharge could go undetected for more than 30 days.

3. Sampling equipment shall be capable of detecting:

a. A vapor concentration of 500 parts per million total petroleum hydrocarbons, as measured by a flame ionization detector, for storage tank systems containing gasoline or equivalent petroleum substances;

b. A vapor concentration of 50 parts per million total petroleum hydrocarbons, as measured by a flame ionization detector, for storage tank systems containing kerosene, diesel or equivalent petroleum substances;

c. Vapor concentrations of hazardous substances or their constituents that would indicate a release; or

d. Vapor concentrations of tracer compounds used for release detection.

4. Vapor monitoring shall not be used for release detection if existing contamination interferes with the ability to detect a new release.

5. The vapor monitoring plan shall be developed and performed in accordance with DEP's "Guidelines for Vapor Monitoring." The plan shall include a description of monitoring wells or probes, the method of sampling, the establishment of a release detection response level and the data management procedures. Facilities with monitoring wells located in the tank excavation do not have to meet the requirements for DEP's "Guidelines for Site-Suitability Determinations for External Monitoring," provided that a

emonstration can be made that the excavation contains sand or gravel backfill, and the wells were properly constructed and installed within the backfill.

(e) Visual inspections. Any visual inspection of the storage tank system or its secondary containment that reveals signs of corrosion, cracks, structural damage, leakage, or other similar problems shall be noted. Repairs shall be made in accordance with the requirements of Rule 62-762.701, F.A.C.

(3) Internal release detection methods.

(a) Interstitial monitoring for AST systems.

1. Interstitial monitoring for double-walled tanks, double-walled integral piping, dispenser liners, piping sumps, and other secondary containment systems, shall be designed and constructed to allow monitoring of the space between the primary and secondary containment. One or more of the following methods of interstitial monitoring shall be used:

- a. Manual sampling of, or visual monitoring for, liquids;
- b. Continuous electronic sensing equipment;
- c. Hydrostatic monitoring systems; or
- d. Vacuum monitoring.

2. Breach of integrity tests for Category-C systems. A test shall be performed for a breach of integrity of the interstice for double-walled USTs, double-bottomed ASTs, and for double-walled integral piping that is in contact with the soil and that is connected to ASTs or USTs. Double-walled shop-fabricated ASTs, piping sumps, and dispenser liners are not required to perform a breach of integrity test. The test shall be performed to determine the integrity of the inner and outer wall, is required only for tanks and integral piping with closed interstices, and does not apply to open-interstice systems with liners. The test shall be performed at the time of installation, and every five years from the date of installation, unless the test is a continuous test. If a UST is totally submerged in groundwater, monthly monitoring of the interstice for the presence of water shall be conducted. The breach of integrity test may be performed by using at least one of the following methods:

a. A continuous hydrostatic system approved by the Department in accordance with subsection 62-762.851(2), F.A.C.;

b. A continuous vacuum system, pursuant to paragraph 62-762.641(3)(a), F.A.C., that is approved by the Department in accordance with subsection 62-762.851(2), F.A.C.;

c. Testing of the interstice for liquid tightness in accordance with manufacturer's installation instructions; or

d. Another method in accordance with subsection 62-762.851(2), F.A.C.

3. Vacuum monitoring of the interstice shall meet the following requirements:

a. Liquid-filled gauges and air-filled gauges shall be calibrated in accordance with the National Institute of Standards and Technology. The gauges shall be operational at all times.

b. Vacuum monitoring may be used as a continuous method of release detection provided that the vacuum system is equipped with an audible or visual alarm. The alarm shall indicate when the minimum vacuum level allowed is reached as provided in the equipment approval granted in accordance subsection 62-762.851(2), F.A.C.

c. Vacuum readings shall be recorded monthly. Upon discovery of any significant vacuum level decrease, or any loss of vacuum exceeding 20% of the initial level, or any loss in excess of the levels established in the test protocols provided in the third party certification for the test method, the tank manufacturer shall be contacted and the vacuum refreshed in accordance with the storage tank system's equipment approval in subsection 62-762.851(2), F.A.C. If the loss of vacuum persists, an investigation shall be initiated and an incident reported in accordance with subsection 62-762.451(2), F.A.C. The source of the loss shall be repaired in accordance with Rule 62-762.701, F.A.C.

4. Interstitial monitoring for storage tanks and integral piping equipped with liners shall be designed and constructed to allow monitoring of the space between the primary and secondary containment and shall:

- a. Be capable of detecting a release through the inner wall into the interstice;
- b. Be constructed and installed so that groundwater, rainfall, or soil moisture will not render the testing or sampling method used inoperative; and
- c. Be equipped with an external release detection method meeting the standards of paragraphs 62-762.641(2)(a)-(d), F.A.C., except for the groundwater level and excavation zone assessment requirements; or
- d. Be visually inspected in accordance with paragraph 62-762.641(2)(e), F.A.C.; or
- e. Be equipped with a monitoring device approved in accordance with subsection 62-762.851(2), F.A.C., installed at the monitoring point within the liner.

- (b) Inventory control.
1. General.
 - a. Inventory control shall be maintained for each single-walled tank that contains vehicular fuel.
 - b. Storage tank systems that are elevated above the soil or that have secondary containment are exempt from inventory control requirements. ASTs that rest on an impervious surface are also exempt.
 2. Inventory control for shop-fabricated ASTs shall be performed and recorded in accordance with API RP 1621, as applicable. Manifolder tanks may be treated as a single tank for the purposes of inventory control. Inventory control shall be performed in the following manner:
 - a. Volume measurements for product inputs, withdrawals, and the amount remaining in each tank shall be recorded each operating day;
 - b. Measurements of product levels shall be recorded to the nearest one-eighth of an inch;
 - c. Product inputs shall be reconciled with delivery receipts by measurement of the tank product volume before and after delivery;
 - d. Product dispensed shall be metered as required by Chapters 525 and 531, F.S., and in accordance with the standards established by the Florida Department of Agriculture and Consumer Services in Chapter 5F-2, F.A.C.;
 - e. The measurement of water level in the bottom of the tank shall be made at least once a week to the nearest one-eighth of an inch; and
 - f. The significant loss or gain of product shall be calculated for each month.
 3. Inventory control requirements for field-erected ASTs.
 - a. Bulk product facilities may use product inventory control for multiple tanks provided that a demonstration of equivalent protection is made in accordance with subsection 62-762.851(1), F.A.C.
 - b. Inventory measurements for field-erected systems, manifolder systems, and non-manifolder systems with a capacity of 10,000 gallons or greater shall be reconciled to detect the presence of a significant loss or gain. The equipment and method used shall be capable of accurately measuring the level or volume of product over the full range of the tank's usable storage capacity, to the nearest one-fourth of an inch.
 4. Investigation procedures for significant loss or gain. An investigation shall be initiated immediately to determine the source of a significant loss or gain. The entire storage tank system, excluding the vent, but including piping connections and remote fill lines, shall be tested or inspected to determine if the system is product tight. The investigation shall continue until the source has been found, using the following investigative procedure:
 - a. Inventory records shall be checked for errors in arithmetic, data recording, and measurement;
 - b. If the significant loss or gain is not reconcilable or cannot be affirmatively demonstrated to be the result of theft, the accessible parts of the storage system shall be checked for damage or leaks;
 - c. Release detection systems shall be checked for signs of a discharge;
 - d. Calibration of the inventory measuring system and dispensing system shall be verified;
 - e. If the investigation does not reveal the source of the significant loss or gain within one week for USTs, and two weeks for ASTs, or if the Department or County determines that it is necessary to investigate based on evidence that the significant loss or gain could result in potential harm to the environment, the storage tank system shall be tested in accordance with the manufacturer's guidelines, if applicable, and subsection 62-762.641(3), F.A.C.; and
 - f. If a discharge is discovered, the leaking or defective component of the storage tank system shall be repaired in accordance with Rule 62-762.701, F.A.C. If the storage tank system cannot be repaired, it shall be closed in accordance with subsection 62-762.801(3), F.A.C.
 - (c) Small diameter integral piping in contact with the soil.
 1. Line leak detectors for USTs. Line leak detectors shall:
 - a. Be capable of detecting a discharge of 3.0 gph with a probability of detection of 0.95 and a probability of false alarm of 0.05 at a line pressure of 10 psi within one hour;
 - b. Have an annual test of the operation of the leak detector conducted in accordance with the manufacturer's requirements by an individual certified or trained by the manufacturer to determine whether the device is functioning as designed. Remote testing of the leak detector can be performed by the manufacturer if the remote test is approved under subsection 62-762.851(2), F.A.C.;
 - c. Restrict flow within one hour if designed with mechanical flow restriction;

d. When a discharge of 3.0 gph is detected, shut off power to the pump if designed with automatic electronic shutoff. When in test mode, line leak detectors with automatic electronic shutoff shall also be able to detect a discharge of 0.2 gph at a line pressure of 50% of operating pressure, or an equivalent leak rate, with a probability of detection within a one month period of at least 0.95 and a probability of false alarm of no more than 0.05. When a discharge of 0.2 gph is detected, the leak detector shall provide audible or visual alarms that can be clearly heard or seen by the operator of the facility, or if monitored remotely on a real time basis, the alarm condition must be immediately transmitted from the remote location to the facility operator; and

e. Instead of using a line leak detector as a method of release detection for pressurized small diameter piping associated with double-walled integral piping, a continuously operating interstitial monitoring device can be used. Continuously operating interstitial monitoring devices shall be capable of detecting a release of 10 gallons within one hour and shutting off the pump.

2. Tightness testing. Tightness testing for pressurized piping in contact with the soil shall be capable of detecting a 0.1 gallon per hour leak rate at one and one-half times the operating pressure with a probability of detection of 0.95 and a probability of false alarm of 0.05.

(d) Bulk product piping.

1. An annual test shall be performed of single-walled bulk product piping in contact with the soil. Prior to testing the piping system, a leak tightness evaluation of all exposed components shall be performed through visual inspection, or by another method approved by the Department in accordance with Rule 62-762.851, F.A.C. The evaluation shall be verified and recorded. One of the following methods shall be used for the annual test:

a. A bulk product piping test method approved in accordance with subsection 62-762.851(2), F.A.C.;

b. An API RP 1110 hydrostatic test; or

c. An ASME B31.4 hydrostatic test.

2. Double-walled bulk product and hydrant piping, and other bulk product piping equipped with secondary containment shall have methods of release detection and testing for a breach of integrity that meet the requirements of subparagraph 62-762.641(3)(a)2. or 4., F.A.C., as applicable.

3. Records of all test results shall be maintained in accordance with the Appendix-Test Records of API RP 1110, or Chapter VI of ASME B31.4, as applicable, pursuant to subsection 62-762.711(1), F.A.C.

Specific Authority 376.303 FS. Law Implemented 376.303 FS. History—New 6-21-04.

Editorial Note: Formerly 62-761.640.

62-762.701 Repairs, Operation and Maintenance of Storage Tank Systems.

(1) General.

(a) Repairs.

1. Repairs shall be performed if any component of a storage tank system is discovered to have:

a. Discharged or contributed to the discharge of a regulated substance;

b. A release of regulated substances or AST water bottoms into secondary containment;

c. The presence of groundwater in the interstice of a double-walled pipe; or

d. An operational or structural problem that could potentially result in a discharge or release.

2. If repairs are required for any component or part of a storage tank system, and the nature of the repair activities or the condition of the component or part of the system requiring a repair may result in a release, and the component or part cannot be otherwise isolated from the system, the storage tank system shall be taken out of operation until the tank has been repaired or replaced. The restrictions against storage tank system operation shall not apply if the system contains heating oil or other fuels used solely for the generation of electricity where the removal of the storage system from service would result in the shut down of electrical generating units serviced by the system.

3. Repairs shall be made:

a. In a manner that will prevent discharges from structural failure or corrosion for the remaining operational life of the storage tank system;

b. In accordance with manufacturer's specifications, NFPA Standard 30 or other applicable reference standards; and

c. To restore the structural integrity of the storage tank system.

4. Repaired components shall be tightness tested, pressure tested, or tested for a breach of integrity, as applicable, before being

placed back into service.

5. Repairs to fiberglass reinforced plastic tanks shall be made by an authorized representative of the tank manufacturer or its accessor, or in accordance with subsection 62-762.501(2), F.A.C.

6. Piping that is damaged or that has caused a discharge of a regulated substance shall be replaced or repaired. Pipe sections and fittings may be repaired in accordance with applicable standards in subsection 62-762.501(3), F.A.C. Replacement of additional lengths of piping in contact with the soil are exempt from the requirements for secondary containment, provided that:

a. The piping system does not have, or will not have to install, secondary containment until the deadlines established in Rule 62-762.511, F.A.C.; and

b. The length of replacement or additional piping is less than 25% of the total length of the existing integral piping for the individual tank, or 100 feet, whichever is less.

(b) Cathodic protection.

1. Cathodic protection systems shall be installed, operated and maintained to provide continuous corrosion protection to the metal components of those portions of the tank and integral piping in contact with the soil.

2. Inspection and testing requirements.

a. General. Storage tank systems equipped with any type of cathodic protection must be inspected and tested by a Corrosion Professional or a Cathodic Protection Tester within six months of installation or repair and at least every year thereafter in accordance with the criteria contained in NACE International RP-0169-96 and RP-0193-93, as applicable. Factory-installed galvanic cathodic protection systems may be tested every three years.

b. Impressed current systems. Storage tank systems with impressed current systems shall be inspected at intervals not exceeding two months. All sources of impressed current shall be inspected. Evidence of proper functioning shall be current output, normal power consumption, a signal indicating normal operation, or satisfactory electrical state of the protected structure. Impressed current systems that are inoperative for a cumulative period exceeding 1440 hours shall be assessed by a Corrosion Professional to ensure that the storage tank system is structurally sound, free of corrosion holes, and operating in accordance with the design criteria.

c. Sacrificial anode systems. Storage tank systems with sacrificial anodes shall either have permanent test stations for soil-to-structure potential measurements or use temporary field test stations for annual testing in accordance with sub-subparagraph 62-762.701(1)(b)2.a., F.A.C.

3. Storage tank systems with cathodic protection systems that cannot achieve or maintain protection levels in accordance with the design criteria shall:

a. Be repaired in accordance with sub-subparagraph 62-762.701(1)(b)2.a., F.A.C., or

b. Be placed out-of-service in accordance with subsection 62-762.801(1), F.A.C.

4. Records of the continuous operation of impressed current systems and all cathodic protection inspection and testing activities shall be maintained in accordance with paragraph 62-762.701(1)(b), F.A.C.

(c) Operation and maintenance.

1. Spill containment devices, dispenser liners, and piping sumps shall be maintained to provide access for monthly examination and water removal as necessary. Water collected in spill containment devices, or in piping sumps and dispenser liners that is above the opening of the integral piping connection, or any regulated substances collected in these storage tank system components shall be removed and be either reused or properly disposed of.

2. Owners or operators shall ensure that the volume available in the tank is greater than the volume of regulated substances to be transferred to the tank before the transfer is made and shall ensure that any transfer is repeatedly monitored to prevent overfilling and spilling.

3. All release detection devices shall be tested annually to ensure proper operation. The test shall be conducted according to manufacturer's specifications, and shall include, at a minimum, a determination of whether the device operates as designed.

4. Petroleum contact water from storage tank systems shall be managed in accordance with Chapter 62-740, F.A.C.

5. Exterior Coatings may be maintained in accordance with SSPC PA-1.

6. Regardless of the method of release detection used, inventory control shall be performed for ASTs containing vehicular fuel that do not have secondary containment.

(2) Stormwater management for secondary containment systems.

(a) The removal or release of stormwater from a facility should be performed in accordance with all applicable Department

ules (for example, Chapter 62-25, F.A.C., Regulation of Stormwater Discharge). Owners and operators are advised that other federal, state, or local requirements may apply to these activities.

- (b) Accumulated stormwater shall:
 - 1. Be drawn off within one week after a rainfall event unless another frequency is allowed by the facility's stormwater discharge permit or by another instrument, such as a Spill Prevention Control Countermeasure Plan or a Department permit; and
 - 2. Not be discharged without treatment if it has a visible sheen.
- (c) If gravity drain pipes are used to remove water from the dike field areas, all valves shall be kept closed except when the operator is in the process of draining water.
- (3) API 653 inspections. Field-erected tanks shall be evaluated and the re-testing frequency established and implemented in accordance with API Standard 653. AST Category-B and Category-C tanks shall be evaluated at the time of installation. Initial examinations for AST Category-A and Category-B tanks shall be completed by December 31, 1999. Evaluations shall be certified by a professional engineer registered in the State of Florida, or approved by an API 653 inspector. Non-destructive testing shall be performed by qualified personnel as specified in API 653 and API 650. All field-erected tanks shall be repaired in accordance with API Standard 653.
- (4) Testing for piping in contact with soil.
 - (a) Small diameter piping shall be tightness tested before being placed back into service whenever dispensers connected to that piping are replaced or whenever the piping has been disconnected and then reconnected.
 - (b) Hydrant piping and bulk product piping shall be pressure tested in accordance with paragraph 62-762.641(3)(e), F.A.C., before being placed back into service.
 - (5) Bulk product piping extending over surface water shall:
 - (a) Be tested annually in accordance with Title 33, Part 156.170, Code of Federal Regulation; and
 - (b) Be maintained and operated in accordance with Title 33, Part 154, as applicable.
 - (6) Secondary containment systems shall be repaired as necessary to maintain product tightness and containment volume of the system, including sealing cracks in concrete, repairing punctures, and maintaining containment walls. If the storage tank secondary treatment system has a crack, puncture, or other defect that compromises the system's product tightness, the system shall be repaired in accordance with paragraph 62-762.501(1)(e), F.A.C.
 - (7) Overfill protection shall be performed in accordance with API RP 2350 and NFPA 30, Section 2-10, for each field-erected AST that receives fuel by mainline pipeline or marine vessels.

Specific Authority 376.303 FS, Law Implemented 376.303 FS, History—New 6-21-04.

Editorial Note: Formerly 62-761.700.

62-762.711 Recordkeeping.

- (1) All records shall be dated, maintained in permanent form, and available for inspection by the Department or County. If records are not kept at the facility, they shall be made available at the facility or another agreed upon location upon five working days notice. Site access to the facility shall be provided for compliance inspections conducted at reasonable times.
- (2) Records of the following are required to be kept for two years:
 - (a) Measurements and reconciliations of inventory, as applicable;
 - (b) Repair, operation, and maintenance records;
 - (c) Release detection results, including electronic test results, regardless of the frequency, and monthly visual inspections performed in accordance with paragraph 62-762.641(2)(e), F.A.C. The presence of a regulated substance's odor, sheen, or free product shall be recorded for each sampling event;
 - (d) Release detection response level descriptions;
 - (e) A copy of all test data and results gathered during tightness tests, pressure tests, and breach of integrity tests, and the name and type of the test approved under Rule 62-762.851, F.A.C.;
 - (f) Certification of Financial Responsibility on Form 62-761.900(3);
 - (g) Records of types of fuels stored per tank; and
 - (h) The repair or replacement of gaskets, valve packings, valves, flanges, and connection/disconnection fittings for bulk product piping if the repair or replacement is performed in response to a discharge or loss of regulated substances.

- (3) Records of the following, generated after July 13, 1998, shall be maintained for the life of the storage tank system:
- (a) Results of internal inspections and non-destructive testing;
 - (b) Any performance claims for release detection equipment described in writing by the equipment manufacturer or installer;
 - (c) Records of storage tank system installations, replacements, and upgrades;
 - (d) Records of installation, maintenance, inspections, and testing of cathodic protection systems in accordance with NACE standards;
 - (e) Site suitability determinations in accordance with subsection 62-762.641(2), F.A.C.;
 - (f) Vapor monitoring plans and all records kept pursuant to the plan; and
 - (g) Closure assessment reports if the location continues as a facility.

Specific Authority 376.303 FS, Law Implemented 376.303 FS, History—New 6-21-04.

Editorial Note: Formerly 62-761-710.

62-762.801 Out-of-Service and Closure Requirements.

- (1) Temporary out-of-service. Field-erected storage tank systems taken temporarily out-of-service shall:
- (a) Continue to operate and maintain corrosion protection in accordance with paragraph 62-762.701(1)(b), F.A.C.;
 - (b) If the tank system has an external release detection method, perform release detection monthly in accordance with applicable provisions of Rules 62-762.601-.641, F.A.C.; and
 - (c) Leave venting systems open and functioning.
- (2) Out-of-service storage tank systems.
- (a) General.
1. Storage tank systems that are taken out-of-service, as defined in subsection 62-762.201(53), F.A.C., shall:
 - a. Continue to operate and maintain corrosion protection in accordance with paragraph 62-762.701(1)(b), F.A.C.;
 - b. Perform external release detection for sites without contamination, as applicable, every six months in accordance with provisions of subsection 62-762.641(2), F.A.C.;
 - c. Leave vent lines open and functioning;
 - d. Empty the system and cap or secure all lines, pumps, manways, and ancillary equipment, as applicable; and
 - e. Secure or close off the system to outside access.
 2. If the storage tank system is required to be upgraded during the time that it is out-of-service, it shall be upgraded or replaced in accordance with this chapter before it is returned to service.
 3. Systems with secondary containment installed and operated in accordance with this chapter may remain in a continuous out-of-service status for ten years. After this period, the system shall be returned to service or closed in accordance with subsection 62-762.801(3), F.A.C.
 4. Tightness, pressure, or other tests shall be performed in accordance with subsection 62-762.641(3), F.A.C., as applicable, on any systems being returned to service.
 - (b) Systems without secondary containment shall not remain in a continuous out-of-service status for more than five years. Before the expiration of this five year time period, any remaining product and sludges shall be removed, and a closure assessment shall be performed in accordance with subsection 62-762.801(4), F.A.C. for:
 1. AST Category-A and Category-B systems, regardless of when taken out-of-service, by December 31, 1999; or
 2. Systems taken out-of-service after July 13, 1998.
 - (c) Out-of-service tanks that are returned to service shall be:
 1. Inspected and evaluated in accordance with subparagraph 62-762.501(3)(b)1., F.A.C., for shop-fabricated tanks; or
 2. Structurally evaluated in accordance with API Standard 653 for field-erected tanks, unless the system has been out-of-service for less than six months.
 - (d) Field-erected tanks changing the type of product stored within the tank shall comply with API Standard 653, Section 2.2.4.

- b. Disconnecting and capping, or removing, all integral piping. Manways shall be secured to prevent access;
 - c. Closing the storage tank system in accordance with paragraphs 62-762.801(3)(b), F.A.C., as applicable; and
 - d. Conducting a closure assessment in accordance with subsection 62-762.801(4), F.A.C.
2. After closure, storage tank systems may be used to store materials or substances other than regulated substances in accordance with all applicable Department reference standards, (for example, API 1604). Owners and operators are advised that other federal, state, or local requirements may apply to these activities.
3. Monitoring wells associated with closed systems that are not being used for release detection or site assessment purposes shall be closed in accordance with paragraph 62-762.601(1)(k), F.A.C.
- (b) Unmaintained systems shall be permanently closed within 90 days of discovery.
 - (c) The tank shall be rendered free of pollutant vapors at the time of closure to prevent hazardous explosive conditions, and maintained to prevent future explosive conditions.
 - (d) The tank shall be protected from flotation in accordance with NFPA 30, Section 2-6.
- (4) Closure assessment of storage tank systems.
- (a) At time of closure, replacement, installation of secondary containment, or change in service from a regulated substance to a non-regulated substance, an assessment shall be performed to determine if a discharge from the system or system components has occurred.
 - 1. If a Site Rehabilitation Completion Order (SRCO) or a Monitoring Only Plan (MOP) Approval Order has been issued by the Department for a contaminated area of a site, a closure assessment shall be performed for any subsequent storage tank system removal, replacement, or installation of secondary containment.
 - 2. Tanks, pipes, or other system components in contact with soil at any site are subject to closure assessment requirements.
 - (b) A closure assessment is not required for:
 - 1. Sites with documented contamination requiring a site assessment in accordance with Chapter 62-770, F.A.C., including those that are eligible for the Early Detection Incentive Program (EDI), the Florida Petroleum Liability and Restoration Insurance Program (FPLRIP), and the Petroleum Cleanup Participation Program (PCPP), pursuant to Sections 376.3071 and 376.3072, F.S. Nevertheless, documentation of procedures followed and results obtained during closure shall be reported in a Limited Closure Summary Report, Form 62-761.900(8), and in accordance with Section A of DEP's "Storage Tank System Closure Assessment Requirements";
 - 2. Systems initially installed with secondary containment, provided that no unexplained positive response of an interstitial release detection device or method occurred during the operational life of the system, or the secondary containment passed a breach of integrity test prior to closure;
 - 3. Systems upgraded with secondary containment that have closed interstitial spaces, where a closure assessment was performed prior to installation of secondary containment, provided that the secondary containment passed a breach of integrity test in accordance with paragraph 62-762.641(3)(a), F.A.C.;
 - 4. Double-walled shop-fabricated aboveground tanks; and
 - 5. Aboveground systems with storage capacities less than 1,100 gallons that are upgrading with secondary containment, and that are elevated from and not in contact with the soil. Instead of performing a closure assessment, a visual inspection may be performed of the system and the ground surface underneath it for signs of a discharge. Written certification shall be provided to the County within 10 days after installation of the secondary containment, documenting that there has been no discharge.
 - (c) Closure assessment sampling and analysis shall be conducted according to DEP's "Storage Tank System Closure Assessment Requirements."
 - (d) A closure assessment report shall be submitted to the County within 60 days of completion of any of the activities listed in paragraph 62-762.801(4)(a), F.A.C. The report shall include sample types, sample locations and measurement methods, a site map, methods of maintaining quality assurance and quality control, and any analytical results obtained during the assessment in accordance with DEP's "Storage Tank System Closure Assessment Requirements."
 - (e) Persons are advised that contaminated soil excavated, disposed of, or stockpiled on site during the closure of a storage tank system is regulated by Chapter 62-770, F.A.C.

Specific Authority 376.303 FS, Law Implemented 376.303 FS, History—New 6-21-04.

Editorial Note: Formerly 62-761.800.

62-762.821 Incident and Discharge Response.

(1) Incident response.

(a) If an incident occurs at a facility, actions shall be taken promptly to investigate the incident to determine if a discharge has occurred. Notification of the incident shall be sent to the County on Form 62-761.900(6). A discharge shall be reported in accordance with subsection 62-762.451(3), F.A.C., if one is discovered during the incident investigation.

(b) If the investigation indicates that the incident was not a discharge, a written confirmation and explanation shall be submitted to the County. Test results or reports, which support the findings, shall be maintained on site as records.

(c) The investigation shall be completed within two weeks of the date of discovery of the incident. At the end of this time period, either a discharge report form or a written confirmation and explanation that the release was not a discharge shall be submitted to the County.

(d) Any spill or loss of regulated substance into secondary containment shall be removed within three days of discovery.

(2) Discharge response.

(a) If a discharge of a regulated substance occurs at a facility, actions shall be taken immediately to contain, remove, and abate the discharge under all applicable Department rules (for example, Chapter 62-770, F.A.C., Petroleum Contamination Site Cleanup Criteria). Owners and operators are advised that other federal, state, or local requirements may apply to these activities. If the contamination present is subject to the provisions of Chapter 62-770, F.A.C., corrective action, including free product recovery, shall be performed in accordance with that chapter.

(b) When evidence of a discharge from a storage tank system is discovered and reported in accordance with subsection 62-762.451(3), F.A.C., the following actions shall be taken:

1. If the source or cause of the discharge is unknown, the discharge shall be investigated in accordance with NFPA 329, Chapters 3 and 5;

2. The regulated substance shall be removed from the system as necessary to prevent further discharge to the environment. Notice of the need to take the system out-of-service on an emergency basis shall be made to the County in accordance with subsection 62-762.451(1), F.A.C.;

3. Fire, explosion, and vapor hazards shall be identified and mitigated; and

4. The system shall be repaired in accordance with Rule 62-762.701, F.A.C. If the system cannot be repaired, it shall be closed in accordance with subsection 62-762.801(3), F.A.C.

(c) The system shall be tested if the Department or County determines that:

1. There has been a failure to comply with the release detection requirements of Rules 62-762.601-.641, F.A.C.;

2. A release detection device, well, or method indicates that a discharge of a regulated substance has occurred, and the discharge was not previously reported; or

3. Groundwater contamination that is not associated with previously known contamination is present in the vicinity of the system and the system is likely to be a source of the contamination.

(d) Within three days of the discovery of a discharge, the following steps shall be initiated:

1. A test on the system in accordance with subsection 62-762.641(3), F.A.C., if the test is necessary to confirm a discharge; and

2. If found to be leaking, placement of the system out-of-service in accordance with subsection 62-762.801(2), F.A.C., until repaired, replaced or closed.

(e) Contaminated soil excavated, disposed of, or stockpiled on site during the closure of a storage tank system shall be managed in accordance with Chapter 62-770, F.A.C.

Specific Authority 376.303 FS, Law Implemented 376.303 FS, History--New 6-21-04.

Editorial Note: Formerly 62-761.820.

62-762.851 Alternative Requirements and Equipment Approvals.

(1) Alternative requirements.

(a) Any person subject to the provisions of this chapter may request in writing a determination by the Secretary or the secretary's designee that any requirement of this chapter shall not apply to a regulated storage tank system at a facility, and shall request approval of alternate procedures or requirements.

(b) The request shall set forth at a minimum the following information:

1. The specific storage tank system or facility for which an exception is sought;
2. The specific provisions of Chapter 62-762, F.A.C., from which an exception is sought;
3. The basis for the exception;
4. The alternative procedure or requirement for which approval is sought;
5. Documentation that demonstrates that the alternative procedure or requirement provides an equivalent or greater degree of protection for the lands, surface waters or groundwaters of the State as the established requirement; and
6. Documentation that demonstrates that the alternative procedure or requirement is at least as effective as the established procedure or requirement.

7. If an alternate procedure or requirement is not able to be sought under subparagraph 5. or 6., then documentation that demonstrates that the specific provisions of this chapter from which the exception is sought imposes regulatory costs on the regulated entity that could be reduced through approval of a less costly regulatory alternative or requirement that provides a substantially equivalent degree of protection for the lands, surface waters, or groundwaters of the State as the established requirement.

(c) Within 60 days of the receipt of a request for approval of an alternative procedure or requirement, the Department shall approve the request or notify the responsible party in writing that the request does not demonstrate that the requirements of subsection 62-762.851(1), F.A.C., are met.

(d) The Secretary or the Secretary's designee shall specify by order each alternative procedure or requirement approved for an individual storage tank system or facility in accordance with this rule or shall issue an order denying the request for such approval. The Department's order shall be agency action, reviewable in accordance with Section 120.569 and 120.57, F.S.

(e) The provisions of this rule do not preclude the use of any other applicable relief provisions.

(2) Equipment approvals.

(a) Storage tank system equipment used in the State of Florida must have the approval of the Department before installation or use, with the exception of:

1. Dispensers, dispenser islands, nozzles, and hoses;
2. Monitoring well bailers;
3. Manhole and fillbox covers;
4. Valves;
5. Cathodic protection test stations;
6. Metallic bulk product piping;
7. Small diameter piping not in contact with soil, unless the piping extends over or into surface waters;
8. Vent lines; and
9. AST vents.

(b) Equipment approval requests shall be submitted to the Department with a demonstration that the equipment will provide equivalent protection or meet the appropriate performance standards contained in this chapter. Any approvals or denials received from other states shall be included in the approval request to the Department.

(c) A third-party demonstration by a Nationally Recognized Laboratory shall be submitted to the Department with the application. The third-party demonstration shall provide:

1. A technical evaluation of the equipment;
2. Test results that verify that the equipment will function as designed; and
3. A professional certification that the equipment meets the performance standards contained in Rule 62-762.501, F.A.C.

(d) Within 60 days of the receipt of a request for an equipment approval, the Department shall approve the request or notify the responsible party in writing that the request does not demonstrate that the requirements of subsection 62-762.851(2), F.A.C., are met.

(e) The Secretary or the Secretary's designee shall specify by order each equipment approval that is approved in accordance with this rule or shall issue an order denying the request for such approval. The Department's order shall be agency action, reviewable in accordance with Section 120.569 and 120.57, F.S.

Specific Authority 376.303 FS. Law Implemented 376.303 FS. History—New 6-21-04.

Editorial Note: Formerly 62-761.850.

62-762.891 Mineral Acid Storage Tank Requirements.

(1) Definitions. The following words, phrases, or terms used in this rule, unless the context indicates otherwise, shall have the following meaning:

(a) "Aboveground" means that more than 90 percent of a tank volume is not buried below the ground surface. An aboveground tank may either be in contact with or elevated above the ground.

(b) "Containment and integrity plan" or "CIP" means a document designed, created, and maintained at a facility, which shall be considered a public record and made available pursuant to the provisions of Chapter 119, F.S. The CIP establishes procedures for the inspection and maintenance program for tanks storing mineral acids at that facility. The inspection and maintenance program shall be designed for the chemical and physical characteristics of the specific mineral acid stored, and for the specific materials of construction of the tank. The CIP shall be designed to ensure control of the specific mineral acid for the expected lifetime of the tank.

(c) "Discharge" includes, but is not limited to, any spilling, leaking, seeping, pouring, misapplying, emitting, emptying, or lumping of any mineral acid which occurs and which affects lands and the surface and ground waters of the state.

(d) "Discovery" means, as related to a discharge, initial detection of mineral acids in ground water or surface water, or the initial detection of soil contamination, resulting from the discharge of mineral acids in quantities greater than the amounts reportable in Rule 62-762.891, F.A.C.

(e) "Existing storage tank" means a tank that was installed on or before January 7, 1992. Installation is considered to have begun if:

1. The owner or operator has obtained, or has applied for, all federal, state, and local approvals or permits necessary to begin physical construction of the site or installation of the tank; and

2. Either a continuous on-site physical construction or installation program has begun or the owner or operator has entered into contractual obligations which cannot be cancelled or modified without substantial economic loss.

(f) "Facility" means any non-residential location or part thereof containing an aboveground tank or tanks that contain specified mineral acids that have an individual storage capacity greater than 110 gallons.

(g) "Flow-through process tank" means an aboveground tank that contains hazardous substances or specified mineral acids and that forms an integral part of a production process through which there is a steady, variable, recurring, or intermittent flow of materials during the operation of the process. Flow-through process tanks include, but are not limited to, seal tanks, vapor recovery units, surge tanks, blend tanks, feed tanks, check and delay tanks, batch tanks, oil-water separators, or tanks in which mechanical, physical, or chemical change of a material is accomplished.

(h) "Inspection and maintenance plan" means a plan that establishes the procedures used to prevent releases of mineral acids.

(i) "Liner" means an artificially constructed material of sufficient thickness, density, and composition that will contain the discharge of any specified mineral acid from an aboveground tank until such time as the mineral acid can be neutralized and/or removed. The liner shall prevent any escape of specified mineral acids or accumulated liquid to the soil, surface water, or groundwater (except through secondary containment as provided in paragraph 62-762.891(1)(p), F.A.C.).

(j) "Mineral acids" means hydrobromic acid (HBr), hydrochloric acid (HCl), hydrofluoric acid (HF), phosphoric acid (H₃PO₄), and sulfuric acid (H₂SO₄), including those five acids in solution, if at least 20% by weight of the solution is one of the five listed acids.

(k) "New tank" means a tank that was installed after January 7, 1992.

(l) "Non-residential" means that the tank is not used at a private dwelling.

(m) "Operator" means any person operating a facility, whether by lease, contract, or other form of agreement.

(n) "Owner" means any person owning an aboveground tank subject to Sections 376.320-.326, F.S.

(o) "Permitted wastewater treatment system" means a facility to which the Department has issued a permit to treat wastewater and release the treated product into the environment.

(p) "Secondary containment" means a system that is used for release prevention, and may include one or more of the following devices:

1. A double-walled tank;

2. An external liner; or

3. A system or structure constructed such that accidental releases from a tank would be collected by a drainage system within the system or structure and routed to a permitted wastewater treatment system, plant recirculating process system, or alternative

containment system approved by the Department in accordance with Rule 62-762.851, F.A.C.

(q) "Stationary" means a tank or tanks not meant for multiple site use or that remain in one location at the facility site for a period of 180 days or longer.

(r) "Tank" means an aboveground stationary device that is constructed primarily of non-earthen materials (e.g., concrete, metal, plastic, glass) that provides structural support and is designed primarily to contain mineral acids. Connected piping from the tank to and including the nearest cutoff valve shall be considered part of the tank for purposes of this definition. "Tank" does not include low-through process tanks.

(s) "Upgrade" means the replacement of a tank or the installation of secondary containment.

(2) Applicability.

(a) The requirements of this rule apply to owners and operators of a facility with an aboveground storage tank with a storage capacity of more than 110 gallons that contains mineral acids.

(b) The following systems are exempt from the requirements of this rule:

1. Any mobile or skid tank that is moved at least every 180 days;
2. Any tank containing mineral acids that are less than 20% by weight of the solution;
3. Any tank of 110 gallons or less capacity that contains mineral acids;
4. Any flow-through process tank; and
5. Any tank containing mineral acids that are regulated as hazardous wastes under Subtitle C of the Resource Conservation and Recovery Act.

(3) Registration.

(a) The owner of any tank containing mineral acids shall register the tank with the Department on Form 62-761.900(2).

(b) A completed registration form shall be submitted to the Department by July 1, 1992, or no later than 30 days after mineral acids are put into a new storage tank.

(c) Each facility shall receive a registration placard upon payment of all applicable fees. The placard shall be available for inspection by the Department and filed with records maintained in accordance with Rule 62-762.891, F.A.C.

(4) Registration fees.

(a) Registration fees are due from the owner or operator for all registered tanks as indicated in this subsection.

(b) Registration fee schedule.

1. Within 30 days after receipt of notification by the Department, the following fees shall be submitted:
 - a. \$50.00 per tank for each initial registration;
 - b. \$25.00 per tank for annual renewal of tanks with capacities of 125,000 gallons or less; and
 - c. One dollar per every 5,000 gallons of storage capacity, per tank, for annual renewal of tanks with capacities of greater than 125,000 gallons.
2. Total annual registration fees for renewals shall not exceed \$2,500.00 per facility.

(5) Notification.

(a) The Department shall be notified of the following items on Form 62-761.900(2):

1. The date and method of closure, at least 30 days before closure of a tank;
2. Any change in ownership of a tank, no later than 30 days after ownership has been transferred. The notice of change of ownership shall be provided by the transferor. The notice shall include a copy of the bill of sale or a letter of acceptance by the new owner.
3. Upgrading of a tank, at least 10 days before upgrading occurs, except for emergency replacements of tanks or connected piping required by an actual or anticipated discharge. Notification of emergency replacement shall be provided within 10 days after the emergency replacement.

4. Any change in registration form information, including any change in the identity of the material being stored.

(b) The Department shall be notified of the certification of the CIP or the secondary containment system on Form 62-762.891(1) within 10 days of the completion of the form. The Containment and Integrity Plan Certification Form shall be signed by a professional engineer registered in the State of Florida.

(c) Within three working days of discovery, the Department shall be notified of any release into a secondary containment system of a mineral acid in excess of 110 gallons, or the reportable quantity in effect on July 1, 1991, under the Comprehensive Environmental Response Compensation and Liability act of 1980, whichever is greater.

- (6) Reporting of discharges. Within 24 hours of discovery, or before the close of the next business day, Form 62-761.900(1) shall be used to report any discharge exceeding:
- (a) 100 pounds of hydrobromic or hydrofluoric acid;
 - (b) 1000 pounds of sulfuric acid; or
 - (c) 5000 pounds of hydrochloric or phosphoric acid.
- (7) Performance standards for mineral acid tanks.
- (a) General.
 - 1. Existing mineral acid storage facilities that were in operation after January 1, 1992, shall have either a CIP or secondary containment.
 - 2. New or replacement mineral acid tanks installed after July 1, 1992, shall have secondary containment.
 - (b) Containment and Integrity Plans. The CIP shall include procedures and requirements to minimize the risk of spills, releases, and discharges from tanks. The CIP shall be reviewed and updated at least every two years by a professional engineer registered in the State of Florida. The CIP shall be made available for inspection by the Department, and shall address:
 - 1. An inspection and maintenance program detailing:
 - a. The qualifications of the person providing the inspection;
 - b. The inspection and routine maintenance procedures;
 - c. Schedules used to evaluate and maintain the integrity of the tank, and secondary containment (if applicable);
 - d. Release detection procedures; and
 - e. Frequency of inspections and proper response to inspection findings.
 - 2. Materials of construction for each tank and compatibility of the mineral acid with the construction materials;
 - 3. Secondary containment of tanks, if applicable;
 - 4. Location of surface water bodies near the tank and the potential for discharges to enter the surface water body or to move off-site;
 - 5. Discharge response procedures for containment and abatement;
 - 6. Cleanup procedures; and
 - 7. For tanks without secondary containment, the CIP shall also address:
 - a. Procedures and equipment for treating spill wastes;
 - b. Procedures for disposing of spill wastes;
 - c. Containment and diversionary structures to prevent discharges from entering the nearby surface water bodies or moving off-site; and
 - d. A demonstration of corrosion protection of the tank if the tanks are in contact with the soil.
 - (c) Containment and Integrity Plan alternatives. In place of the CIP, a certification may be provided to the Department by a professional engineer registered in the State of Florida that:
 - 1. No mineral acid tank at the facility is in direct contact with the ground; and
 - 2. A secondary containment system has been placed under and around each tank, and sealed to its supports. Secondary containment shall be either:
 - a. Designed and built to contain in excess of 110% of the capacity of the largest tank within the containment; or
 - b. Equipped with a drainage system routed to a permitted wastewater treatment system that is capable of containing any accidental release from the tank.
 - (d) Secondary containment. Tanks installed after July 1, 1992, shall have secondary containment and meet the requirements of this section before the tank is placed into active service. Liners used for secondary containment that are installed after July 13, 1998 shall meet the requirements of subparagraphs 62-762.501(1)(c)1.-3., F.A.C.
 - (e) Certification. A professional engineer registered in the State of Florida shall certify that:
 - 1. The tanks covered by the CIP for that facility have been inspected and maintained in accordance with the CIP and that the integrity and containment of the tanks has not been compromised. For purposes of this certification, maintenance will be presumed to have been performed if the professional engineer verifies that records demonstrating compliance with this subsection are available, complete, and indicate proper maintenance; or
 - 2. The tank or tanks have secondary containment in accordance with this subsection.
- (8) Recordkeeping. Copies of the following shall be maintained and made available for inspection by the Department at

reasonable times:

- (a) The Containment and Integrity Plan; or
 - (b) The certification of secondary containment.
- (9) Discharge response.

(a) When evidence of a discharge from a tank is discovered and reported in accordance with subsection 62-762.891(6), F.A.C.,

the owner or operator shall:

1. Remove as much of the mineral acid from the tank as necessary to prevent further discharge;
2. Repair the tank in accordance with original design specifications; and
3. If the storage tank cannot be repaired, all mineral acid shall be removed from the tank and the tank shall be permanently closed.

(b) Any owner or operator of a facility discharging mineral acids shall immediately undertake to contain, remove, neutralize, or otherwise abate the discharge.

(10) Forms. Copies of forms may be obtained by writing to the Administrator, Storage Tank Regulation Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. The following forms shall be used for mineral acid tanks:

- (a) Discharge Report Form 62-761.900(1), July 13, 1998.
- (b) Storage Tank Facility Registration Form 62-761.900(2), July 13, 1998.
- (c) Containment and Integrity Plan Certification Form 62-762.891(1), July 13, 1998.

Specific Authority 376.322(3), 403.087 FS. Law Implemented 376.324, 376.325, 403.087 FS. History—New 6-21-04.

Editorial Note: Formerly 62-761.890.

62-762.901 Storage Tank Forms.

The forms used by the Department in the Storage Tank System Program are adopted and incorporated by reference in this section. The forms are listed by rule number, which is also the form number, and with the subject title and effective date. Copies of forms may be obtained by writing to the Administrator, Storage Tank Regulation Section, Division of Waste Management, Florida Department of Environmental Protection, 2600 Blair Stone Road, M.S. 4525, Tallahassee, Florida 32399-2400.

- (1) Form 62-761.900(1) Discharge Report Form, July 13, 1998.
- (2) Form 62-761.900(2) Storage Tank Facility Registration Form, July 13, 1998.
- (3) Form 62-761.900(3) Certification of Financial Responsibility, July 13, 1998.
- (4) Form 62-761.900(4) Alternative Requirement or Procedure Form, July 13, 1998.
- (5) Form 62-761.900(6) Incident Notification Form, July 13, 1998.
- (6) Form 62-761.900(8) Limited Closure Summary Report Form, July 13, 1998.

Specific Authority 376.303, FS. Law Implemented 376.303, FS. History—New 6-21-04.

Editorial Note: Formerly 62-761.900.