67383.3 General Standards for Tank Systems

(a)

Except as provided in subsections (b), (c), and (d) of section 67383.1, any tank system that is identified as a hazardous waste pursuant to chapter 11 of this division, and that is destined to be disposed, reclaimed or closed in place shall be exempt from regulation under this division if the tank system is managed in accordance with all of the requirements of this section: (1) Prior to initiating cleaning, cutting, dismantling, or excavation of a tank system, the owner or operator of the tank system shall notify the appropriate CUPA in writing of the information specified below. If there is no CUPA, then the owner or operator shall notify the LIA and send a copy to the authorized agency. However, information already provided to the CUPA, authorized agency or LIA pursuant to compliance with another statutory or regulatory requirement need not be resubmitted: (A) The location of the tank system; (B) The date(s) the tank system will be cleaned and/or excavated, or closed in place; (C) A brief description of the tank system; (D) The identification of the hazardous material or hazardous waste last held in the tank supported by: 1. A statement signed by the tank operator certifying the identity of the material or waste last stored or accumulated in the tank; or 2. If residuals remain in the tank in sufficient quantity to be collected and analyzed, a chemical analysis of the residual in the tank; (E) The name and credentials of the individual who will provide certification pursuant to subsection (f), when applicable; and (F)

The intended disposition and destination of the tank system.

(1)

Prior to initiating cleaning, cutting, dismantling, or excavation of a tank system, the owner or operator of the tank system shall notify the appropriate CUPA in writing of the information specified below. If there is no CUPA, then the owner or operator shall notify the LIA and send a copy to the authorized agency. However, information already provided to the CUPA, authorized agency or LIA pursuant to compliance with another statutory or regulatory requirement need not be resubmitted: (A) The location of the tank system; (B) The date(s) the tank system will be cleaned and/or excavated, or closed in place; (C) A brief description of the tank system; (D) The identification of the hazardous material or hazardous waste last held in the tank supported by: 1. A statement signed by the tank operator certifying the identity of the material or waste last stored or accumulated in the tank; or 2. If residuals remain in the tank in sufficient quantity to be collected and analyzed, a chemical analysis of the residual in the tank; (E) The name and credentials of the individual who will provide certification pursuant to subsection (f), when applicable; and (F) The intended disposition and destination of the tank system.

(A)

The location of the tank system;

(B)

The date(s) the tank system will be cleaned and/or excavated, or closed in place;

(C)

A brief description of the tank system;

(D)

The identification of the hazardous material or hazardous waste last held in the tank supported by: 1. A statement signed by the tank operator certifying the identity of the material or waste

last stored or accumulated in the tank; or 2. If residuals remain in the tank in sufficient quantity to be collected and analyzed, a chemical analysis of the residual in the tank;

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If residuals remain in the tank in sufficient quantity to be collected and analyzed, a chemical analysis of the residual in the tank;

(E)

The name and credentials of the individual who will provide certification pursuant to subsection (f), when applicable; and

(F)

The intended disposition and destination of the tank system.

(b)

Except as provided in subsection (c), any of the following procedures may be used for the onsite cleaning and closure of a tank system:(1) American Petroleum Institute, Recommended Practice for the Closure of Underground Petroleum Storage Tanks, API Publication 1604, Third Edition, American Petroleum Institute, 1220 L Street, N.W., Washington, DC 20005, March 1996; (2) American Petroleum Institute, Safe Entry and Cleaning of Petroleum Storage Tanks, API Publication 2015, American Petroleum Institute, 1220 L Street, N.W., Washington, DC 20005, May 1994; (3) National Fire Protection Association, Standard Procedures for Cleaning or Safeguarding Small Tanks and Containers Without Entry, NFPA 327, 1993 Edition; (4) Procedures approved by the CUPA, authorized agency or LIA.

(1)

American Petroleum Institute, Recommended Practice for the Closure of Underground

Petroleum Storage Tanks, API Publication 1604, Third Edition, American Petroleum Institute, 1220 L Street, N.W., Washington, DC 20005, March 1996;

(2)

American Petroleum Institute, Safe Entry and Cleaning of Petroleum Storage Tanks, API Publication 2015, American Petroleum Institute, 1220 L Street, N.W., Washington, DC 20005, May 1994;

(3)

National Fire Protection Association, Standard Procedures for Cleaning or Safeguarding Small Tanks and Containers Without Entry, NFPA 327, 1993 Edition;

(4)

Procedures approved by the CUPA, authorized agency or LIA.

(c)

Non-sparking, cold-cutting tools or a non-sparking cold-cutting process shall be used if the tank held a flammable or combustible material, and the tank, piping and/or appurtenances are to be cut onsite, unless an alternate method is approved by the CUPA, authorized agency or LIA.

(d)

All sludge, scale, debris, residue, and rinseate generated during the tank closure process shall be managed in accordance with all applicable requirements of this division.

(e)

At the completion of the cleaning process the tank system shall meet all of the following: (1) All piping and appurtenances shall be free of product, sludge, rinseate and debris to the extent that no material can be poured or drained from them when held in any orientation (e.g., tilted, inverted, etc). (2) The tank, upon inspection, shall be visually free of product, sludge, scale (thin, flaky residual of

tank contents), rinseate and debris, except that residual staining caused by soil and waste consisting of light shadows, slight streaks, or minor discolorations, and soil and waste in cracks, crevices, and pits may be present.(A) The inspection to verify that the requirements of subsection (e)(2) are met shall be conducted 1. through an existing manhole in the tank or one newly installed in the tank, or through holes cut into the tank wall in accordance with the requirements of this section so as to allow for visual inspection of the entire tank interior, without the need to enter the tank physically or 2. if the tank is not cut, following cleaning, by using a light with an internal inspection lamp approved for Class I, Division I locations, a mirror to reflect light into the container, or other appropriate device upon approval of the CUPA, authorized agency or LIA. (B) If the tank held a hazardous material or hazardous waste that had the potential to generate flammable vapors, and the tank was cut onsite, a combustible gas indicator (CGI) which is properly calibrated shall be used to measure the concentration of flammable vapor at the top, center and bottom of the cut tank. The concentration of flammable vapor shall be zero percent of the Lower Explosive Limit (LEL) for the material that was contained in the tank; and the oxygen concentration shall be the same as that of the ambient air, approximately 20.8%; (C) If the tank held a hazardous material or hazardous waste that had the potential to generate flammable vapors, is intended to be transported, and was not cut onsite, the tank shall be cleaned and inerted using one of the methods listed in subsection (b), inspected pursuant to subsection (e)(2)(A)2 and transported in accordance with the provisions of section 67383.5. (The tank shall be inspected to ensure that it meets the conditions of paragraph (2) of this subsection before it is inerted.) (D) If a tank has been cut onsite, but it is not to be transported offsite or closed in place, it shall be cleaned using one of the methods specified in subsection (b) and inspected pursuant to subsection

(e)(2)(A)1.

(1)

All piping and appurtenances shall be free of product, sludge, rinseate and debris to the extent that no material can be poured or drained from them when held in any orientation (e.g., tilted, inverted, etc).

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The tank, upon inspection, shall be visually free of product, sludge, scale (thin, flaky residual of tank contents), rinseate and debris, except that residual staining caused by soil and waste consisting of light shadows, slight streaks, or minor discolorations, and soil and waste in cracks, crevices, and pits may be present.(A) The inspection to verify that the requirements of subsection (e)(2) are met shall be conducted 1. through an existing manhole in the tank or one newly installed in the tank, or through holes cut into the tank wall in accordance with the requirements of this section so as to allow for visual inspection of the entire tank interior, without the need to enter the tank physically or 2. if the tank is not cut, following cleaning, by using a light with an internal inspection lamp approved for Class I, Division I locations, a mirror to reflect light into the container, or other appropriate device upon approval of the CUPA, authorized agency or LIA. (B) If the tank held a hazardous material or hazardous waste that had the potential to generate flammable vapors, and the tank was cut onsite, a combustible gas indicator (CGI) which is properly calibrated shall be used to measure the concentration of flammable vapor at the top, center and bottom of the cut tank. The concentration of flammable vapor shall be zero percent of the Lower Explosive Limit (LEL) for the material that was contained in the tank; and the oxygen concentration shall be the same as that of the ambient air, approximately 20.8%; (C) If the tank held a hazardous material or hazardous waste that had the potential to generate flammable vapors, is intended to be transported, and was not cut onsite, the tank shall be cleaned and inerted using one of the methods listed in

subsection (b), inspected pursuant to subsection (e)(2)(A)2 and transported in accordance with the provisions of section 67383.5. (The tank shall be inspected to ensure that it meets the conditions of paragraph (2) of this subsection before it is inerted.) (D) If a tank has been cut onsite, but it is not to be transported offsite or closed in place, it shall be cleaned using one of the methods specified in subsection (b) and inspected pursuant to subsection (e)(2)(A)1.

(A)

The inspection to verify that the requirements of subsection (e)(2) are met shall be conducted 1. through an existing manhole in the tank or one newly installed in the tank, or through holes cut into the tank wall in accordance with the requirements of this section so as to allow for visual inspection of the entire tank interior, without the need to enter the tank physically or 2. if the tank is not cut, following cleaning, by using a light with an internal inspection lamp approved for Class I, Division I locations, a mirror to reflect light into the container, or other appropriate device upon approval of the CUPA, authorized agency or LIA.

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if the tank is not cut, following cleaning, by using a light with an internal inspection lamp approved for Class I, Division I locations, a mirror to reflect light into the container, or other appropriate device upon approval of the CUPA, authorized agency or LIA.

(B)

If the tank held a hazardous material or hazardous waste that had the potential to generate flammable vapors, and the tank was cut onsite, a combustible gas indicator (CGI) which is properly calibrated shall be used to measure the concentration of flammable vapor at the top,

center and bottom of the cut tank. The concentration of flammable vapor shall be zero percent of the Lower Explosive Limit (LEL) for the material that was contained in the tank; and the oxygen concentration shall be the same as that of the ambient air, approximately 20.8%;

(C)

If the tank held a hazardous material or hazardous waste that had the potential to generate flammable vapors, is intended to be transported, and was not cut onsite, the tank shall be cleaned and inerted using one of the methods listed in subsection (b), inspected pursuant to subsection (e)(2)(A)2 and transported in accordance with the provisions of section 67383.5. (The tank shall be inspected to ensure that it meets the conditions of paragraph (2) of this subsection before it is inerted.)

(D)

If a tank has been cut onsite, but it is not to be transported offsite or closed in place, it shall be cleaned using one of the methods specified in subsection (b) and inspected pursuant to subsection (e)(2)(A)1.

(f)

The cleaned tank system shall be certified as meeting the standards of paragraphs (e)(1) and (2) of this section by the CUPA, authorized agency or LIA, or one of the following professionals: (1) industrial hygienist certified in California; (2) safety professional certified in California; (3) marine chemist certified in California; (4) environmental health specialist registered in California; (5) professional engineer registered in California; or (6) environmental assessor; or (7) a contractor properly licensed by the Contractor's State License Board (CSLB) to contract for the removal of underground storage tanks and who holds a Hazardous Substance Removal Certification issued by the CSLB.

(1)

industrial hygienist certified in California;

(2)

safety professional certified in California;

(3)

marine chemist certified in California;

(4)

environmental health specialist registered in California;

(5)

professional engineer registered in California; or

(6)

environmental assessor; or

(7)

a contractor properly licensed by the Contractor's State License Board (CSLB) to contract for the removal of underground storage tanks and who holds a Hazardous Substance Removal Certification issued by the CSLB.

(g)

The certificate issued pursuant to subsection (f) of this section shall be submitted on the Hazardous Waste Tank Closure Certification page of the Unified Program Consolidated Form (x/99)), Appendix E of Title 27 CCR, or an alternative version or a computer generated facsimile as allowed pursuant to Title 27, CCR, Sections 15610 and 15620. The submittal must include the Business Activities Page, and the Business Owner/Operator pages of the Unified Program Consolidated Form (x/99)). The certificate shall include the following: (1) the tank owner's name and address; (2) the address of tank closure site; (3) the tank's State identification number, if applicable; (4) the statement that the tank is visually free of product, sludge, scale, rinseate and debris; (5) if applicable, the tank's interior atmosphere readings for concentrations of flammable vapor and oxygen; (6) the name, professional

classification, registration or certification number if applicable, signature, address and phone number of the certifying person; and (7) the date and time of certification.

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(5)

if applicable, the tank's interior atmosphere readings for concentrations of flammable vapor and oxygen;

(6)

the name, professional classification, registration or certification number if applicable, signature, address and phone number of the certifying person; and

(7)

the date and time of certification.

(h)

Copies of the certificate shall be provided to the following: (1) CUPA, authorized agency or LIA; (2) owner and/or operator of the tank system; (3) the contractor responsible for the removal of the tank system; and (4) the recycling or disposal facility to which the tank is transported.

(1)

CUPA, authorized agency or LIA;

(2)

owner and/or operator of the tank system;

(3)

the contractor responsible for the removal of the tank system; and

(4)

the recycling or disposal facility to which the tank is transported.

(i)

A copy of the certificate shall accompany the tank to the recycling/disposal facility.

(j)

A person who treats a tank by employing physical methods to satisfy the standard in subsection (e)(2) is authorized to perform such treatment for purposes of Health and Safety Code Section 25201.