STATE OF MAINE
Department of Environmental Protection

Reviewed for Code Compliance
Inspections Division
Approved with Conditions

Notice of Intent to Remove an Underground Oil Storage Ta or Underground Product Piping

INSTRUCTIONS

Date: 07/13/14

Maine law requires that notice be received by the Commissioner at least 10 days prior to the commencement of removal work.

The notice requirement applies to removal of an underground oil storage facility or components of an underground oil storage facility, and removal of underground piping at an aboveground oil storage facility.

The removal of an underground oil storage facility or underground product piping must be conducted in accordance with the Rules for Underground Oil Storage Facilities, 06-096 CMR 691.

Who Must Notify? The obligation to notify rests with the facility owner or operator. If the owner or operator is unknown, the owner of the property where the facility or tank is located must provide the removal notice.

Who Must Be Notified? Send the completed "*Notice of Intent to Remove an Underground Oil Storage Tank Facility or Underground Product Piping*" form (attached) to:

1. The Department of Environmental Protection (DEP),
2. The local fire department,
3. The Certified Underground Oil Storage Tank Installer named in this notice (if required – see below), and
4. The site assessor named in this notice (if required – see below).

If you need to reschedule the removal or abandonment to a later date after filing the notice, please call DEP Tank Registration staff at (207) 287-2651 (Augusta); or call the Department's regional Division of Response Services: Portland, (207) 822-6300; Augusta, (207) 287-7800; Bangor, (207) 941-4570; or Presque Isle, (207) 764-0477.

The Department may waive the 10-day notice due to exceptional circumstances. A written waiver may be issued only at the discretion of the applicable regional office of the Division of Response Services.

Certified Underground Oil Storage Tank Installer Requirement: If the facility was used to store gasoline, aviation fuel or other Class 1 liquids (liquids having a flash point below 100° F) within the last 12 months, the work must be supervised by a Maine Certified Underground Oil Storage Tank Installer [1]. For a list of certified installers, call DEP Tanks Unit staff at (207) 287-2651 or visit the DEP web site at: www.maine.gov/dep/waste/ust/formslists.html.

[1] See 06-096 CMR 691(11)(C)(3)

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Site Assessment Requirement: Site assessments must be conduc
accordance with 06-096 CMR 691, Appendix P for all types of facilities or a
thereof, <u>except</u> [2]:

- onsite consumptive use heating oil facilities (other than heavy oil fac
  that must be heated during storage), and
- farm and residential motor fuel tanks of 1,100 gallons or less capacity and where the product is used only by the tank owner or operator.

The results of the assessment must be provided to the DEP within 45 days of removal of the tanks and piping. The removed tank or piping is not "properly abandoned or removed" until the site assessment has been submitted.

Removal Confirmation: Identify each tank removed: tank number, product and size. If only part of a facility is removed, clearly identify what was removed.

After the tank or piping is removed, please complete the "*Removal Confirmation Notice*" (attached) and send it to the Department.

Replacement of Facilities: If you intend to install a replacement facility that may be located in a wellhead protection zone or over a significant sand and gravel aquifer, you must register the replacement tank(s) within 30 days of removing the old facility, and commence installation of the new tank(s) within two years. See 38 M.R.S.A. § 1393(2)(B)(1) and *Rules for Siting of Oil Storage Facilities,* 06-096 CMR 692.

Who Must Sign This Form? This form must be signed by the facility owner or authorized employee of the owner.

Other Requirements:

All underground oil storage tanks, whether in use or not, even if they are to be removed, must be registered with the Department by the owner or operator. If the tank or product piping is not registered, contact the Department for a registration form. This also applies to facilities that have aboveground motor fuel tanks with underground product piping. [3]

Do not use this form if a tank and/or piping is to be permanently abandoned by filling in place. If you believe that a tank and/or piping cannot be removed, contact the Tanks Registration Staff for a "*Request for Determination of Abandonment in Place*" form. In general, however, if a tank and/or product piping can be excavated, they **must** be removed. [4]

State law prohibits dumping tank contents on the ground. In general, residues from a gasoline tank constitute hazardous waste and must be transported and disposed of by a licensed hazardous waste transporter.

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[2] See 06-096 CMR 691(11)(A)(1)(d)
[3] See 38 M.R.S.A. § 563 and 06-096 CMR 691(4)
[4] 06-096 CMR 691(11)(D)(1) and 06-096 CMR 691 App J.10.

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You must contact the Department upon discovery of a leak, discharge or c groundwater within two (2) hours of discovery. During business hours call Department's regional Division of Response Services:

Portland: (207) 822-6300

Augusta: (207) 287-7800

Bangor: (207) 941-4570

Presque Isle: (207) 764-0477

1-800-482-0777, *(24 hours/day, 7 days/week)*

For More Information: Contact the Department of Environmental Protection Underground Tanks Unit at (207) 287-2651. Send the completed form and all correspondence to:

Attn: Underground Tanks Registration
Maine Department of Environmental Protection
17 SHS, Augusta, Maine 04333-0017

Regulatory Authority:

Oil Storage Facilities and Groundwater Protection law 38 M.R.S.A. §§ 543, 561-570

Wellhead Protection law, 38 M.R.S.A. §§ 1391-1399

Rules for Underground Oil Storage Facilities, 06-096 CMR 691 (amended January 7, 2014).

Rules for Siting of Oil Storage Facilities, 06-096 CMR 692 (amended July 23, 2012).

Rules and Regulations for Flammable and Combustible Liquids, 16-219 CMR 34 (amended March 17, 2009).

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Notifications: (Sent a copy of this notice)

- ☒ Maine DEP
- ☒ Local Fire Departmer
- ☒ Certified Tank Installer *(as required)*
- ☐ Site Assessor *(as requ*

Date: 07/13/14

Facility Information

Facility Name: Atlantic Bayside Investments LLC

Registration #: 316

185 Kennebec street
Facility Address

Portland
Town

Atlantic Bayside Investments LLC — Owner Name
50 Portland Pier Suite 400 — Owner Address
828-1080 — Owner Phone

Identification of Tank / Piping to be removed

☐	**Tank #**		**Tank Size:**	**3,000**	**Tank Age:**	**unknown**
☐	**Piping**	**cooper**	**Product:**	**#2 fuel**	**Piping Age:**	**unknow**
☐	**Tank #**		**Tank Size:**		**Tank Age:**	
☐	**Piping**		**Product:**		**Piping Age:**	
☐	**Tank #**		**Tank Size:**		**Tank Age:**	
☐	**Piping**		**Product:**		**Piping Age:**	

Additional Removal Information

☐ **YES**
☒ **NO**

Did any tank or piping above store Class I liquids (e.g., gasoline, aviation fuel) within the last 12 months?

If YES, removal of the tank(s) or product piping must be done under the direction of a Maine Certified Tank Installer and the inerting method and cleaning location must be identified.

Inerting Method:		Cleaning Location:	

Maine Certified Tank Installer Name and ID Number — *Installer Signature* — *Date*

Note: *Site assessments must be conducted in accordance with Chapter 691(11)(A)(1)(d) and Appendix P.*

Site Assessor (if applicable):		
	Site Assessor	*Phone Number*
Contractor who will remove the tank:	Portland Pump Co	207-883-4317
	Contractor	*Phone Number*
Expected Date of Removal:	removed on 6-9-14 with DEP permission	
	Month/Date/Year	

I hereby provide Notice that I intend to properly remove the underground oil storage tank facility as described above.

Paul Prescott - Project Manager MAI Environmental

Digitally signed by Paul Prescott
DN: cn=Paul Prescott, o=MAI Environmental, ou, email=P.Prescott@MAIEnvironmental.com, c=US
Date: 2014.06.16 12:30:35 -04'00'

Owner or Authorized Employee Name and Title — *Signature* — *Date*

NOTE: WHEN TANK AND/OR PIPING HAS BEEN REMOVED, PLEASE FILL OUT AND SEND IN THE ***REMOVAL CONFIRMATION****.*

EXPIRES AFTER SIX (6) MONTHS IF DEPARTMENT DOES NOT RECEIVE REMOVAL CONFIRMATION

STATE OF MAINE
Department of Environmental Protection

REMOVAL CONFIRMATION

SEND THIS FORM TO DEP TANKS REGISTRATION AFTER REMOVAL OF TANK

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Facility Information

Date: 07/13/14

Facility Name:	Atlantic Bayside Investments LLC	Registration #:	316
Facility Location:	185 Kennebec St (*Street*) Portland (*Town*)	Facility Phone #:	

The underground oil storage tank(s) and/or piping were removed on: **6-9-14**
Month/Date/Year

☐	Tank #:		Chamber Size(s):	3,000	Product(s):	#2 fuel
☐	Tank & Piping Description:	If only piping is removed, fully describe all segments, lengths and locations.				

☐	Tank #:		Chamber Size(s):		Product(s):	
☐	Tank & Piping Description:	If only piping is removed, fully describe all segments, lengths and locations.				

☐	Tank #		Chamber Size(s):		Product(s):	
☐	Tank & Piping Description:	If only piping is removed, fully describe all segments, lengths and locations.				

DEP Responder (if discharge was discovered) *Spill # (if known)*

Paul Prescott MAI Environmental

Digitally signed by Paul Prescott
DN: cn=Paul Prescott, o=MAI Environmental, ou, email=P.Prescott@MAIEnvironmental.com, c=US
Date: 2014.06.16 12:31:29 -04'00'

Owner or Authorized Employee *Signature* *Date*

Mail to: Attn: Underground Tanks Registration
Maine Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017