

**7150.0410 PERMANENT CLOSURE AND CHANGE IN STATUS TO STORAGE OF NONREGULATED SUBSTANCES.**

Subpart 1. **Requirements.** In addition to the requirements of the most current Minnesota Fire Code, owners and operators must comply with subparts 3 to 7 relating to permanent closure or change in status to storage of nonregulated substances.

Subp. 2. [Repealed, 43 SR 1253]

Subp. 3. **Permanent closure.**

A. To permanently close a piping system, owners and operators must empty and clean the piping by removing all liquids. To permanently close a UST system, owners and operators must empty and clean the tank and piping by removing all liquids and accumulated sludges.

B. All tanks and piping permanently closed must be:

- (1) removed from the ground; or
- (2) completely filled in with an inert solid material and free of voids that could allow flammable or hazardous vapors or liquids to accumulate in the voids.

C. A site assessment must be conducted according to part 7150.0345, subpart 3, for all tanks and piping permanently closed.

D. When a tank is retrofitted according to part 7150.0205, subpart 1, the original tank upon which the retrofitted tank is secured is considered permanently closed and a site assessment must be conducted according to part 7150.0345, subpart 3.

Subp. 4. **Storing nonregulated substances.** Continued use of a UST system to store a nonregulated substance is considered a change in status. Before a change in status to storage of a nonregulated substance, owners and operators must empty and clean the tank and piping by removing all liquid and accumulated sludge and conduct a site assessment according to part 7150.0345, subpart 3.

Subp. 5. **Certification of closure.** Owners and operators must ensure that persons performing permanent closures under subpart 3 or changes in status under subpart 4:

- A. are in compliance with certification requirements imposed by chapter 7105;
- B. furnish copies of current certificates issued by the commissioner to the owner and operator before beginning a permanent closure or a change in status; and
- C. certify on the notification form required under part 7150.0090, subpart 2, that the methods used to perform the permanent closure or change in status complied with this part.

Subp. 6. [Repealed, 43 SR 1253]

Subp. 7. **Cleaning and closure procedures.** The cleaning and closure procedures listed in one of the following documents must be used to comply with this part. The documents are incorporated by reference under part 7150.0500:

A. American Petroleum Institute, Closure of Underground Petroleum Storage Tanks, API RP 1604;

B. American Petroleum Institute, Interior Lining and Periodic Inspection of Underground Storage Tanks, API STD 1631;

C. American Petroleum Institute, Requirements for Safe Entry and Cleaning of Petroleum Storage Tanks, API STD 2015;

D. American Petroleum Institute, Guidelines and Procedures for Entering and Cleaning Petroleum Storage Tanks, API RP 2016;

E. National Fire Protection Association, Standard for the Safeguarding of Tanks and Containers for Entry, Cleaning, or Repair, NFPA 326; and

F. National Institute for Occupational Safety and Health, Criteria for a Recommended Standard: Working in Confined Spaces, DHEW (NIOSH) Publication No. 80-106.

**Statutory Authority:** *MS s 116.49*

**History:** *16 SR 59; 32 SR 1751; 34 SR 1610; 43 SR 1253*

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