



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

INSTRUCTIONS

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, Chapter 691.

Use the "Notice of Intent to Remove an Underground Oil Storage Tank Facility or Underground Product Piping" form to notify the Department of Environmental Protection (DEP) and the local fire department of the intent to remove an underground oil storage facility. The notice requirement applies to removal of components of an underground oil storage facility and removal of underground piping at an aboveground oil storage facility. Maine law requires that notice be made at least 10 days prior to the commencement of removal work. If the Department has determined that the tank or piping may be abandoned in place, this notification must also be provided before initiating the permanent abandonment.¹

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.

Requirements for out-of-service tanks. A facility is considered to be out of service if it is neither receiving nor dispensing oil. All underground components of an oil storage facility must be removed if the facility has been or is intended to be out of service for more than 24 consecutive months unless:

- A. Before the 24 month period has expired, the facility owner obtains written approval from the DEP allowing the facility to remain out of service for a longer period. (**NOTE:** The Department cannot approve the return to service of a single-walled underground oil storage tank that has been out of service for more than 24 consecutive months); or
- B. The owner obtains written approval from the DEP to abandon the facility in place.²

¹ See 38 M.R.S.A. § 566(2) and *Rules for Underground Oil Storage Facilities*, 06-096 CMR 691 (11) (E)

² See 38 M.R.S.A. § 566-A(1), 570-K(3) and 06-096 CMR 691(11)(D)

Mandatory removal of tanks upon expiration of warranty. Maine law requires the removal of all underground oil tanks and associated piping that store motor fuel or are used in the marketing and distribution of oil upon expiration of the manufacturer's warranty.³

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.

Supervision. If the facility was used to store gasoline, aviation fuel or other Class 1 liquids (liquids having a flash point below 100° F), the work must be supervised by a Maine Certified Underground Oil Storage Tank Installer. For a list of certified installers, call DEP Tank Registration staff at (207) 287-2651 or visit the DEP web site.⁴
www.maine.gov/dep/waste/ust/formslists.html.

Site assessment. Site assessments must be conducted in accordance with 06-096 CMR 691, Appendix P for all types of facilities including heated heavy oil tanks except for onsite consumptive use heating oil facilities. A site assessment is not required for farm and residential motor fuel tanks of 1,100 gallons or less where the product is used only by the tank owner or operator.⁵ The results of the assessment must be provided to the DEP within 45 days of removal of the tanks and piping.

NOTE: For those tanks requiring a site assessment, the removed tank or piping is not considered "properly abandoned" until the site assessment has been submitted.

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

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. An amended registration form is required for any changes to the registration information.⁶

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.

You must contact the Department upon discovery of a leak, spill or contaminated groundwater. During business hours call the Department's regional Division of Response Services:

Portland, (207) 822-6300; Augusta, (207) 287-7800; Bangor, (207) 941-4570;
Presque Isle, (207) 764-0477; OR (1-800-482-0777, 24 hours/day, 7 days/week).

³ See 38 M.R.S.A. § 564(5)

⁴ See 06-096 CMR 691(11)(C)(3)

⁵ See 06-096 CMR 691(11)(A)(1)(d)

⁶ See 38 M.R.S.A. § 563 and 06-096 CMR 691(4)

Removal and replacement of facilities located in a Wellhead Protection Zone or Significant Sand and Gravel Aquifer. Maine law prohibits the installation of a new underground oil storage facility in a Wellhead Protection Zone or in an area mapped as a Significant Sand and Gravel Aquifer by the Maine Geological Survey. There are several exemptions to this prohibition including but not limited to, the replacement of an underground oil storage facility in existence on September 30, 2001 as long as the replacement occurs on the same property and the facility meets all applicable requirements of the law.⁷

If you own a facility located within a Wellhead Protection Zone or mapped Significant Sand and Gravel Aquifer and you intend to remove and replace it with a new facility, you must file the “Notice of Intent to Remove Form”, and you should also notify the Department of your intent to replace your existing underground oil storage facility with a new facility, including your expected timeframe for doing so., Notifying the Department of your intent to replace your facility with the Department will assist you in your effort to fall within the replacement exemption.

At least 10 business days prior to installation of a replacement underground oil storage facility, you must file a properly completed registration form; and

A copy of the State Fire Marshal's Office permit application for the replacement of an above ground facility with underground piping.

NOTES:

1. The term “Wellhead Protection Zone” means:
 - a. Any area within 300 feet of a private well;
 - b. Any area within 1000 feet of a public well; or
 - c. Any area mapped by the Department of Health and Human Services as the source water protection area of a public well.
2. Maps of Significant Sand and Gravel Aquifers are available in most municipal offices and from the Maine Geological Survey, (207) 287-2801. Electronic versions are available online from the Maine Office of Geographic Information Systems at: <http://megis.maine.gov>
3. The replacement facility must be registered with the DEP if it is:
 - a. An underground oil storage facility; or
 - b. An aboveground facility with underground piping that will be used to store motor fuel.
4. If an aboveground facility is used to store and dispense flammable and combustible liquids, including motor fuel, then the owner or operator must obtain a permit from the State Fire Marshal.

⁷ See 38 M.R.S.A. § 1393 and *Rules for Siting Oil Storage Facilities*, 06-096 CMR 692(3) for a list of exceptions

For more information. Contact the Department of Environmental Protection Underground Tanks Unit at (207) 287-2651. Send all correspondence to:

Attn: Tank Registration
Bureau of Remediation and Waste Management
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 March 13, 2012).

Rules for Siting of Oil Storage Facilities, 06-096 CMR 692 (effective April 24, 2010).

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



STATE OF MAINE
Department of Environmental Protection



Notice of Intent to Remove an Underground Oil Storage Tank Facility OR Underground Product Piping

THIS FORM MUST BE FILED WITH THE DEPARTMENT AND YOUR LOCAL FIRE DEPARTMENT AT LEAST 10 DAYS PRIOR TO THE SCHEDULED REMOVAL.

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

Facility Ownership Information

Facility Owner: Cumberland County Recreation Center Owner Phone #: 207-775-3481
 Owner Mailing Address: 1 CIVIL CENTER Portland ME 04101
Address SQUARE Town State Zip Code

Facility Information

Facility Name: Cumberland County Recreation Center Registration #:
 Facility Location: 1 CIVIL CENTER SQUARE PORTLAND
Street Town
 Directions to this Facility: Northwest corner of Spring and Center
(Be Specific)

Please Identify which tank(s) and/or piping at this location are going to be removed

Tank #	001	Tank Size:	500	Tank Age:	1975
		Product:	Diesel	Piping Age:	1975
Tank #		Tank Size:		Tank Age:	
		Product:		Piping Age:	
Tank #		Tank Size:		Tank Age:	
		Product:		Piping Age:	

Additional Removal Information

YES
 NO
 Is or was the tank(s) or piping used to store Class I liquids (e.g., gasoline, jet fuel)?

IF YES, REMOVAL OF THE TANK(S) OR PRODUCT PIPING MUST BE DONE UNDER THE DIRECTION OF A MAINE CERTIFIED TANK INSTALLER.

Maine Certified Tank Installer Name and Number

Installer Signature

Date

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

Name and Address Site Assessor (if applicable): Judd Newcomb, CG, PG, Credere Associates, LLC, 776 Main St, Westbrook, ME

Name of Site Assessor

Phone Number

Name of Contractor who will do tank removal: EnviroVantage 1800-640-5323

Name of Contractor

Phone Number

Expected Date of Removal: 6/5/13

Month/Date/Year

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

JAMES M. Leo operations Manager James M. Leo 6/3/2013
Print Owner or Operator Name and Title Signature Date

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



STATE OF MAINE
Department of Environmental Protection



REMOVAL CONFIRMATION NOTICE

◆◆◆ IMPORTANT ◆◆◆

SEND THIS FORM TO DEP REGISTRATION STAFF AFTER REMOVAL OF TANK AND/OR PIPING

Facility Information

Facility Name: _____ Registration #: _____
Facility Location: _____ Contact Phone #: _____
Street Town

The underground oil storage tank(s)
and/or piping were removed on: _____
Month/Date/Year

Contractor: _____
Name Phone #

Tank #		Tank Size		Tank Age	
		Product		Piping Age	
Tank #		Tank Size		Tank Age	
		Product		Piping Age	
Tank #		Tank Size		Tank Age	
		Product		Piping Age	

Authorized Signature _____ Date _____

Name and Title (Please print) _____

Mail to: Attn: Tank Registration Staff
Bureau of Remediation and Waste Management
Maine Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017