**CHAPTER 62-761**

# **UNDERGROUND STORAGE TANK SYSTEMS**

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**62-761.200 Definitions.**

All words and phrases defined in Section 376.301, F.S., shall have the same meaning when used in this chapter unless specifically stated otherwise in this chapter. See Section 376.301, F.S., for definitions of the following terms: “Contaminant,” “Department,” “Discharge,” “Facility,” “Flow-through process tank,” “Hazardous substances,” “Operator,” “Owner,” “Petroleum,” “Petroleum product,” and “Pollutants.” The following words and phrases used in this chapter shall, unless the context clearly indicates otherwise, have the following meaning:

(1) through (16) No change.

(17) “Day tank” means storage tank connected to a regulated tank by way of integral piping that contains the amount of fuel commonly used in a 24-hour period.

(17) through (62) renumbered (18) through (63) No change.

*Rulemaking Authority 376.303 FS. Law Implemented 376.301, 376.303, 489.133 FS. History–New 12-10-90, Amended 5-4-92, 3-8-94, Formerly 17-761.200, Amended 9-30-96, 7-13-98, 6-21-04, 1-11-17, 10-13-19, .*

**62-761.210 Reference Guidelines.**

(1) Reference guidelines listed in paragraphs 62-761.210(2)(a) through (n), F.A.C., are available for inspection during business hours at the Department of Environmental Protection’s Tallahassee Office located at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, and directly from the source. Secondary references found within the following primary reference guidelines that have insufficient information to obtain those references can be obtained as provided in the document titled *Appendix A – Secondary References*, July 2019, hereby adopted and incorporated by reference, located here: <App A LINK> [~~http://www.flrules.org/Gateway/reference.asp?No=Ref-10946~~](http://www.flrules.org/Gateway/reference.asp?No=Ref-10946), or the Department address listed above. All other secondary references can be obtained through the following reference guidelines.

(2) No change.

(a) No change.

(b) American Petroleum Institute (API). Copies of the following documents are available at the Department address listed in subsection 62-761.210(1), F.A.C., or from the publisher at API, 1220 L Street, N.W., Washington, D.C. 20005, (202)682-8000, or the publisher’s website at http://www.api.org/:

1. *Closure of Underground Petroleum Storage Tanks*, API Recommended Practice 1604, ~~(R2010)~~, 4th ~~3rd~~ Edition, February 2021 ~~March 1996~~,

2. *Installation of Underground Hazardous Substances or Petroleum Storage Systems*, API Recommended Practice 1615, (R2020), 6th Edition, April 2011,

3. No change.

4. *Using the API Color-Symbol System to Identify ~~Mark~~ Equipment, ~~and~~ Vehicles, and Transfer Points for Petroleum Fuels and Related Products at ~~Identification at Gasoline~~ Dispensing and Storage Facilities and Distribution Terminals*, API Recommended Practice 1637 ~~(R2012)~~, 4th ~~3rd~~ Edition, April 2020 ~~July 2006~~. Secondary references to this guideline can be found here: <App A LINK> [~~http://www.flrules.org/Gateway/reference.asp?No=Ref-10946~~](http://www.flrules.org/Gateway/reference.asp?No=Ref-10946), or the Department address listed in subsection 62-761.210(1), F.A.C.

 (c) ASME International (founded as the American Society of Mechanical Engineers). A copy of the following document is available at the Department address listed in subsection 62-761.210(1), F.A.C., or from the publisher at ASME International, 22 Law Drive, Box 2900, Fairfield, New Jersey 07007-2900, (800)843-2763, or the publisher’s website at http://www.asme.org/: *Process Piping*, ASME B31.3, 2020 ~~2016~~ Edition.

(d) through (e) No change.

(f) NACE International. Copies of the following documents are available at the Department address listed in subsection 62-761.210(1), F.A.C., or from the publisher at NACE International, 1440 South Creek Drive, Houston, Texas 77084-4906, (800)797-6223, or the publisher’s website at http://www.nace.org/:

1. No change

2. *External Corrosion Control of Underground Storage Tank Systems by Cathodic Protection*, NACE Standard SP0285-2021 ~~2011~~, 2021 ~~(formerly RP0285), 2011~~ Edition.

(g) National Fire Protection Association (NFPA). Copies of the following documents are available at the Department address listed in subsection 62-761.210(1), F.A.C., or from the publisher at NFPA, 1 Batterymarch Park, Quincy, Massachusetts 02169-7471, (800)344-3555, or at the publisher’s website at www.nfpa.org/:

1. *Flammable and Combustible Liquids Code*, NFPA 30, 2021 ~~2018~~ Edition;

2. *Temporarily Out of Service, Closure in Place, or Closure by Removal of Underground Storage Tanks*, NFPA 30 (Annex C), 2021 ~~2018~~ Edition; and,

3. *Motor Fuel Dispensing Facilities and Repair Garages*, NFPA 30A, 2021 ~~2018~~ Edition.

(h) through (i) No change.

(j) Petroleum Equipment Institute (PEI). Copies of the following documents are available at the Department address listed in subsection 62-761.210(1), F.A.C., or from the publisher at PEI, Post Office Box 2380, Tulsa, Oklahoma 74101-2380, (918)494-9696, or the publisher’s website at www.pei.org/:

1. *Recommended Practices for Installation of Underground Liquid Storage Systems*, PEI/RP100-20 ~~17~~, 2020 ~~2017~~ Edition; and,

2. *Recommended Practices for the Testing and Verification of Spill, Overfill, Leak Detection and Secondary Containment Equipment at UST Facilities*, PEI/RP1200-19 ~~17~~, 2019 ~~2017~~ Edition.

(k) No change.

(l) Steel Tank Institute (STI). Copies of the following documents are available at the Department address listed in subsection 62-761.210(1), F.A.C., or from the publisher at STI, 944 Donata Court, Lake Zurich, Illinois 60047, (847) 438-8265, or from the publisher’s website at https://www.steeltank.com/:

1. *sti-P3® Specification and Manual for External Corrosion Protection of Underground Steel Storage Tanks*, sti-P3®, Revised May 2018. Secondary references to this guideline can be found here: < App A LINK > [~~http://www.flrules.org/Gateway/reference.asp?No=Ref-10946~~](http://www.flrules.org/Gateway/reference.asp?No=Ref-10946), or the Department address listed in subsection 62-761.210(1), F.A.C.,

2. *Specification for External Corrosion Protection of FRP Composite Steel USTs – ACT-100®*, STI F894, Revised May 2018. Secondary references to this guideline can be found here: < App A LINK > [~~http://www.flrules.org/Gateway/reference.asp?No=Ref-10946~~](http://www.flrules.org/Gateway/reference.asp?No=Ref-10946), or the Department address listed in subsection 62-761.210(1), F.A.C.,

3. through 5. No change.

(m) Underwriters’ Laboratories Standards (UL). Copies of the following documents are available at the Department address listed in subsection 62-761.210(1), F.A.C., or from the publisher at UL, 333 Pfingsten Road, Northbrook, Illinois 60062-2096, (847)272-8800, or from the publisher’s website at www.ul.com/:

1. *Steel Underground Tanks for Flammable and Combustible Liquids*, UL 58, July 1998, Revised January 2018, 10th Edition. Secondary references to this guideline can be found here: < App A LINK > [~~http://www.flrules.org/Gateway/reference.asp?No=Ref-10946~~](http://www.flrules.org/Gateway/reference.asp?No=Ref-10946), or the Department address listed in subsection 62-761.210(1), F.A.C.,

2. *Non~~-~~metallic Underground Piping for Flammable Liquids*, UL 971, May 2021, 2nd ~~October 1995, Revised March 2006, 1st~~ Edition. Secondary references to this guideline can be found here: < App A LINK > [~~http://www.flrules.org/Gateway/reference.asp?No=Ref-10946~~](http://www.flrules.org/Gateway/reference.asp?No=Ref-10946), or the Department address listed in subsection 62-761.210(1), F.A.C.,

3. *Standard for Fibre Reinforced Underground Tanks for Flammable and Combustible Liquids (formerly* *Glass-Fiber-Reinforced Plastic Underground Storage Tanks for Petroleum Products, Alcohols, and Alcohol-Gasoline Mixtures)*, UL/ULC 1316, January 1994, Revised November 2018, 3rd Edition. Secondary references to this guideline can be found here: < App A LINK > [~~http://www.flrules.org/Gateway/reference.asp?No=Ref-10946~~](http://www.flrules.org/Gateway/reference.asp?No=Ref-10946), or the Department address listed in subsection 62-761.210(1), F.A.C.,

4. *External Corrosion Protection Systems for Steel Underground Storage Tanks,* UL 1746, January 2007, Revised December 2014, 3rd Edition. Secondary references to this guideline can be found here: < App A LINK > [~~http://www.flrules.org/Gateway/reference.asp?No=Ref-10946~~](http://www.flrules.org/Gateway/reference.asp?No=Ref-10946), or the Department address listed in subsection 62-761.210(1), F.A.C.; and,

5. *~~Outline of Investigation for~~ Underground Fuel Tank Internal Retrofit Systems,* UL 1856, June 2020 ~~2013~~, 2nd ~~1st~~ Edition. Secondary references to this guideline can be found here: < App A LINK ~~>~~ [~~http://www.flrules.org/Gateway/reference.asp?No=Ref-10946~~](http://www.flrules.org/Gateway/reference.asp?No=Ref-10946), or the Department address listed in subsection 62-761.210(1), F.A.C.

(n) United States Government Printing Office, Federal Digital System, Code of Federal Regulations, Electronic Code of Federal Regulations. Copies of the following documents are available at U.S. Government Printing Office, 732 North Capitol Street, NW, Washington, DC 20401-0001, (202)512-1800, or from the publisher’s website at https://www.ecfr.gov/cgi-bin/ECFR?page=browse ~~http://www.ecfr.gov/cgi-bin/ECFR?SID=dbbcbc9f2acd236910a67035e0e599bd&page=browse~~:

1. *Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks (UST),* 40 CFR Part 280, July 15, 2015; published by Government Printing Office, Code of Federal Regulations, 732 North Capitol Street, N.W., Washington, DC 20401-0001, or <http://www.flrules.org/Gateway/reference.asp?No=Ref-07664>, or https://www.ecfr.gov/current/title-40/chapter-I/subchapter-I/part-280?toc=1 ~~https://www.ecfr.gov/cgi-bin/text-idx?SID=fc39ac52f9d11adfefd71beee374f05d&pitd=20150715&node=pt40.27.280&rgn=div5~~; and,

2. *Designation of Hazardous Substances* 40 CFR Section 302.4, July 2004 Edition ~~August 1989~~, published by Government Printing Office, Code of Federal Regulations, 732 North Capitol Street, N.W., Washington, DC 20401-0001, or <302.4 LINK> [~~http://www.flrules.org/Gateway/reference.asp?No=Ref-07663~~](http://www.flrules.org/Gateway/reference.asp?No=Ref-07663), or https://www.ecfr.gov/current/title-40/chapter-I/subchapter-J/part-302/section-302.4 ~~http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title40/40cfr302\_main\_02.tpl~~.

(3) No change.

*Rulemaking Authority 376.303 FS. Law Implemented 376.303 FS. History–New 12-10-90, Formerly 17-761.210, Amended 7-13-98, 6-21-04, 1-11-17, 10-13-19, .***Editorial Note:** Portions of this rule were relocated to Rule 62-761.420, F.A.C., on 1-11-2017.

**62-761.300 Applicability.**

(1) No change.

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

(a) through (h) No change.

(i) Any storage tank system that:

1. Contains a regulated substance at a concentration of less than two percent for pollutants and below the reportable quantities for hazardous substances under *Designation of Hazardous Substances* 40 CFR Section 302.4, July 2004 ~~August 1989~~*,* hereby adopted and incorporated by reference, and available from publisher at the Government Printing Office, Code of Federal Regulations, 732 North Capitol Street, N.W., Washington, DC 20401-0001, or <302.4 LINK> [~~http://www.flrules.org/Gateway/reference.asp?No=Ref-07663~~](http://www.flrules.org/Gateway/reference.asp?No=Ref-07663), or https://www.ecfr.gov/current/title-40/chapter-I/subchapter-J/part-302/section-302.4, or the Department address located in subsection 62-761.210(1), F.A.C.; and,

2. No change.

(j) through (l) No change.

(m) Any residential storage tank system used solely for residential purposes. However, under *Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks (UST)*, 40 CFR Part 280, July 15, 2015, residential tanks greater than 1,100 gallons containing motor fuels are subject to federal underground storage tank rules. This document is hereby adopted and incorporated by reference and available from the publisher at the Government Printing Office, Code of Federal Regulations, 732 North Capitol Street, NW, Washington, DC 20401-0001, or <http://www.flrules.org/Gateway/reference.asp?No=Ref-07664>, or https://www.ecfr.gov/current/title-40/chapter-I/subchapter-I/part-280?toc=1, ~~https://www.ecfr.gov/cgi-bin/text-idx?SID=fc39ac52f9d11adfefd71beee374f05d&pitd=20150715&node=pt40.27.280&rgn=div5,~~ or the Department address located in subsection 62-761.210(1), F.A.C.;

(n) No change.

(o) Day tanks with a capacity less than or equal to 110 gallons or a~~A~~ny flow-through process tank ~~or underground day tank system less than or equal to 110 gallons~~ ~~or aboveground day tank system less than or equal to 550 gallons in capacity~~. 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. Piping used to return unused regulated substances from the process production, or manufacturing point of use back to the storage tank system is considered part of this exemption. Day tanks with capacities greater than 110 gallons are not exempt and shall be in compliance with this chapter no later than [*12 months from effective date of rule*];

(p) through (u) No change.

(v) Any rail or tanker truck loading or unloading operations (loading racks) specified in Chapter 28 of *Flammable and Combustible Liquids Code*, *Bulk Loading and Unloading Facilities for Tank Cars and Tank Vehicles,* NFPA 30, 2021 ~~2018~~ Edition, hereby adopted and incorporated by reference and available from the publisher at NFPA, 1 Batterymarch Park, Quincy, Massachusetts 02169-7471, (800)344-3555, or at the publisher’s website at www.nfpa.org/, or the Department address located in subsection 62-761.210(1), F.A.C

*Rulemaking Authority 376.303 FS. Law Implemented 376.303 FS. History–New 12-10-90, Formerly 17-761.300, Amended 7-13-98, 6-21-04, 1-11-17, 7-9-19, .*

**62-761.400 Facility Registration.**

(1) No change.

(2) For change in service status or closure pursuant to Rule 62-761.800, F.A.C.:

(a) A completed Registration Form shall be submitted to the Department in paper or electronic format within 10 days after completion of the change in service status or closure pursuant to subparagraph 62-761.800(2)(b)6., F.A.C.

(b) No change.

(3) A completed Registration Form shall be submitted to the Department in paper or electronic format within 10 days of the following changes or discovery:

(a) Any change in the account owner, defined as the party responsible for payment of registration fees at the facility location, owner or operator of a facility or of a storage tank system.

(b) through (c) No change.

(4) Registration fees.

(a) Registration fees are due from the account owner ~~tank or facility owner or operator, as indicated in this subsection,~~ for all storage tank systems required to be registered. Registration fees for storage tank systems that have been properly closed in accordance with subsection 62-761.800(2), F.A.C., will no longer be due once any outstanding fees have been paid.

(b) through (c) No change.

(d) For new account owners of currently registered storage tank systems, a fee of $25.00 per tank shall be paid to the Department within 30 days of receipt of an invoice from the Department.

(e)~~(d)~~ No change.

(f)~~(e)~~ Late fees. Any payment made more than 30 days after the date it is due is delinquent and the registrant must pay an additional fee of $20.00 for each tank for which the payment is overdue. ~~A late fee of $20.00 per tank shall be paid to the Department for any renewal that is received after July 31.~~

(g)~~(f)~~ No change.

(5) through (7) No change.

*Rulemaking Authority 376.303 FS. Law Implemented 376.303, 376.3077, 489.133 FS. History–New 12-10-90, Formerly 17-761.400, Amended 9-30-96, 7-13-98, 6-21-04, 8-7-14, 1-11-17, 7-9-19, .*

***Editorial Note:*** *Portions of this rule were relocated to Rule 62-761.420, F.A.C., on 1-11-2017.*

 **62-761.420** **Financial Responsibility.**

(1) thought (2) No change.

(3) The demonstration of financial responsibility for storage tank systems shall be made in accordance with reference guideline *Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks (UST), Financial Responsibility,* 40 CFR Part 280, Subpart H, Financial Responsibility, July 15, 2015, incorporated by reference in paragraph 62-761.300(2)(m), F.A.C., and obtained in paragraph 62-761.210(2)(n), F.A.C. However, Department Form 62-761.900(3), effective date, [FR FORM DATE] ~~October 2019~~, Financial Mechanisms for Storage Tanks, hereby adopted and incorporated by reference, and available in Rule 62-761.900, F.A.C., or <FORM LINK> [~~http://www.flrules.org/Gateway/reference.asp?No=Ref-11120~~](http://www.flrules.org/Gateway/reference.asp?No=Ref-11120), or the Department’s website at https://floridadep.gov/waste/permitting-compliance-assistance/content/storage-tank-system-rules-forms-and-reference, shall be used in lieu of the United States Environmental Protection Agency’s financial wording.

(4) through (8) No change.

*Rulemaking Authority 376.303 FS. Law Implemented 376.303, 376.308, 376.309, 403.091, 403.141, 403.161 FS. History–New 1-11-17, Amended 10-13-19, .***Editorial Note:** Portions of this rule were copied from Rule 62-761.400, F.A.C., on 1-11-2017.

**62-761.500** **Storage Tank System Requirements.**

(1) General requirements.

(a) No change.

(b) Secondary containment.

1. through 3. No change.

4. If factory-made single-walled spill containment systems or single-walled sumps are installed on the system, a containment integrity test shall be performed before the component is placed into service in accordance with the manufacturer’s testing requirements. For system components without manufacturer containment integrity testing specifications, PEI/RP1200-19 ~~17~~, 2019 ~~2017~~ Edition shall be used. PEI RP1200-19 ~~17~~ is the *Recommended Practices for the Testing and Verification of Spill, Overfill, Leak Detection and Secondary Containment Equipment at UST Facilities,* hereby adopted and incorporated by reference, and available at the Department address located in subsection 62-761.210(1), F.A.C., or the publisher at PEI, Post Office Box 2380, Tulsa, Oklahoma 74101-2380, (918)494-9696, or the publisher’s website at www.pei.org/. For field-fabricated components the tests shall be at least for 24 hours in accordance with manufacturer’s requirements.

5. An interstitial integrity test shall be performed on the storage tank after it is delivered and installed at the facility and before the storage tank is placed into service. This test shall be performed in accordance with manufacturer’s requirements. For storage tanks without manufacturer’s interstitial integrity testing specifications, PEI/RP100-20 ~~17~~, 2020 ~~2017~~ Edition shall be used. PEI/RP100-20 ~~17~~ is hereby adopted and incorporated by reference, and available at the Department address located in subsection 62-761.210(1), F.A.C., or the publisher at PEI, Post Office Box 2380, Tulsa, Oklahoma 74101-2380, (918)494-9696, or the publisher’s website at www.pei.org/: *Recommended Practices for Installation of Underground Liquid Storage Systems*, PEI/RP100-20 ~~17~~, 2020 ~~2017~~ Edition; and PEI/RP1200-19 ~~17~~, 2019 ~~2017~~ Edition.

6. An interstitial integrity test shall be performed on integral piping in accordance with PEI/RP100-20 ~~17~~, 2020 ~~2017~~ Edition, and PEI/RP1200-19 ~~17~~, 2019 ~~2017~~ Edition, before the integral piping is placed into service.

7. If double-walled spill containment systems or double-walled sumps are installed on the system, an interstitial integrity test shall be performed in accordance with the manufacturer’s testing requirements. For system components without manufacturer interstitial integrity testing specifications, PEI/RP1200-19 ~~17~~, 2019 ~~2017~~ Edition shall be used before the component is placed into service.

(c) No change.

(d) through (e) No change.

(f) All storage tank systems shall be installed in accordance with the following reference guidelines, hereby adopted and incorporated by reference, and available from the Department’s address given in subsection 62-761.210(1), F.A.C.:

1. *Installation of Underground Hazardous Substances or Petroleum Storage Systems*, API Recommended Practice 1615, (R2020), 6th Edition, April 2011. To obtain this reference from the publisher, see paragraph 62-761.210(2)(b), F.A.C.;

2. *Flammable and Combustible Liquids Code*, *Storage of Liquids in Tanks – Underground Tanks*, Chapter 23 of NFPA 30, 2021 ~~2018~~ Edition, incorporated by reference in paragraph 62-761.300(2)(v), F.A.C. To obtain this reference from the publisher, see paragraph 62-761.210(2)(g), F.A.C.;

3. *Motor Fuel Dispensing Facilities and Repair Garages*, NFPA 30A, 2021 ~~2018~~ Edition. To obtain this reference from the publisher, see paragraph 62-761.210(2)(g), F.A.C.;

4. *Process Piping*, ASME B31.3, 2020 ~~2016~~ Edition. To obtain this reference from the publisher, see paragraph 62-761.210(2)(c), F.A.C.; and

5. *Recommended Practices for Installation of Underground Liquid Storage Systems*, PEI/RP100-20 ~~17~~, 2020 ~~2017~~ Edition. To obtain this reference from the publisher, see paragraph 62-761.210(2)(j), F.A.C.

(g) Storage tanks with field-fabricated internal secondary containment shall be installed in accordance with the following manufacturer’s specifications, hereby adopted and incorporated by reference, and available from the Department address in subsection 62-761.210(1), F.A.C.:

1. *~~Outline of Investigation for~~ Underground Fuel Tank Internal Retrofit Systems*, UL 1856, June 2020 ~~June 2013~~, 2nd ~~1st~~ Edition. To obtain this reference from the publisher, see paragraph 62-761.210(2)(m), F.A.C.; and,

2. No change.

(h) through (i) No change.

(2) Storage tank installation.

(a) through (b) No change.

(c) Cathodically protected double-walled steel tanks shall be registered in accordance with subsection 62-761.850(2), F.A.C., and shall be:

1. through 3. No change.

4. Certified by a Nationally Recognized Testing Laboratory for any field-installed cathodic protection system, that these requirements are met, constructed, and designed by a Corrosion Professional in accordance with the following document: *External Corrosion Control of Underground Storage Tank Systems by Cathodic Protection*, NACE Standard SP0285-2021 ~~2011~~, 2021 ~~(formerly RP0285), 2011~~ Edition, hereby adopted and incorporated by reference, and is available from the publisher at NACE International, 1440 South Creek Drive, Houston, Texas 77084-4906, (800)797-6223, or the publisher’s website at http://www.nace.org/, or the Department address listed in subsection 62-761.210(1), F.A.C.

(3) Integral piping.

(a) through (c) No change.

(d) Construction requirements.

1. Fiberglass reinforced plastic integral piping or other non-metallic double-walled integral piping installed in contact with the soil at a facility shall meet the requirements of *Non~~-~~metallic Underground Piping for Flammable Liquids*, UL 971, May 2021, 2nd ~~October 1995, Revised March 2006, 1st~~ Edition, or shall be certified by a Nationally Recognized Testing Laboratory that these requirements are met, and registered in accordance with subsection 62-761.850(2), F.A.C. UL 971, May 2021, 2nd ~~October 1995, Revised March 2006~~, is hereby adopted and incorporated by reference, and is available from the publisher at UL, 333 Pfingsten Road, Northbrook, Illinois 60062-2096, (847)272-8800, or from the publisher’s website at www.ul.com/, or the Department address listed in subsection 62-761.210(1), F.A.C.

2. Coated steel double-walled integral piping shall be constructed in accordance with ASME B31.3, 2020 ~~2016~~ Edition. In addition, steel integral piping in contact with the soil shall be cathodically protected in accordance with the following documents: *Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems*, API Recommended Practice 1632, (R2010) 3rd Edition, May 1996; *Control of External Corrosion on Underground or Submerged Metallic Piping Systems*, NACE Standard SP0169-2013 (formerly RP0169), 2013 Edition; and *Recommended Practice for Corrosion Protection of Underground Piping Networks Associated with Liquid Storage and Dispensing Systems*, STI R892, Revised January 2006, hereby adopted and incorporated by reference, and available from the Department or individual addresses given in subsections 62-761.210(1) and (2), F.A.C.

3. Metallic double-walled integral piping constructed of nonferrous materials, such as copper, does not require cathodic protection and shall be constructed in accordance with the requirements in Chapter 27 of NFPA 30, 2021 ~~2018~~ Edition, *Flammable and Combustible Liquids Code*, *Piping System*.

4. Metallic single-walled vertical fill piping does not require cathodic protection and shall be constructed in accordance with the requirements in Chapter 27 of NFPA 30, 2021 ~~2018~~ Edition, *Flammable and Combustible Liquids Code*, *Piping Systems*.

5. No change.

(e) No change.

(f) Pressurized integral piping systems connected to dispensers shall be installed with shear valves or emergency shutoff valves in accordance with Section 6.3 of NFPA 30A, 2021 ~~2018~~ Edition, *Motor Fuel Dispensing Facilities and Repair Garages*, *Requirements for Dispensing Devices.* These valves shall be designed to close automatically if a dispenser is displaced from its normal position. The valves shall be rigidly anchored independently of the dispenser. The valves shall be tested in accordance with PEI/RP1200-19 ~~17~~, 2019 ~~2017~~ Edition, at the time of installation by a certified contractor to confirm that the automatic closing function of the valve operates properly and that the valve is properly anchored.

(g) All storage tank systems located at an elevation that produces a gravity head on integral piping positioned below the product level in the storage tank must be installed and maintained with an isolation block valve in accordance with Chapter 22.13 of NFPA 30, 2021 ~~2018~~ Edition, *Flammable and Combustible Liquids Code*, *Tank Openings Other Than Vents*, and located as close as practical to the storage tank, regardless of the date of installation of the storage tank system. In addition, anti-siphon valves shall be installed and maintained in accordance with Section 11.2 of NFPA 30A, 2021 ~~2018~~ Edition, *Motor Fuel Dispensing Facilities and Repair Garages*, *Marine Fueling – Storage*, regardless of the date of installation of the storage tank system.

(h) through (j) No change.

(4) Spill containment systems.

(a) No change.

(b) Fillbox covers.

1. Effective [*12 months from effective date of rule*], fillbox covers, regardless of the date of installation of the storage tank system, shall be marked or the fill connection tagged and facility signage shall be prominently displayed in accordance with the following document, hereby adopted and incorporated by reference: *Using the API Color-Symbol System to Identify Equipment, Vehicles, and Transfer Points for Petroleum Fuels and Related Products at Dispensing and Storage Facilities and Distribution Terminals*, API Recommended Practice 1637, 4th Edition, April 2020. See paragraph 62-761.210(2)(b), F.A.C., for additional information.

2. For aviation facilities, regardless of the date of installation of the storage tank system, fillbox covers shall be marked or the fill connection tagged and facility signage shall be prominently displayed in accordance with the following document, hereby adopted and incorporated by reference *Identification Markings for Dedicated Aviation Fuel Manufacturing and Distribution Facilities, Airport Storage and Mobile Fuelling Equipment*, EI 1542, 9th Edition, July 2012. See paragraph 62-761.210(2)(d), F.A.C., for additional information.

3. An equivalent method may also be approved by the Department using an alternative procedure in accordance with subsection 62-761.850(1), F.A.C.~~, regardless of the date of installation of the storage tank system, shall be marked or the fill connection tagged and facility signage shall be prominently displayed in accordance with the following documents hereby adopted and incorporated by reference:~~ *~~Using the API Color-Symbol System to Mark Equipment and Vehicles for Product Identification at Gasoline Dispensing Facilities and Distribution Terminals,~~* ~~API Recommended Practice 1637, (R2012), 3rd Edition, July 2006, available from the publisher at API, 1220 L Street, N.W. Washington, D.C. 20005, (202)682-8000, or the publisher’s website at http://www.api.org/; or~~ *~~Identification Markings for Dedicated Aviation Fuel Manufacturing and Distribution Facilities, Airport Storage and Mobile Fuelling Equipment~~*~~, EI 1542, 9th Edition, July 2012, available from the publisher at Energy Institute, 62 New Cavendish Street, London W1G 7AR, United Kingdom, +44 (0)20 7467 7100, or the publisher’s website at https://www.energyinst.org/home, or the Department’s address located in subsection 62-761.210(1), F.A.C.; or with an equivalent method approved by the Department in accordance with subsection 62-761.850(1), F.A.C.~~

(c) through (d) No change.

(5) Dispensers and dispenser sumps.

(a) The dispensers used for transferring fuels from storage tanks to vehicles or portable containers shall be installed and maintained in accordance with the provisions of NFPA 30, 2021 ~~2018~~ Edition, incorporated by reference in paragraph 62-761.300(2)(v), F.A.C., and Chapter 6, *Fuel Dispensing Systems*; Chapter 9, *Operational Requirements*; and Chapter 11, *Motor Fuel Dispensing Facilities and Repair Garages*, *Marine Fueling* of NFPA 30A, 2021 ~~2018~~ Edition.

(b) through (c) No change.

(6) No change.

(7) Overfill protection.

(a) No change.

(b) Storage tank systems shall be equipped with an overfill device that meets one of the following:

1. No change.

2. Restricts flow to the storage tank when the storage tank is no more than 90 percent full and does not fill the storage tank beyond 95 percent capacity. Flow restrictors, such as ball float valves, used in vent lines may not be used when overfill protection is installed or replaced after January 11, 2017. Flow restrictors installed before January 11, 2017, may only be used if the storage tank system meets the requirements of Section 7 of PEI/RP100-20 ~~17~~, 2020 ~~2017~~ Edition, *Recommended Practices for Installation of Underground Liquid Storage Systems*, *UST Overfill Equipment Verification, Inspection and Testing*; or,

3. No change.

(c) All overfill protection devices shall be tested for operability at installation and test results shall be maintained and available for inspection by the Department or county in accordance with Rule 62-761.710, F.A.C..

(d)~~(c)~~ No change.

(e)~~(d)~~ An annual operability test shall be performed on the designated primary overfill protection device used to meet the Department’s overfill protection requirement at intervals not exceeding 12 months to ensure proper operation and test results shall be maintained and available for inspection by the Department or county in accordance with Rule 62-761.710, F.A.C.

(e) through (f) renumbered (f) through (g) No change.

*Rulemaking Authority 376.303 FS. Law Implemented 376.303 FS. History–New 12-10-90, Amended 5-4-92, Formerly 17-761.500, Amended 9-30-96, 7-13-98, 6-21-04, 1-11-17, 10-13-19, .*

**62-761.600** **Release Detection Requirements.**

(1) through (2) No change.

(3) Integral piping with secondary containment.

(a) No change.

(b) In addition, pressurized integral piping in contact with the soil shall be equipped with a release detection system that can detect a leak within one hour. One of the following methods shall be used:

1. Mechanical line leak detectors. Mechanical line leak detectors shall be capable of detecting a discharge of 3.0 gallons per hour (gph) with a probability of detection of 0.95 and a probability of false alarm of 0.05 at an equivalent line pressure of 10 pounds per square inch (psi) and restrict flow within one hour. ~~Any instance where the mechanical line leak detector is restricting flow is considered a positive response. The positive response shall be recorded as part of the release detection records and reported and investigated as an incident pursuant to Rule 62-761.430, F.A.C.~~

2. Electronic line leak detectors. Electronic line leak detectors shall 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 an equivalent line pressure of 10 psi and alert the operator by restricting or shutting ~~shut~~ off the flow of regulated substances through piping when a leak is detected ~~power to the pump~~. ~~Any instance where the electronic line leak detector has shut off power to the pump is considered a positive response.~~ ~~The positive response shall be recorded as part of the release detection records and reported and investigated as an incident pursuant to Rule 62-761.430, F.A.C.~~ Monthly release detection printed tapes from automatic tank gauges for electronic line leak detectors are not required to be kept as records to demonstrate compliance, but a positive response from an electronic line leak detector must be recorded and investigated in accordance with Rule 62-761.430, F.A.C.

3. Electronic interstitial monitoring devices. Storage tank systems without line leak detectors, shall have electronic interstitial monitoring devices that are capable of detecting a release of 10 gallons within one hour and shutting off the pump. ~~Any instance where the monitoring device has shut off the pump is considered a positive response. The positive response shall be recorded as part of the release detection records and reported and investigated as an incident pursuant to Rule 62-761.430, F.A.C.~~

4. For emergency generator storage tank systems that are monitored 24-hours per day, if the release detection system detects leaks of 3.0 gph at 10 psi line pressure within one hour, an audible or visual alarm can be triggered to alert the on-site operator.

(4) A positive response is defined as any instance where the release detection system has shut off power to the pump, or restricted the flow, or triggered an audible or visual alarm for pressurized integral piping in contact with the soil. The positive response shall be recorded as part of the release detection records and reported and investigated as an incident pursuant to Rule 62-761.430, F.A.C.

(5)~~(4)~~ No change.

(6)~~(5)~~ Operability test results shall be maintained and available for inspection by the Department or county in accordance with Rule 62-761.710, F.A.C. ~~Records shall be kept for three years in accordance with Rule 62-761.710, F.A.C.~~

*Rulemaking Authority 376.303 FS. Law Implemented 376.303 FS. History–New 12-10-90, Formerly 17-761.600, Amended 7-13-98, 6-21-04, 1-11-17, .*

**62-761.700** **Repairs, Operation and Maintenance.**

(1) No change.

(2) Cathodicprotection.

(a) No change.

(b) Inspection and testing requirements.

1. Storage tank systems equipped with cathodic protection must be inspected, tested, and evaluated by or under the direction of a Corrosion Professional within six months of installation or repair and at least every year, or every three years for factory-installed (galvanic) cathodic protection systems, thereafter in accordance with the criteria contained in NACE International Standards SP0169-2013, incorporated by reference in subparagraph 62-761.500(3)(d)2., F.A.C., and SP0285-2021 ~~2011~~, incorporated by reference in subparagraph 62-761.500(2)(c)4., F.A.C.; or STI R051-17 *Cathodic Protection Testing Procedures for sti-P3® UST’s,* (R051), Revised April 2017, as applicable, regardless of the date of installation of the storage tank system. STI R051-17, Revised April 2017, is hereby adopted and incorporated by reference, and available from the publisher at NACE International, 1440 South Creek Drive, Houston, Texas 77084-4906, (800)797-6223, or the publisher’s website at http://www.nace.org/, or the Department address listed in subsection 62-761.210(1), F.A.C. All cathodic protection systems shall either have permanent test stations for soil-to-structure potential measurements or use temporary field test stations for required testing in accordance with this subparagraph.

2. No change.

(c) through (d) No change.

(3) Operation and maintenance.

(a) Integrity testing.

1. The integrity of secondary containment systems and interstitial spaces, regardless of the date of installation of the storage tank system or storage tank system component, shall be verified by performing an interstitial or containment integrity test in accordance with manufacturer’s specifications. For storage tank systems or system components without manufacturer integrity or containment testing specifications, PEI/RP1200-19 ~~17~~, 2019 ~~2017~~ Edition, incorporated by reference in subparagraph 62-761.500(1)(b)5., F.A.C., shall be used. Secondary containment systems that use vacuum, pressure, or liquid level (hydrostatic) monitoring for release detection are exempt from this requirement. The interstitial or containment integrity tests shall be performed in accordance with the following schedule:

a. through g. No change.

2. No change.

(b) No change.

(c) When a storage tank system is registered out-of-service, the system shall continue to be maintained in accordance with subsection 62-761.800(1), F.A.C.

*Rulemaking Authority 376.303 FS. Law Implemented 376.303, 403.091, 489.133 FS. History–New 3-12-91, Formerly 17-761.700, Amended 9-30-**96, 7-13-98, 6-21-04, 1-11-17, 7-9-19, .*

**62-761.710 Recordkeeping.**

(1) No change.

(2) Records of the following~~, generated on or after January 11, 2017,~~ are required to be kept for three years~~. Records of the following, generated before January 11, 2017, are required to be kept for two years~~:

(a) through (b) No change.

(c) All test data and results gathered during ~~annual~~ operability ~~tests~~ and integrity testing ~~tests~~; and,

(d) No change.

(3) through (5) No change.

*Rulemaking Authority 376.303 FS. Law Implemented 376.303, 403.091 FS. History–New 12-10-90, Formerly 17-761.710, Amended 9-30-96, 7-13-98, Repromulgated 6-21-04, Amended 1-11-17, .*

**62-761.800** **Out-of-Service and Closure Requirements.**

(1) Out-of-service storage tank systems.

(a) No change.

(b) Facility owners and operators of out-of-service storage tank systems shall:

1. through 4. No change.

5. Secure or close off the system to outside access~~; and~~,

6. Register the storage tank system out-of-service in accordance with Rule 62-761.400, F.A.C.; and,

7. Perform a visual inspection annually, not to exceed 12 months, of every component of a storage tank system that contains, transfers, or stores, or is designed to contain, transfer, or store regulated substances, that can be visually inspected. Each annual visual inspection of the storage tank system shall be documented as to its condition pursuant to Rule 62-761.710, F.A.C. Any visual inspection of a storage tank system that reveals uncontrolled pitting corrosion, structural damage, leakage, or other similar problems is considered a positive response. The positive response shall be recorded as part of the release detection records and reported and investigated as an incident pursuant to Rule 62-761.430, F.A.C. If it is determined that a release has occurred while the system is out-of-service; and,

a. The incident investigation reveals a release has led to a discharge while the storage tank system is out-of-service and storing regulated substances at no more than one inch in depth or 0.3 percent by weight of total system capacity, then the response to the discharge shall be in accordance with subsections 62-761.440(6)(a), (b), (e), (f), and (g), F.A.C. Repairs shall be made within 365 days of the discharge discovery in accordance with paragraphs 62-761.700(1)(a), (c), and (d), F.A.C. If the system cannot be repaired within 365 days after the discovery of the discharge, then it shall be permanently closed pursuant to subsection 62-761.800(2), F.A.C.

b. The incident investigation reveals a release has not led to a discharge while the storage tank system is out-of-service, then repairs shall be made in accordance with paragraphs 62-761.700(1)(a), (c), and (d), F.A.C., prior to bringing the storage tank system back into service.

(c) No change.

(d) The following inspections and testing requirements are not required while the storage tank system is properly out-of-service:

1. through 3. No change.

4. Release detection device annual operability testing, containment and interstitial integrity testing, and annual overfill protection device testing; however, all aforementioned testing shall be current ~~up-to-date~~ in accordance with this chapter and indicate proper operation before adding regulated substances to the storage tank system. In addition, storage tank systemsinstalled after January 11, 2017, that have been out-of-service for more than 730 days shall perform interstitial integrity testing of the storage tank and integral piping before adding regulated substances to the storage tank system.

(e) No change.

(2) Closure of storage tank systems.

(a) No change.

(b) Closure of storage tank systems shall be performed by:

1. through 3. No change.

4. Removing and disposing of a storage tank by a Certified Contractor, or in-place closure by filling the storage tank with a solid inert material of sufficient density to prevent a structural collapse of the closed storage tank, which shall be in accordance with the following documents, hereby adopted and incorporated by reference, and available from the addresses given, regardless of the date of installation of the storage tank system: *Closure of Underground Petroleum Storage Tanks*, API Recommended Practice 1604, ~~(R2010)~~ 4th ~~3rd~~ Edition, February 2021 ~~March 1996~~, available at the Department address listed in subsection 62-761.210(1), F.A.C., or from the publisher at API, 1220 L Street, N.W. Washington, DC 20005, (202)682-8000, or the publisher’s website at http://www.api.org/; and *Temporarily Out of Service, Closure in Place, or Closure by Removal of Underground Storage Tanks*, NFPA 30 (Annex C), 2020 ~~2018~~ Edition, available at the Department address listed in subsection 62-761.210(1), F.A.C., or from the publisher at NFPA, 1 Batterymarch Park, Quincy, Massachusetts 02169-7471, (800)344-3555, or at the publisher’s website at www.nfpa.org/. In lieu of in-place closure or removal, a storage tank may be used to store liquids other than regulated substances in accordance with API Recommended Practice 1604, ~~(R2010)~~ 4th ~~3rd~~ Edition, February 2021 ~~March 1996~~. Owners and operators are advised that other federal, state, or local requirements apply that regulate these activities; and,

5. No change.

6. Once a storage tank system has been properly closed pursuant to subsections 62-761.800(2) and (3), F.A.C., and the Closure Report or the Limited Closure Report Form for USTs 62-761.900(8), incorporated by reference in subsection 62-761.420(2), F.A.C., has been submitted to and approved by the county or the Department, the facility owner shall update the facility’s registration status within 10 days to indicate the storage tank system as closed in accordance with subsection 62-761.400(2), F.A.C.

(3) No change.

*Rulemaking Authority 376.303 FS. Law Implemented 376.303, 376.30716 FS. History–New 12-10-90, Formerly 17-761.800, Amended 9-30-96, 7-13-98, 6-21-04, 1-11-17, 10-13-19 .*

**62-761.900** **Storage Tank Forms.**

Storage Tank Forms are listed by form number, subject title, effective date, and include the rule where the form is incorporated by reference. Copies of forms are available by writing to the Division of Waste Management, Florida Department of Environmental Protection, 2600 Blair Stone Road, M.S. 4500, Tallahassee, Florida 32399-2400, or the Department’s website at https://floridadep.gov/waste/permitting-compliance-assistance/content/storage-tank-system-rules-forms-and-reference. For electronic submittal of the Storage Tank Facility Registration Form go to http://www.fldepportal.com/go/submit-registration/, Storage Tank Facility.

(1) Form 62-761.900(1) Discharge Report Form, [Date] ~~January 2017~~, incorporated by reference in subsection 62-761.405(4), F.A.C., and referenced in subsection 62-761.200(22) ~~62-761.200(21)~~, F.A.C., and is also available online here: <900(1) LINK> [~~http://www.flrules.org/Gateway/reference.asp?No=Ref-07652~~](http://www.flrules.org/Gateway/reference.asp?No=Ref-07652).

(2) Form 62-761.900(2) Storage Tank Facility Registration Form, July 2019, incorporated by reference in paragraph 62-761.400(1)(b), F.A.C., and referenced in subsections 62-761.200 (40) and (48) ~~62-761.200(39) and (47)~~, F.A.C., and is also available online here: <http://www.flrules.org/Gateway/reference.asp?No=Ref-10736>.

(3) Form 62-761.900(3) Financial Mechanisms for Storage Tanks, [Date] ~~October 2019~~, incorporated by reference in subsection 62-761.420(3), F.A.C., and is also available online here: <900(3) LINK> [~~http://www.flrules.org/Gateway/reference.asp?No=Ref-11120~~](http://www.flrules.org/Gateway/reference.asp?No=Ref-11120)~~.~~

(4) through (5) No change.

(6) Form 62-761.900(6) Incident Notification Form, January 2017, incorporated by reference in subsection 62-761.405(3), F.A.C., and referenced in subsection 62-761.200(29) ~~62-761.200(28)~~, F.A.C., and is also available online here: <http://www.flrules.org/Gateway/reference.asp?No=Ref-07657>.

(7) No change.

(8) Form 62-761.900(8) Limited Closure Report Form for USTs, October 2019, incorporated by reference in subsection 62-761.420(2), F.A.C. and referenced in subsection 62-761.200(35) ~~62-761.200(34)~~, F.A.C., and is also available online here: <http://www.flrules.org/Gateway/reference.asp?No=Ref-10740>.

(9) No change.

*Rulemaking Authority 376.303 FS. Law Implemented 376.303 FS. History–New 12-10-90, Formerly 17-761.900, Amended 9-30-98, 7-13-98, Repromulgated 6-21-04, Amended 1-11-17, 7-9-19, .*