**CHAPTER 62-762**

**ABOVEGROUND STORAGE TANK SYSTEMS**

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**62-762.201 Definitions.**

All words and phrases defined in Sections 376.031 and 376.301, F.S., shall have the same meaning when used in this chapter unless specifically stated otherwise in this chapter. See Sections 376.031 and 376.301, F.S., for definitions of the following terms: “Bulk product facility,” “Compression vessel,” “Contaminant,” “Contaminated site,” “Department,” “Discharge,” “Facility,” “Flow-through process tank,” “Hazardous substances,” “Operator,” “Owner,” “Petroleum products,” “Pollutants,” “Transfer,” or “transferred,” and “Vessel.” The following words and phrases used in this chapter shall, unless the context indicates otherwise, have the following meaning:

(1) through (7) No change.

(8) “Closure Integrity Evaluation for shop fabricated storage tank systems” is an assessment of shop fabricated storage tank system integrity for storage tanks, integral piping, piping sumps, dispenser sumps, and spill containment systems that are in contact with the soil, that is performed by a third-party inspection or testing entity at closure or replacement. The evaluation is a physical test of interstitial tightness or visual inspection of the interstice of a secondarily contained storage tank system, secondarily contained storage tank system component, or a primary integrity test of a single-walled storage tank, or containment integrity test of a single-walled piping sump, dispenser sump, or spill containment system.

(9) through (10) No change.

(11) “Closure Report” is a report prepared in accordance with *Instructions for Conducting Sampling During Aboveground Storage Tank Closure*, December 2018 Edition.

(12) through (35) No change.

(36) “Industrial occupancy building” is an enclosed structure that contains a storage tank system that is used in association with an industrial or manufacturing process, or for electric power generating utilities, provided that the building was constructed and is used primarily for industrial, manufacturing, or electric power generating purposes, and not solely for the purpose of storing regulated substances. An industrial occupancy building is a structure that has an impervious floor (without valves, drains, or other openings) that prevents regulated substances from being discharged. Industrial occupancy buildings constructed between July 13, 1998, and January 11, 2017,must meet the applicable regulatory requirements in this chapter in effect at that time. Industrial occupancy buildings constructed after January 11, 2017, must:

(a) Be constructed in accordance with *Flammable and Combustible Liquids Code, Storage Tank Buildings*, Chapter 24 of NFPA 30, 2018 ~~2015~~ Edition, hereby adopted and incorporated by reference, and available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at NFPA, 1 Batterymarch Park, Quincy, Massachusetts 02169, (617)770-3000, or at www.nfpa.org/;

(b) Have at least Type II construction in accordance with *Standard on Types of Building Construction*, NFPA 220, 2018 ~~2015~~ Edition, hereby adopted and incorporated by reference, and available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at NFPA, 1 Batterymarch Park, Quincy, Massachusetts 02169, (617)770-3000, or at www.nfpa.org/;

(c) Be ventilated in accordance with *Standard on Explosion Protection by Deflagration Venting*, NFPA 68, 2018 ~~2013~~ Edition;and *Standard on Explosion Prevention Systems*, NFPA 69, 2014 Edition, hereby adopted and incorporated by reference, and available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at NFPA, 1 Batterymarch Park, Quincy, Massachusetts 02169, (617)770-3000, or at www.nfpa.org/; and,

(d) No change.

(37) through (45) No change.

(46) “Mobile tank” is a shop fabricated storage tank that is:

(a) Moved to a different location at least once every 180 days; and,

1. Has a current valid vehicle registration with the Florida Department of Highway Safety and Motor Vehicles and has current test and inspection markings in accordance with 49 CFR ~~C.F.R.~~ §180.415, or

2. No change.

(b) through (c) No change.

(47) through (53) No change.

(54) “Pesticides” means any substance or mixture of substances~~, as defined in Section 487.021, F.S.,~~ intended for preventing, destroying, repelling, or mitigating any insects, rodents, nematodes, fungi, weeds, or other forms of plant or animal life or viruses, except viruses, bacteria, or fungi on or in living humans or other animals, which the Department of Agriculture and Consumer Services by rule declares to be a pest, and any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant; however, the term “pesticide” does not include any article that:

(a) Is a “new animal drug” within the meaning of 21 U.S.C. § 321(v) ~~s. 201(w)~~ of the Federal Food, Drug, and Cosmetic Act;

(b) No change.

(c) Is an animal feed within the meaning of 21 U.S.C. § 321(w) ~~s. 201(x)~~ of the Federal Food, Drug, and Cosmetic Act bearing or containing an article covered in this subsection.

(55) through (56) No change.

(57) “Piping sump” means a storage tank system component installed as secondary containment or a monitoring port at the lowest point in the integral piping to detect releases. Piping sumps do not include impervious pits or trenches which contain integral or bulk product piping so long as such pits or trenches are open on the top or have grating on the top that allow the integral or bulk product piping to be visually inspected*.*

(58) through (66) No change.

(67) “Secondary containment” means a release detection and discharge prevention system that meets the performance requirements of paragraphs 62-762.501(1)(b) and 62-762.502(1)(b), F.A.C., as applicable. Secondary containment includes dispenser sumps, piping sumps, spill containment systems, the outer wall of double-walled tanks, and integral piping, or the liner or impervious containment for single-walled tanks or integral piping. A Release Prevention Barrier, as specified in API Std ~~Standard~~ 650, 12th Edition, March 2013 Annex I, *Welded Tanks for Oil Storage*, *Undertank Leak Detection and Subgrade Protection*, includes Errata 1 (2013), Errata 2 (2014), ~~and~~ Addendum 1 (2014), and Addendum 2 (2016) ~~March 2013~~, hereby adopted and incorporated by reference, and available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at API, 1220 L Street, N.W., Washington, DC 20005, (202)682-8000, or at http://www.api.org/, is considered secondary containment for field-erected storage tank bottoms.

(68) through (74) No change.

(75) “Sump” means a storage tank system component installed as secondary containment to prevent discharges of regulated substances. Sumps include dispenser sumps, piping sumps, spill containment systems and hydrant sumps.

(75) through (77) renumbered (76) through (78) No change.

*Rulemaking Authority 376.303 FS. Law Implemented 376.031, 376.301, 376.303 FS. History–New 6-21-04, Amended 1-11-17, .*

**62-762.211 Reference Guidelines.**

(1) No change.

(2) Titles of documents. References to documents listed in paragraphs 62-762.211(2)(a) through (n), F.A.C., below are made throughout this chapter. Each document or part thereof is adopted and incorporated by reference only to the extent that it is specifically referenced in this chapter. To the extent that the provisions contained in the following reference guidelines conflict with this chapter, the Department’s requirements as stated in this chapter shall control.

(a) No change.

(b) American Petroleum Institute (API). Copies of the following documents are available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at API, 1220 L Street, N.W., Washington, DC 20005, (202)682-8000, or at http://www.api.org/:

1. *Specification for Fiberglass Reinforced Plastic Tanks*, API Spec 12P, 4th~~3rd~~ Edition, February 2016 ~~October 2008~~,

2. *Piping Inspection Code: In-service Inspection, Repair, and Alteration of Piping Systems*, API 570, 4th~~3rd~~ Edition, February 2016 ~~November 2009~~,

3. No change.

4. *Welded Tanks for Oil Storage*, API Std 650, 12th Edition, March 2013. Includes Errata 1 (2013), Errata 2 (2014), and Addendum 1 (2014), and Addendum 2 (2016) ~~March 2013~~,

5.through 6. No change.

7. *Welding of Pipelines and Related Facilities*, API Std 1104, 21st Edition, September 2013. Includes Errata 1 (2013), Errata 2 (2014), Errata 3 (2014), Errata 4 (2015), Errata 5 (2018), and Addendum 1 (2014), Addendum 2 (2016) ~~September 2013~~,

8. No change.

9. *Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems*, API RP 1632, (R2010), 3rd Edition, May 1996~~, (Reaffirmed, June 2002)~~,

10. *Using the API Color-Symbol System to Mark Equipment and Vehicles for Product Identification at Gasoline Dispensing Facilities and Distribution Terminals*, API RP 1637, (R2012), 3rd Edition, July 2006 ~~(Reaffirmed, May 2012)~~. Secondary references to this guideline can be found here: <http://www.flrules.org/Gateway/reference.asp?No=Ref-07688>; and,

11. No change.

(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 62-762.211(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/:

1. *Process Piping*, ASME B31.3, 2016 ~~2014~~ Edition; and,

2. *Pipeline Transportation Systems for Liquids and Slurries*, ASME B31.4, 2016 ~~2012~~ Edition.

(d) No change.

(e) Florida Department of Environmental Protection (DEP). A copy of the following document is available at the Department located at 2600 Blair Stone Road, Tallahassee, Florida 32399, (850)245-8705, or the Department’s website at https://floridadep.gov/waste/permitting-compliance-assistance/content/storage-tank-system-rules-forms-and-reference, or at the following website location: <http://www.flrules.org/Gateway/reference.asp?No=Ref-07699>, *Instructions for Conducting Sampling During Aboveground Storage Tank Closure*, December 2018 ~~April 2016~~ Edition.

(f) Geosynthetic Institute. A copy of the following document is available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at Geosynthetic Institute, 475 Kedron Avenue, Folsom, Pennsylvania 19033-1208, (610)522-8440, or at http://www.geosynthetic-institute.org/. *Test Methods, Test Properties and Testing Frequency for High Density Polyethylene (HDPE) Smooth and Textured Geomembranes*, GRI Test Method GM13, Rev. 13, January 2016 ~~November 2015~~. Secondary references to this guideline can be found here: <http://www.flrules.org/Gateway/reference.asp?No=Ref-07688>.

(g) NACE International. Copies of the following documents are available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at NACE International, 1440 South Creek Drive, Houston, Texas 77084-4906, (800)797-6223, or at http://www.nace.org/:

1. *External Cathodic Protection of On-Grade Carbon Steel Storage Tank Bottoms*, NACE Standard SP0193-2016-SG (formerly RP0193-2001), 2016 ~~2001~~ Edition,

2. through 4. No change.

(h) National Fire Protection Association (NFPA). Copies of the following documents are available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at NFPA, 1 Batterymarch Park, Quincy, Massachusetts 02169, (617)770-3000, or at www.nfpa.org/:

1. *Flammable and Combustible Liquids Code*, NFPA 30, 2018 ~~2015~~ Edition,

2. *Motor Fuel Dispensing Facilities and Repair Garages,* NFPA 30A, 2018 ~~2015~~ Edition,

3. *Standard on Explosion Protection by Deflagration Venting*, NFPA 68, 2018 ~~2013~~ Edition,

4. No change.

5. *Standard on Types of Building Construction*, NFPA 220, 2018 ~~2015~~ Edition.

(i) No change.

(j) Petroleum Equipment Institute (PEI). Copies of the following documents are available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at PEI, Post Office Box 2380, Tulsa, Oklahoma 74101-2380, (918)494-9696, or at www.pei.org/:

1. *Recommended Practices for Installation of Underground Liquid Storage Systems*, PEI/RP100-17 ~~11~~, 2017 ~~2011~~ Edition,

2. No change.

3. *Recommended Practices for the Testing and Verification of Spill, Overfill, Leak Detection and Secondary Containment Equipment at UST Facilities*, PEI/RP1200-17 ~~12~~, 2017 ~~2012~~ Edition.

(k) No change.

(l) Steel Tank Institute (STI). Copies of the following documents are available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at STI, 944 Donata Court, Lake Zurich, IL 60047, (847)438-8265, or at https://www.steeltank.com/:

1. *Flameshield® Standard for Fire Tested Tanks*, STI F001, April 2017 ~~October 2014~~. Secondary references to this guideline can be found here: <http://www.flrules.org/Gateway/reference.asp?No=Ref-07688>,

2*. Generator Base Tanks: Standard for Aboveground Tanks Used as a Generator Base Tank*, STI F011, April 2017 ~~October 2014~~. Secondary references to this guideline can be found here: <http://www.flrules.org/Gateway/reference.asp?No=Ref-07688>,

3. *Standard for Aboveground Tanks with Integral Secondary Containment,* STI F921®, Revised June 2016 ~~October 2014~~,

4. *Fireguard: Specification for Fireguard Protected Aboveground Storage Tanks*, STI F941, June 2016 ~~May 2015~~. Secondary references to this guideline can be found here: <http://www.flrules.org/Gateway/reference.asp?No=Ref-07688>,

5. through 6. No change.

7. *Standard for the Inspection of Aboveground Storage Tanks*, STI SP001, 6th ~~5th~~ Edition, January 2018 ~~Revised 2011~~; and,

8. *Standard for Repair of Shop Fabricated Aboveground Tank*s, STI SP031, 5th ~~4th~~ Edition, January 2018 ~~November 2008~~.

(m) Underwriters’ Laboratories Standards (UL). Copies of the following documents are available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at UL, 333 Pfingsten Road, Northbrook, Illinois 60062-2096, (847)272-8800, or at www.ul.com/:

1. *Standard for Steel Aboveground Tanks for Flammable and Combustible Liquids*, UL 142, December 2006, Revised August 2014, 9th Edition. Secondary references to this guideline can be found here: <http://www.flrules.org/Gateway/reference.asp?No=Ref-07688>,

2. *Nonmetallic Underground Piping for Flammable Liquids*, UL 971, October 1995, Revised March 2006, 1st ~~2nd~~ Edition. Secondary references to this guideline can be found here: <http://www.flrules.org/Gateway/reference.asp?No=Ref-07688>; and,

3. *Standard for Protected Aboveground Tanks for Flammable and Combustible Liquids*, UL 2085, December 1997, Revised September 2010, 2nd Edition.

(n) U.S. Government Printing Office, Federal Digital System, Code of Federal Regulations, Electronic Code of Federal Regulations. Copies of the following documents are available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at U.S. Government Printing Office, 732 North Capitol Street, NW, Washington, DC 20401-0001, (202)512-1800, or at www.gpo.gov/:

1. *Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks (UST),* 40 CFR ~~C.F.R.~~ Part 280, July 15, 2015, published by 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/cgi-bin/text-idx?SID=fc39ac52f9d11adfefd71beee374f05d&pitd=20150715&node=pt40.27.280&rgn=div5 ~~https://www.ecfr.gov/cgi-bin/ECFR?page=browseprevious&pitd=00000000&SID=b4aa1b4450ccd422c899ad31b3659271~~; and,

2. No change.

(3) No change.

*Rulemaking Authority 376.303 FS. Law Implemented 376.303 FS. History–New 6-21-04, Amended 1-11-17, .*

**62-762.301 Applicability.**

(1) General Requirements.

(a) No change.

(b) Owners and operators of compression vessels and hazardous substance storage tank systems with capacities of greater than 110 gallons and containing hazardous substances above reportable quantites under Designation of Hazardous Substances 40 CFR ~~C.F.R.~~ Section 302.4, August 1989, published by Government Printing Office, Code of Federal Regulations, 732 North Capitol Street, N.W., Washington, DC 20401-0001, hereby adopted and incorporated by reference, and available at the address given, or <http://www.flrules.org/Gateway/reference.asp?No=Ref-07663>, or http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title40/40cfr302\_main\_02.tpl, or at the Department address listed in subsection 62-762.211(1), F.A.C., are only required to comply with Rule 62-762.401, F.A.C. ~~Owners and operators of storage tanks that contain hazardous substances consisting of ammonia and chlorine are required to comply with paragraph (1)(a), above.~~

(c) No change.

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

(a) through (u) No change.

(v) Any rail or tanker truck loading or unloading operations (loading racks) specified in Chapter 28 of NFPA 30, 2018 ~~2015~~ Edition, *Flammable and Combustible Liquids Code*, *Bulk Loading and Unloading Facilities for Tank Cars and Tank Vehicles*, incorporated by reference in paragraph 62-762.201(36)(a), F.A.C.;

(w) through (ee) No change.

*Rulemaking Authority 376.303, 376.322(3) FS. Law Implemented 376.303, 376.321, 376.322(3) FS. History–New 6-21-04, Amended 1-11-17, .*

**62-762.401 Facility Registration.**

(1) For installations:

(a) No change.

(b) For new facilities, which are facilities that began construction after January 11, 2017,a completed Form 62-762.901(2), Storage Tank Facility Registration Form (Registration Form), effective date, Form Date ~~January 2017~~, hereby adopted and incorporated by reference, shall be submitted in electronic or paper format to the Department no later than 30 days prior to installation. For facilities with existing registered storage tank systems, a completed Registration Form shall be submitted in electronic or paper format to the Department no later than seven days prior to regulated substances being put into any new storage system. The Department encourages the electronic submittal of the Registration Form available online here: http://www.fldepportal.com/go/submit-registration/, or to obtain copies of the form see Rule 62-762.901, F.A.C., or <http://www.flrules.org/Gateway/reference.asp?No=Ref-07695>, or the Department’s website at https://floridadep.gov/waste/permitting-compliance-assistance/content/storage-tank-system-rules-forms-and-reference.

(2) through (5) No change.

*Rulemaking Authority 376.303 FS. Law Implemented 376.303 FS. History–New 6-21-04, Amended 1-11-17, .***Editorial Note:** *Portions of this rule were relocated to Rule 62-762.421, F.A.C.*

62-762.411 Notification***.***

(1) No change.

(2) For change in service status and closure:

(a) through (b) No change.

(c) A Closure Integrity Evaluation Report Form for ASTs 62-762.901(7), (Closure Integrity Report), effective date, Form Date ~~January 2017~~, hereby adopted and incorporated by reference, as prepared in accordance with paragraph 62-762.801(3)(a) or 62-762.802(4)(a), F.A.C., must be provided to the county with the notification of closure. To obtain copies of this form see Rule 62-762.901, F.A.C., or <http://www.flrules.org/Gateway/reference.asp?No=Ref-07693>, or the Department’s website at https://floridadep.gov/waste/permitting-compliance-assistance/content/storage-tank-system-rules-forms-and-reference.

(3) Internal Inspections. Notification shall be received by the county in writing or electronic format between 10 and 25 days before the initiation of the work unless the county agrees to a shorter time period for inspections in accordance with *Tank Inspection, Repair, Alteration, and Reconstruction*, API Std 653, 5th Edition, November 2014, hereby adopted and incorporated by reference, and available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at API, 1220 L Street, N.W., Washington, DC 20005, (202)682-8000, or at http://www.api.org/; and for piping integrity testing pursuant to *Piping Inspection Code: In-service Inspection, Repair, and Alteration of Piping Systems*, API 570, 4th~~3rd~~ Edition, February 2016 ~~November 2009~~, hereby adopted and incorporated by reference, and available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at API, 1220 L Street, N.W., Washington, DC 20005, (202)682-8000, or at http://www.api.org/. Smaller field erected tanks with capacities less than 250,000 gallons shall be inspected in accordance with API Std 653, November 2014; or *Standard for the Inspection of Aboveground Storage Tanks*, STI SP001, 6th ~~5th~~ Edition, January 2018 ~~Revised 2011~~, hereby adopted and incorporated by reference and available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at STI, 944 Donata Court, Lake Zurich, IL 60047, (847)438-8265, or at https://www.steeltank.com/. Notification is not required for any STI SP001, January 2018 ~~Revised 2011~~, API Std 653, November 2014, and API 570, February 2016 ~~November 2009~~, inspection work or activities where the tank or piping will remain in service or will not be empty, or for routine maintenance.

(4) through (6) No change.

(7) In addition to providing the Discharge Report Form in accordance with subsection 62-762.411(5), F.A.C., facility owners or operators may be required to provide notice through the State Watch Office pursuant to Section 403.077, F.S.

*Rulemaking Authority 376.303 FS. Law Implemented 376.30, 376.303, 403.077 FS. History–New 1-11-17,\_\_.***Editorial Note*:*** *Portions of this rule were copied from Rule 62-762.451, F.A.C.*

**62-762.421** **Financial Responsibility.**

(1) No change.

(2) Financial responsibility shall be maintained and demonstrated to the County or Department for all storage tank systems until the storage tank systems are properly closed pursuant to subsections 62-762.801(2) and (3), and 62-762.802(3) and (4), F.A.C., and the Closure Report or the Limited Closure Report Form for ASTs 62-762.901(8), effective date, Form Date ~~January 2017~~, hereby adopted and incorporated by reference, is submitted to and approved by the County or the Department. To obtain copies of Form 62-762.901(8), see Rule 62-762.901, F.A.C., or <http://www.flrules.org/Gateway/reference.asp?No=Ref-07696>, or the Department’s website at https://floridadep.gov/waste/permitting-compliance-assistance/content/storage-tank-system-rules-forms-and-reference. Pursuant to Section 376.309(1), F.S., the facility owner is required to establish and maintain evidence of financial responsibility and is liable in event of noncompliance. If the facility owner, facility operator, tank owner, and tank operator are separate persons, then evidence of financial responsibility may be demonstrated if one of those persons obtains financial responsibility on behalf of the facility owner.

(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 ~~C.F.R.~~ Part 280, Subpart H, July 15, 2015, hereby adopted and incorporated by reference and available from the publisher at the 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/cgi-bin/text-idx?SID=fc39ac52f9d11adfefd71beee374f05d&pitd=20150715&node=pt40.27.280&rgn=div5 ~~http://www.ecfr.gov/cgi-bin/ECFR?page=browseprevious&pitd=00000000&SID=b4aa1b4450ccd422c899ad31b3659271~~, or the Department address located in subsection 62-762.211(1), F.A.C. However, Department Form 62-761.900(3) effective date, Form Date ~~January 2017~~, Financial Mechanisms for Storage Tanks, hereby adopted and incorporated by reference, and available in Rule 62-761.900, F.A.C., or <http://www.flrules.org/Gateway/reference.asp?No=Ref-07661>, or the Department’s website at https://floridadep.gov/waste/permitting-compliance-assistance/content/storage-tank-system-rules-forms-and-reference, shall ~~can~~ be used in lieu of the United States Environmental Protection Agency’s financial wording ~~mechanisms~~; except that:

(a) All references to underground storage tank(s) (UST) shall mean aboveground storage tank(s) (AST),

(b) 40 CFR Part 280.90(c) is not adopted as part of this rule,

(c) Owners or operators of petroleum or petroleum product aboveground storage tanks must demonstrate financial responsibility for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum or petroleum product aboveground storage tanks in at least the following per-occurrence and annual aggregate amounts:

1.~~(a)~~ For a facility with a storage tank system or systems with a cumulative capacity greater than 550 gallons and less than or equal to 10,000 gallons, the demonstration of financial responsibility for cleanup of a discharge and third-party liability shall be a minimum of $500,000.00 per incident and $1 million annual aggregate.

2.~~(b)~~ For a facility with a storage tank system or systems with a cumulative capacity greater than 10,000 gallons and less than or equal to 30,000 gallons, the demonstration of financial responsibility for cleanup of a discharge and third-party liability shall be a minimum of $1 million per incident and $1 million annual aggregate.

3.~~(c)~~ For a facility with a storage tank system or systems with a cumulative capacity greater than 30,000 gallons and less than or equal to 250,000 gallons the demonstration of financial responsibility for cleanup of a discharge and third-party liability shall be a minimum of $1 million per incident and $2 million annual aggregate.

4.~~(d)~~ For a facility with a storage tank system or systems with a cumulative capacity greater than 250,000 gallons, the demonstration of financial responsibility for cleanup of a discharge and third-party liability shall be a minimum of $3 million per incident and $6 million annual aggregate. ~~Holders of financial responsibility mechanisms and facility owners are encouraged to permanently maintain evidence of financial responsibility and all correspondence with respect to coverage and claims.~~

(4) The appropriate part(s) of Form 62-761.900(3) shall be completed and maintained ~~used~~ when demonstrating proof of financial responsibility under this Rule, and Form 62-761.900(3) Part P will satisfy the Certification of Financial Responsibility requirements of 40 CFR ~~C.F.R.~~ 280.111(b)(11)~~, July 15, 2015~~. Facility owners shall ensure that copies of the current financial responsibility document(s) are available for inspection at the facility where the storage tank system(s) is located or at their place of business. Records kept off-site shall be made available for inspection by the Department or County within five business days from the receipt of the Department’s or County’s request. Facility owners are required to maintain evidence of financial responsibility mechanisms in accordance with paragraph 62-762.711(3)(j), F.A.C., and are encouraged to maintain all correspondence associated with coverage and claims.

(5) Financial requirements for the purpose of this rule, regardless of the date of installation of storage tank systems, shall comply with this Rule ~~40 C.F.R. Part 280, Subpart H, July 15, 2015~~.

(6) through (7) No change.

(8) Government-owned facilities demonstrating proof of financial assurance using a financial test or government fund must prepare the relevant parts of Form 62-761.900(3) within 180 days after the close of each succeeding fiscal year.

*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, .***Editorial Note:** *Portions of this rule were copied from Rule 62-762.401, F.A.C.*

**62-762.431 Incidents.**

(1) Incidents include:

(a) The following positive responses of release detection devices or methods described in Rules 62-762.601 and 62-762.602, F.A.C.:

1. through 2. No change.

3. Any alarm that indicates that liquid, vacuum, or pressure monitoring levels are not being maintained; or that liquid, other than condensate, has been detected by a sensor in a normally dry interstice or a dispenser, piping, hydrant, or containment sump,

4. through 9. No change.

(b) through (f) No change.

(2) through (3) No change.

(4) In cases where an INF is required to be submitted, the investigation shall be completed within 14 days of the date of discovery of the incident to determine if a discharge has occurred. Incident investigations that require additional time can be extended with the prior written approval of the Department or the county. ~~However, if the investigation goes beyond 45 days of the date of discovery, the storage tank system or system component shall be placed out-of-service until such time the investigation is completed and resolved.~~

(5) through (8) No change.

*Rulemaking Authority 376.303 FS. Law Implemented 376.303 FS. History–New 1-11-17, .***Editorial Note:** Portions of this rule were copied from Rule 62-762,821, F.A.C.

62-762.501 **~~Storage Tank~~** System Requirements for Shop Fabricated Storage Tanks.

(1) General requirements.

(a) No change.

(b) Secondary containment.

1. No change.

2. Synthetic liners, unless previously approved by the Department, shall be designed and tested in accordance with *Test Methods, Test Properties and Testing Frequency for High Density Polyethylene (HDPE) Smooth and Textured Geomembranes*, GRI Test Method GM13, Rev. 14 ~~13~~, January 2016 ~~November 2015~~, hereby adopted and incorporated by reference, and available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at Geosynthetic Institute, 475 Kedron Avenue, Folsom, Pennsylvania 19033-1208, (610)522-8440, or at http://www.geosynthetic-institute.org/, and be registered with the Department in accordance with subsection 62-762.851(2), F.A.C. Liners shall not be constructed or consist of naturally occurring in-situ soils.

3. Secondary containment constructed of concrete shall be:

a. Designed and constructed in accordance with *Control of Cracking in Concrete Structures* (Reapproved 2008), ACI 224R-01, (Reapproved 2008), incorporated by reference in paragraph 62-762.201(33)(b), F.A.C., and *Design Considerations for Environmental Engineering Concrete Structures*, ACI 350.4R-04, 2004 Edition, American Concrete Institute (ACI), incorporated by reference in paragraph 62-762.201(33)(b), F.A.C., ~~and be registered with the Department in accordance with subsection 62-762.851(2), F.A.C.,~~ or

b. No change.

c. Designed, evaluated, and certified by a professional engineer licensed in the State of Florida that the concrete secondary containment system meets the g~~G~~eneral c~~C~~onstruction r~~R~~equirements specified in subparagraph 62-762.501(1)(b)1., F.A.C. ~~this section.~~

4. through 7. No change.

8. 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 testing specifications, PEI/RP1200-17, 2017 Edition shall be used.PEI/RP1200-17 is the *Recommended Practices for the Testing and Verification of Spill, Overfill, Leak Detection and Secondary Containment Equipment at UST Facilities,* ~~PEI/RP1200-12, 2012 Edition,~~ hereby adopted and incorporated by reference, and available at the Department address located in subsection 62-762.211(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.

9. An interstitial integrity test shall be performed on each double-walled or double-bottomed storage tank with a closed interstice after it is delivered to the facility, and before the storage tank is placed into service. This test shall be performed in accordance with the manufacturer’s testing specifications. For storage tanks without manufacturer interstitial integrity testing requirements, PEI/RP200-13, 2013 Edition, shall be used. PEI/RP200-13 is the *Recommended Practices for Installation of Aboveground Storage Systems for Motor Vehicle Fueling*, ~~PEI/RP200-13, 2013 Edition,~~ hereby adopted and incorporated by reference, and available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at PEI, Post Office Box 2380, Tulsa, Oklahoma 74101-2380, (918)494-9696, or at www.pei.org/. For closed top dike double-walled UL 142 storage tanks with an open interstice not capable of being pressurized, manufacturer’s inspection instructions in accordance with the UL 142 storage tank’s equipment registration pursuant to subsection 62-762.851(2), F.A.C., must be performed for structural or other damage to the storage tank after it is delivered to the facility, and before the storage tank is placed into service. If manufacturer instructions are unavailable, a visual inspection must be performed for structural or other damage to the storage tank after it is delivered to the facility, and before the storage tank is placed into service.

10. Before integral piping is placed into service, an interstitial integrity test shall be performed on double-walled small diameter integral piping in contact with the soil, or that transports regulated substances over surface waters of the state, in accordance with *Recommended Practices for Installation of Underground Liquid Storage Systems*, PEI/RP100-17 ~~11~~, 2017 ~~2011~~ Edition, hereby adopted and incorporated by reference, and available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at PEI, Post Office Box 2380, Tulsa, Oklahoma 74101-2380, (918)494-9696, or at www.pei.org/, and PEI/RP1200-17 ~~12~~, 2017 ~~2012~~ Edition.

11. If double-walled spill containment systems ~~buckets~~ are installed, 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/RP1200-17 ~~12~~, 2017 ~~2012~~ Edition, shall be used before the spill containment system ~~bucket~~ is placed into service.

(c) through (g) No change.

(h) All storage tank systems shall be installed in accordance with the applicable provisions of:

1. *Flammable and Combustible Liquids Code, Storage of Liquids in Tanks – Aboveground Storage Tanks ~~Storage Tank Buildings~~*, Chapter 22 of ­NFPA 30, 2018 ~~2015~~ Edition, incorporated by reference in paragraph 62-762.201(36)(a), F.A.C.,

2. *Motor Fuel Dispensing Facilities and Repair Garages*, NFPA 30A, 2018 ~~2015~~ Edition, hereby adopted and incorporated by reference, and available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at NFPA, 1 Batterymarch Park, Quincy, Massachusetts 02169, (617)770-3000, or at www.nfpa.org/,

3. *Process Piping*, ASME B31.3, 2016 ~~2014~~ Edition, hereby adopted and incorporated by reference, and available at the Department address listed in subsection 62-762.211(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/; and,

4. No change.

(i) No change.

(2) Storage tank installation.

(a) No change.

(b) Storage tank construction requirements.

1. Storage tanks shall be constructed in accordance with one of the following requirements hereby adopted and incorporated by reference, and available from the Department address given in subsection 62-762.211(1):

a. *Standard for Steel Aboveground Tanks for Flammable and Combustible Liquids*, UL 142, December 2006, Revised August 2014, 9th Edition. To obtain this reference from the publisher, see paragraph 62-762.211(2)(m), F.A.C.;

b. *Welded Tanks for Oil Storage*, API Std 650, 12th Edition, ~~Includes Errata 1 (2013), Errata 2 (2014), and Addendum 1 (2014),~~ March 2013, incorporated by reference in subsection 62-762.201(67), F.A.C. To obtain this reference from the publisher, see paragraph 62-762.211(2)(b), F.A.C.;

c. *Specification for Fiberglass Reinforced Plastic Tanks*, API Spec 12P, 4th ~~3~~~~rd~~ Edition, February 2016 ~~October 2008~~. To obtain this reference from the publisher, see paragraph 62-762.211(2)(b), F.A.C.;

d. *Standard for Aboveground Tanks with Integral Secondary Containment*, STI F921®, Revised June 2016 ~~October 2014~~. To obtain this reference from the publisher, see paragraph 62-762.211(2)(l), F.A.C.;

e. *Standard for Protected Aboveground Tanks for Flammable and Combustible Liquids*, UL 2085, December 1997, Revised September 2010, 2nd Edition. To obtain this reference from the publisher, see paragraph 62-762.211(2)(m), F.A.C.,

f. *Flameshield® Standard for Fire Tested Tanks*, STI F001, April 2017 ~~October 2014~~. To obtain this reference from the publisher, see paragraph 62-762.211(2)(l), F.A.C.;

g. *Fireguard: Specification for Fireguard Protected Aboveground Storage Tanks*, STI F941, June 2016 ~~May 2015~~. To obtain this reference from the publisher, see paragraph 62-762.211(2)(l), F.A.C., or

h. *Generator Base Tanks: Standard for Aboveground Tanks Used as a Generator Base Tank*, STI F011, April 2017 ~~October 2014~~. To obtain this reference from the publisher, see paragraph 62-762.211(2)(l), F.A.C.

2. No change.

(c) Cathodic and corrosion protection. Steel tanks in contact with the soil shall have a cathodic or corrosion protection system meeting the following requirements:

1. The cathodic protection system shall be designed, constructed, and installed in accordance with *Cathodic Protection of Aboveground Petroleum Storage Tanks*, API RP 651, 4th Edition, September 2014, hereby adopted and incorporated by reference, and available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at API, 1220 L Street, N.W., Washington, D.C. 20005, (202)682-8000, or at http://www.api.org/; and *External Cathodic Protection of On-Grade Carbon Steel Storage Tank Bottoms*, NACE Standard SP0193-2016-SG (formerly RP0193-2001), 2016 ~~2001~~ Edition, hereby adopted and incorporated by reference, and available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at NACE International, 1440 South Creek Drive, Houston, Texas 77084-4906, (800)797-6223, or at http://www.nace.org/,

2. through 5. No change.

(d) Secondary containment.

1. through 2. No change.

3. Dike field areas with secondary containment shall:

a. Conform to the requirements of Chapter 22 of NFPA 30, 2018 ~~2015~~ Edition, *Flammable and Combustible Liquids Code*, *Storage of Liquids in Tanks – Aboveground Storage Tanks*,

b. through d. No change.

(e) Overfill protection.

1. No change.

2. All storage tanks shall be equipped with at least one of the following overfill protection devices or containment method:

a. A level gauge or other measuring device that accurately shows the level of regulated substances in the storage tank, and ~~that~~ is visible to the transfer operator ~~person who is monitoring the filling~~ ~~that shall be registered in accordance with subsection 62-762.851(2), F.A.C., and shall perform an operability test annually at intervals not exceeding 12 months to ensure proper operation~~,

b. A high level (at 90 percent tank capacity) warning alarm that is either visible, audible, or both to the transfer operator and the transfer operator is to ensure the tank is not filled beyond 95 percent capacity ~~shall be registered in accordance with subsection 62-762.851(2), F.A.C., and shall perform an operability test annually at intervals not exceeding 12 months~~ ~~to ensure proper operation~~,

c. A high level (at 95 ~~90~~ percent tank capacity) liquid flow cutoff controller ~~that shall be registered in accordance with subsection 62-762.851(2), F.A.C., and shall perform an operability test annually at intervals not exceeding 12 months~~, or

d. No change.

3. Effective *(effective date of Rule)*, owners and operators shall:

a. Designate a primary overfill protection device used to meet the requirements in subparagraph 62-762.501(2)(e)2., F.A.C., and any additional overfill devices shall not interfere with the designated primary device; and,

b. Ensure the designated primary overfill protection device is registered pursuant to registration of storage tank system equipment and release detection systems and methods, subsection 62-762.851(2), F.A.C. ~~Storage tanks with capacities of 15,000 gallons or less that do not receive delivery by a mated (joined) tight fill adaptor connection of the delivery hose to the tank riser are exempt from overfill protection requirements provided that the tanks are never filled beyond 80 percent capacity.~~

4. 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 ~~Used oil tanks that receive less than 25 gallons at one time are not required to have overfill protection~~.

5. Storage tanks with capacities of 15,000 gallons or less that do not receive delivery by a mated (joined) tight fill adaptor connection of the delivery hose to the tank riser may use calibrated stick measurements for overfill protection, and are not required to be equipped with one of the devices specified in subparagraph 62-762.501(2)(e)2., F.A.C., provided that an inches to gallons chart is posted at the tank fill areas or readily available to the delivery driver. Such tanks shall not be filled beyond 95 percent capacity.

6. Used oil tanks that receive less than 25 gallons at one time are not required to have overfill protection.

(f) Spill containment systems.

1. No change.

2. 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 *Using the API Color-Symbol System to Mark Equipment and Vehicles for Product Identification at Gasoline Dispensing Facilities and Distribution Terminals*, API RP 1637, (R2012), 3rd Edition, July 2006 ~~(Reaffirmed, May 2012)~~, hereby adopted and incorporated by reference, and available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at API, 1220 L Street, N.W., Washington, DC 20005, (202)682-8000, or 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, hereby adopted and incorporated by reference, and available at the Department address listed in subsection 62-762.211(1), F.A.C., or 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 with an equivalent method approved by the Department in accordance with subsection 62-762.851(1), F.A.C.

3. No change.

(g) Dispensers and dispenser sumps.

1. The dispenser 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, 2018 ~~2015~~ Edition; and Chapter 6, *Fuel Dispensing Systems*; Chapter 9, *Operational Requirements*; and Chapter 11, *Marine Fueling* of NFPA 30A *Motor Fuel Dispensing Facilities and Repair Garages*, 2018 ~~2015~~ Edition.

2. Dispensers shall be installed with a dispenser sump, except those within an impervious dike field area with secondary containment, meeting the performance requirements of paragraph 62-762.501(1)(b), F.A.C., and registered in accordance with subsection 62-762.851(2), F.A.C. The dispenser sump shall extend beneath the union of the integral piping and the dispenser, including the shear valve, if applicable. Dispensers mounted directly upon the storage tank or that are otherwise associated with storage tank systems that do not have underground integral piping are exempt from this requirement unless the dispensers are located over the surface waters of the state.

3. No change.

(h) through (i) No change.

(j) Relocation of storage tanks. Storage tanks that have been removed and reinstalled at a different property shall be re-registered with the Department in accordance with subsection 62-762,401(1), F.A.C. They shall be reinstalled in accordance with manufacturer’s specifications and inspected in accordance with STI SP001, January 2018 ~~Revised 2011~~, incorporated by reference in subsection 62-762.411(3), F.A.C., and with the requirements in Rule 62-762.501, F.A.C.

(3) Small diameter integral piping.

(a) Installation.

1. All integral piping installed after January 11, 2017, shall be installed in accordance with the manufacturer’s instructions, if applicable, and according to the applicable provisions of PEI/RP200-13, 2013 Edition; Chapter 27 of NFPA 30, 2018 ~~2015~~ Edition, *Flammable and Combustible Liquids Code*, *Piping Systems*; NFPA 30A, 2018 ~~2015~~ E~~e~~dition; and *Pipeline Transportation Systems for Liquids and Slurries*, ASME B31.4, 2016 ~~2012~~ Edition, hereby adopted and incorporated by reference, and available at the Department address listed in subsection 62-762.211(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/.

2. An interstitial integrity test shall be performed on double-walled integral piping that is in contact with the soil, or that transports regulated substances over surface waters of the state in accordance with PEI/RP100-17 ~~11~~, 2017 ~~2011~~ Edition and PEI/RP1200-17 ~~12~~, 2017 ~~2012~~ Edition, before the integral piping is placed into service.

3. through 4. No change.

5. All new pressurized small diameter integral piping that is in contact with the soil must be installed with line leak detectors meeting the requirements of paragraph 62-762.601(4)(b), F.A.C. The line leak detectors must be tested annually at intervals not exceeding 12 months in accordance with paragraph 62-762.601(1)(b), F.A.C., and be installed in accordance with manufacturer’s instructions. For line leak detectors without manufacturer’s instructions, the installation must be in accordance with Section 7 of PEI/RP200-13, *Recommended Practices for Installation of Aboveground Storage Systems for Motor Vehicle Fueling*, *Pumps and Valves*, 2013 Edition.

6. All pressurized small diameter integral piping installed prior to January 11, 2017,that is in contact with the soil must be installed with line leak detectors meeting the requirements of paragraph 62-762.601(4)(b), F.A.C., by January 11, 2018 ~~within one year of January 11, 2017~~. The line leak detectors must be tested annually at intervals not exceeding 12 months in accordance with paragraph 62-762.601(1)(b), F.A.C., and be installed in accordance with manufacturer’s instructions. For line leak detectors without manufacturer’s instructions, the installation must be in accordance with Section 7 of PEI/RP200-13, 2013 Edition. ~~Line leak detectors must be located downstream from the anti-siphon or solenoid valve.~~ Line leak detectors are not required for piping that is not in contact with the soil.

(b) No change.

(c) Construction.

1. Fiberglass reinforced plastic piping, semi-rigid non-metallic, or other non-rigid piping installed in contact with the soil shall be installed in accordance with *Non-metallic Underground Piping for Flammable Liquids*, UL 971, October 1995, Revised March 2006, 1st ~~2nd~~ Edition, hereby adopted and incorporated by reference, and available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at UL, 333 Pfingsten Road, Northbrook, Illinois 60062-2096, (847)272-8800, or at www.ul.com/, or certified by a Nationally Recognized Testing Laboratory that these requirements are met, and registered in accordance with subsection 62-762.851(2), F.A.C.

2. Rigid metallic integral piping shall be constructed in accordance with ASME B31.3, 2016 ~~2014~~ Edition, or PEI/RP200-13, 2013 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 RP 1632, (R2010), 3rd Edition, May 1996, ~~(Reaffirmed, June 2002),~~ hereby adopted and incorporated by reference, and available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at API, 1220 L Street, N.W., Washington, DC 20005, (202) 682-8000, or at http://www.api.org/; *Control of External Corrosion on Underground or Submerged Metallic Piping Systems*, NACE Standard SP0169-2013 (formerly RP0169), 2013 Edition, hereby adopted and incorporated by reference, and available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at NACE International, 1440 South Creek Drive, Houston, Texas 77084-4906, (800)797-6223, or at http://www.nace.org/; 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 at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at STI, 944 Donata Court, Lake Zurich, IL 60047, (847)438-8265, or at https://www.steeltank.com/.

3. Metallic double-walled integral piping constructed of nonferrous materials such as copper shall be constructed in accordance with the requirements in Chapter 27 of NFPA 30, 2018 ~~2015~~ Edition.

4. through 5. No change.

(d) Valves.

1. Shear valves. Pressurized small diameter 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, *Motor Fuel Dispensing Facilities and Repair Garages, Requirements for Dispensing Devices*, 2018 ~~2015~~ Edition. 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/RP1200-17 ~~12~~, 2017 ~~2012~~ 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.

2. Isolation block valves. Any storage tank system, regardless of the date of installation of the storage tank system, located at an elevation that produces a gravity head on small diameter integral piping positioned below the product level in the tank must be installed and maintained with an isolation block valve in accordance with Chapter 22.13 of NFPA 30, 2018 ~~2015~~ Edition, *Flammable and Combustible Liquids Code*, *Tank Openings Other Than Vents*.

3. Anti-siphon valves. For storage tank systems that produce a gravity head on small diameter integral piping positioned below the product level in the tank, anti-siphon valves shall be installed and maintained in accordance with Section 7 of PEI/RP200-13, 2013 Edition, and Section 11.2 of NFPA 30A, *Marine Fueling, Storage*, 2018 ~~2015~~ Edition. For such storage tank systems installed prior to January 11, 2017, anti-siphon valves shall be installed within one year of January 11, 2017. Integral piping located within an impervious dike field area does not require anti-siphon valves.

(4) No change.

*Rulemaking Authority 376.303 FS. Law Implemented 376.303 FS. History–New 6-21-04, Amended 1-11-17, .*

62 762.502 **~~Storage Tank~~** System Requirements for Field Erected Storage Tanks.

(1) General requirements.

(a) No change.

(b) Secondary containment.

1. No change.

2. Synthetic liners, unless previously approved by the Department, shall be designed and tested in accordance with GRI Test Method GM13, Rev. 14 ~~13~~, January 2016 ~~November 2015~~, incorporated by reference in subparagraph 62-762.501(1)(b)2., F.A.C., and be registered with the Department in accordance with subsection 62-762.851(2), F.A.C. Liners shall not be constructed or consist of naturally occurring in-situ soils.

3. Secondary containment constructed of concrete shall be:

a. Designed and constructed in accordance with ACI 224R-01, (Reapproved 2008), and ACI 350.4R-04, 2004 Edition, both incorporated by reference in paragraph 62-762.201(33)(b), F.A.C., ~~and be registered with the Department in accordance with subsection 62-762.851(2), F.A.C.~~, or

b. No change.

c. Designed, evaluated, and certified by a professional engineer licensed in the State of Florida that the concrete secondary containment system meets the general construction requirements specified in subparagraph 62-762.502(1)(b)1., F.A.C. ~~this section.~~

4. through 7. No change.

8. If factory-made containment systems or single-walled sumps are installed on the system, a containment integrity test shall be performed in accordance with manufacturer’s requirements. For system components without manufacturer containment integrity testing specifications, PEI/RP1200-17 ~~12~~, 2017 ~~2012~~ Edition, incorporated by reference in subparagraph 62-762.501(1)(b)8., F.A.C., shall be used before the component is placed into service. For field-fabricated components the tests shall be at least for 24 hours in accordance with manufacturer’s requirements.

9. An interstitial integrity test shall be performed on each double-walled or double-bottomed storage tank with a closed interstice after it is constructed at the facility, and before the storage tank is placed into service. This test shall be performed in accordance with Annex I.6, Testing and Inspection, located in API Std 650, March 2013, incorporated by reference in subsection 62-762.201(67), F.A.C.

10. An interstitial integrity test shall be performed on double-walled small diameter integral piping in contact with the soil, or that transports regulated substances over surface waters of the state, in accordance with PEI/RP100-17 ~~11~~, 2017 ~~2011~~ Edition, incorporated by reference in subparagraph 62-762.501(1)(b)10., F.A.C., and PEI/RP1200-17 ~~12~~, 2017 ~~2012~~ Edition, before the small diameter integral piping is placed into service..

(c) through (g) No change.

(h) All storage tank systems shall be installed in accordance with the applicable provisions of API Std 650, March 2013, incorporated by reference in subsection 62-762.201(67), F.A.C.; NFPA 30, 2018 ~~2015~~ Edition, incorporated by reference in paragraph 62-762.201(36)(a), F.A.C.; NFPA 30A, 2018 ~~2015~~ Edition, incorporated by reference in subparagraph 62-762.501(1)(h)2., F.A.C.; ASME B31.3, 2016 ~~2014~~ Edition, incorporated by reference in subparagraph 62-762.501(1)(h)3., F.A.C.; and PEI/RP200-13, 2013 Edition, incorporated by reference in subparagraph 62-762.501(1)(b)9., F.A.C.

(i) No change.

(2) Storage tank installation.

(a) All storage tank systems shall be installed in accordance the applicable provisions of Chapter 22 of NFPA 30, 2018 ~~2015~~ Edition.

(b) Storage tank construction requirements.

1. Storage tanks shall be constructed in accordance with one of the following:

a. No change.

b. API Std 650, March 2013, incorporated by reference in subsection 62-762.201(67), F.A.C.

2. No change.

(c) Cathodic and corrosion protection. Steel tanks in contact with the soil shall have a cathodic or corrosion protection system meeting the following requirements:

1. The cathodic protection system shall be designed, constructed, and installed in accordance with API RP 651, 4th Edition, September 2014, incorporated by reference in paragraph 62-762.501(2)(c), F.A.C., or NACE Standard SP0193-2016-SG (formerly RP0193-2001), 2016 ~~2001~~ Edition, incorporated by reference in subparagraph 62-762.501(2)(c)1., F.A.C. Storage tanks that have been upgraded with secondary containment consisting of a new steel bottom that is not in contact with the soil are not required to have cathodic protection on the new steel bottom,

2. through 5. No change.

(d) Secondary containment.

1. through 2. No change.

3. Dike field areas with secondary containment shall:

a. Conform to the requirements of Chapter 22 of NFPA 30, 2018 ~~2015~~ Edition,

b. through d. No change.

4. No change.

5. Instead of installing secondary containment in the entire dike field area in accordance with this subsection, an alternative dike field secondary containment system registered in accordance with subsection 62-762.851(2), F.A.C., may be used. Alternative dike field secondary containment systems are not allowed in public wellhead protection areas. The alternative dike field secondary containment system, regardless of the date of installation of the storage tank system, must provide:

a. through g. No change.

h. For new tanks, a release prevention barrier underneath the tank in accordance with API Std 650, March 2013, Annex I, incorporated by reference in subsection 62-762.201(67), F.A.C., or an equivalent system registered as a release prevention barrier or secondary containment in accordance with subsection 62-762.851(2), F.A.C.

6. No change.

7. Release prevention barriers for dike field containment systems shall be impervious and be designed and constructed in accordance with API Std 650, March 2013, or be registered as a release prevention barrier or secondary containment in accordance with subsection 62-762.851(2), F.A.C.

(e) Overfill protection.

1. through 2. No change.

3. All storage tanks, not subject to API 2350, 4th Edition, May 2012, shall not be filled beyond 90 percent capacity and shall be equipped with at least one of the following overfill protection devices or containment method:

a. A level gauge or other measuring device that accurately shows the level of regulated substances in the storage tank, and ~~that~~ is visible to the person who is monitoring the filling ~~that shall be registered in accordance with subsection 62-762.851(2), F.A.C., and shall perform an operability test annually at intervals not exceeding 12 months to ensure proper operation~~,

b. A high level warning alarm that is either visible, audible, or both to the person monitoring the filling ~~shall be registered in accordance with subsection 62-762.851(2), F.A.C., and shall perform an operability test annually at intervals not exceeding 12 months to ensure proper operation~~,

c. A high level liquid flow cutoff controller ~~that shall be registered in accordance with subsection 62-762.851(2), F.A.C., and shall perform an operability test annually at intervals not exceeding 12 months to ensure proper operation~~, or

d. No change.

4. Effective *(effective date of Rule),* owners and operators shall:

a. Designate a primary overfill protection device used to meet the requirements in subparagraph 62-762.502(2)(e)3., F.A.C., and any additional overfill devices shall not interfere with the designated primary device; and,

b. Ensure the designated primary overfill protection device is registered pursuant to registration of storage tank system equipment and release detection systems and methods, with subsection 62-762.851(2), F.A.C.

5. 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.

(f) through (i) No change.

(3) No change.

(4) Bulk product piping.

(a) Installation.

1. Bulk product piping shall be constructed and installed in accordance with the applicable provisions of Chapter 27 of NFPA 30, 2018 ~~2015~~ Edition; and either ASME B31.3, 2016 ~~2014~~ Edition; or B31.4, 2016 ~~2012~~ Edition, incorporated by reference in subparagraph 62-762.501(3)(a)1., F.A.C.; or Welding of Pipelines and Related Facilities, API Std 1104, 21st Edition, September 2013. Includes Errata 1 (2013), Errata 2 (2014), Errata 3 (2014), Errata 4 (2015), Errata 5 (2018), and Addendum 1 (2014), Addendum 2 (2016) ~~September 2013~~, hereby adopted and incorporated by reference, and available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at API, 1220 L Street, N.W., Washington, DC 20005, (202)682-8000, or at http://www.api.org/.

2. No change.

3. An integrity test shall be performed for underground bulk product piping for high viscosity products in accordance with Chapter 27 of NFPA 30, 2018 ~~2015~~ Edition, before the piping system is placed into initial use. An interstitial integrity test shall be performed for underground bulk product piping with secondary containment in accordance with subsection 62-762.702(4), F.A.C., or Chapter 27 of NFPA 30, 2018 ~~2015~~ Edition, before the piping is placed into initial use.

(b) Secondary containment.

1. No change.

2. Single-walled bulk product piping that was installed before June 30, 1992, and that had an initial structural evaluation performed in accordance with API 570, 4th Edition, February 2016 ~~November 2009~~, incorporated by reference in subsection 62-762.411(3), F.A.C., before January 1, 2000, is exempt from this requirement if the evaluation indicated that the bulk product piping had remaining useful life. The piping shall be repaired or upgraded with secondary containment or closed when a periodic API 570, 4th Edition, February 2016 ~~November 2009~~, inspection indicates that repair, upgrading or closure is necessary.

3. through 4. No change.

5. Bulk product piping in contact with the soil containing high viscosity products may be converted to non-high viscosity product service without having to install secondary containment if an API 570, 4th Edition, February 2016 ~~November 2009~~, integrity assessment, incorporated by reference in subsection 62-762.411(3), F.A.C., is performed and confirms that the piping has remaining useful life. The piping shall be repaired or upgraded with secondary containment or closed when a periodic API 570, 4th Edition, February 2016 ~~November 2009~~, inspection indicates that repair, upgrading or closure is necessary.

(c) Construction.

1. New steel bulk product piping shall be constructed in accordance with ASME B31.3, 2016 ~~2014~~ Edition; or ASME B31.4, 2016 ~~2012~~ Edition; or API STD 1104, 21st Edition, September 2013. Includes Errata 1 (2013), Errata 2 (2014), Errata 3 (2014), Errata 4 (2015), Errata 5 (2018), and Addendum 1 (2014), Addendum 2 (2016) ~~September 2013~~. Bulk product steel integral piping in contact with the soil shall be cathodically protected in accordance with API RP 1632, 3rd Edition (R2010) May 1996, ~~(Reaffirmed June 2002),~~ incorporated by reference in subparagraph 62-762.501(3)(c)2., F.A.C.; NACE Standard SP0169-2013, 2013 Edition, incorporated by reference in subparagraph 62-762.501(3)(c)2., F.A.C.; or STI R892, Revised January 2006, incorporated by reference in subparagraph 62-762.501(3)(c)2., F.A.C. Corrosion Protection can also be provided using vapor corrosion inhibitors registered in accordance with subsection 62-762.851(2), F.A.C. Bulk product piping using corrosion protection systems with vapor corrosion inhibitors that are registered in accordance with subsection 62-762.851(2), F.A.C., shall be designed and installed under the direction of a Corrosion Professional.

2. through 3. No change.

*Rulemaking Authority 376.303 FS. Law Implemented 376.303 FS. History–New 1-11-17, .*

**62-762.701 Repairs, Operation and Maintenance of Shop Fabricated Storage Tank Systems.**

(1) Repairs.

(a) No change.

(b) The storage tank system shall immediately cease operating, dispensing, and accepting deliveries, if:

1. No change.

2. The nature of the repair activities or the condition of the component cannot be otherwise isolated from the storage tank system. The restrictions against operating the storage tank system shall not apply if the storage tank system contains fuels used solely for the generation of electricity by an electric utility as defined in Chapter 366, F.S., where the removal of the storage tank system from use would result in the shutdown of electrical generating units serviced by the storage tank system; and,

3. The condition of the component results in an on-going discharge, pursuant to Rule 62-762.441, F.A.C.

(c) No change.

(d) Repairs shall be evaluated and performed in accordance with *Standard for Repair of Shop Fabricated Aboveground Tanks*, STI SP031, 5th ~~4th~~ Edition, January 2018 ~~November 2008~~, hereby adopted and incorporated by reference, and available from the address listed in subsection 62-762.211(1), F.A.C., or from the publisher at STI, 944 Donata Court, Lake Zurich, IL 60047, (847)438-8265, or at https://www.steeltank.com/, or other equivalent procedures, regardless of the date of installation of the storage tank system or storage tank system component.

(e) through (f) No change.

(g) A storage tank system that requires repair, but cannot be repaired within 90 days to operate in accordance with the requirements of this chapter, shall be taken out-of-service in accordance with subsection 62-762.801(1), F.A.C. If the system cannot be repaired within 365 days after being taken out-of-service, it shall be permanently closed pursuant to subsection 62-762.801(2), F.A.C.

(2) Cathodic and corrosion protection.

(a) No change.

(b) Inspection and testing requirements.

1. No change.

2. Storage tank systems equipped with impressed current systems shall be inspected at intervals not exceeding once every 60 days. All sources of impressed current shall be inspected. Evidence of proper functioning shall be current output, normal power consumption, a signal indicating normal operation, or satisfactory electrical state of the protected structure. Impressed current systems that are inoperative for a cumulative period exceeding 2,976 hours in one year shall be assessed within 30 days by a Corrosion Professional to ensure that the storage tank system is structurally sound, free of corrosion holes, and operating in accordance with the design criteria ~~or be taken out-of-service and assessed by a Corrosion Professional~~ before being returned to service.

(c) through (d) No change.

(3) No change.

(4) 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 system or system components without manufacturer integrity or containment testing specifications, ~~or~~ PEI/RP1200-17 ~~12~~, 2017 ~~2012~~ Edition, incorporated by reference in subparagraph 62-762.501(1)(b)8., 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. Double-walled storage tanks and ~~below-grade~~ double-walled piping in contact with the soil or over surface waters of the state, shall be tested at the time of installation and at the time of any subsequent repair,

b. ~~Below-grade~~ P~~p~~iping sumps in contact with the soil shall be tested by October 13, 2018, and every three years thereafter, not to exceed 36 months,

c. ~~Below-grade~~ D~~d~~ispenser sumps in contact with the soil shall be tested by October 13, 2018, and every three years thereafter, not to exceed 36 months,

d. Piping and dispenser sumps over surface waters of the state shall be tested within one year of *(the effective date of the rule)*, and every three years thereafter, not to exceed 36 months,

e~~d~~. Below-grade spill containment systems shall be tested by ~~within one year of~~ January 11, 2018 ~~2017~~, and at intervals not exceeding every three years thereafter, not to exceed 36 months; and,

f~~e~~. ~~Below-grade~~ H~~h~~ydrant sumps in contact with the soil shall be tested by ~~within one year of~~ January 11, 2018 ~~2017~~, and every three years thereafter, not to exceed 36 months.

2. No change.

(b) through (c) No change.

(5) through (6) No change.

*Rulemaking Authority 376.303 FS. Law Implemented 376.303, 403.091 FS. History–New 6-21-04, Amended 1-11-17, .*

**62-762.702 Repairs, Operation and Maintenance of Field Erected Storage Tank Systems.**

(1) Repairs.

(a) No change.

(b) The storage tank system shall immediately cease operating and accepting deliveries, if:

1. No change.

2. The nature of the repair activities or the condition of the component cannot be otherwise isolated from the storage tank system. The restrictions against operating the storage tank system shall not apply if the storage tank system contains fuels used solely for the generation of electricity by an electric utility as defined in Chapter 366, F.S., where the removal of the storage tank system from use would result in the shutdown of electrical generating units serviced by the storage tank system; and,

3. The condition of the component results in an on-going discharge, pursuant to Rule 62-762.441, F.A.C.

(c) through (e) No change.

(f) A storage tank system that requires repair, but cannot be repaired within 90 days to operate in accordance with the requirements of this chapter, shall be taken out-of-service in accordance with subsection 62-762.802(2), F.A.C. If the system cannot be repaired within 365 days after being taken out-of-service, it shall be permanently closed pursuant to subsection 62-762.802(3), F.A.C.

(2) Cathodic and corrosion protection.

(a) No change.

(b) Inspection and testing requirements.

1. No change.

2. Storage tank systems equipped with impressed current systems shall be inspected at intervals not exceeding 60 days. All sources of impressed current shall be inspected. Evidence of proper functioning shall be current output, normal power consumption, a signal indicating normal operation, or satisfactory electrical state of the protected structure. Impressed current systems that are inoperative for a cumulative period exceeding 2,976 hours in one year shall be assessed within 30 days by a Corrosion Professional to ensure that the storage tank system is structurally sound, free of corrosion holes, and operating in accordance with the design criteria ~~or taken out-of-service and assessed by a Corrosion Professional~~ before being returned to service.

(c) through (d) No change.

(3) No change.

(4) Operation and maintenance.

(a) Integrity testing

1. The integrity of secondary containment systems and interstitial spaces shall be verified by performing an interstitial or containment integrity test in accordance with API Std 653, November 2014, incorporated by reference in subsection 62-762.411(3), F.A.C.; API 570, 4th Edition, February 2016 ~~November 2009~~, incorporated by reference in subsection 62-762.411(3), F.A.C.; or PEI/RP1200-17 ~~12~~, 2017 ~~2012~~ Edition, incorporated by reference in subparagraph 62-762.501(1)(b)8., F.A.C., as applicable, regardless of the date of installation of the storage tank system. Secondary containment systems that use vacuum, pressure, or liquid level (hydrostatic) monitoring for release detection and suction piping systems are exempt from this requirement. The interstitial or containment integrity tests shall be performed in accordance with the following schedule:

a. Double-walled storage tanks and ~~below-grade~~ double-walled piping, in contact with the soil, shall be tested at the time of installation and at the time of any subsequent repair,

b. ~~Below-grade~~ P~~p~~iping sumps in contact with the soil shall be tested by October 13, 2018, and every three years thereafter, not to exceed 36 months,

c. ~~Below-grad~~e S~~s~~pill containment systems in contact with the soil shall be tested by January 11, 2018 ~~within one year of January 11, 2017~~, and at intervals not exceeding every three years thereafter, not to exceed 36 months; and,

d. ~~Below-grade~~ H~~h~~ydrant sumps in contact with the soil shall be tested by January 11, 2018 ~~within one year of January 11, 2017~~, and every three years thereafter, not to exceed 36 months.

2. No change.

(b) through (c) No change.

(5) No change.

(6) Evaluation and testing. Tanks shall be evaluated and the re-testing frequency established and implemented in accordance with API Std 653, November 2014, incorporated by reference in subsection 62-762.411(3), F.A.C. Storage tanks shall be evaluated at the time of installation. Evaluations shall be certified by a professional engineer licensed in the State of Florida, or approved by an API Std 653 certified inspector. Non-destructive testing shall be performed by qualified personnel as specified in API Std 650, March 2013, incorporated by reference in subsection 62-762.201(67), F.A.C., and API Std 653, November 2014. All field erected tanks shall be repaired in accordance with API Std 653, November 2014. Field erected tanks with storage capacities of less than 250,000 gallons may be evaluated in accordance with STI SP001, January 2018 ~~Revised 2011~~, incorporated by reference in subsection 62-762.411(3), F.A.C., in lieu of API Std 653, November 2014.

(7) Evaluation and testing of single-walled metallic bulk product and hydrant piping systems. Single-walled metallic bulk product and hydrant piping systems in contact with the soil, excluding those containing high viscosity products, shall be evaluated and the re-testing frequency established and implemented in accordance with API 570, 4th Edition, February 2016 ~~November 2009~~, incorporated by reference in subsection 62-762.411(3), F.A.C. Evaluations shall be certified by a professional engineer licensed in the State of Florida or by an API 570 certified inspector. Non-destructive testing shall be performed by qualified personnel as specified in API 570, 4th Edition, February 2016 ~~November 2009~~. All single-walled metallic bulk product and hydrant piping systems in contact with the soil shall be repaired in accordance with API 570, 4th Edition, February 2016 ~~November 2009~~.

*Rulemaking Authority 376.303 FS. Law Implemented 376.303, 403.091 FS. History–New 1-11-17, .*

**62-762.801 Out-of-Service and Closure Requirements for Shop Fabricated Storage Tank Systems.**

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

(a) Storage tank systems that are taken out-of-service, as required in this subsection shall continue to be maintained in accordance with this chapter unless otherwise noted herein ~~rule~~.

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

1. through 5. No change.

6. Register the storage tank system out-of-service in accordance with Rule 62-762.401, F.A.C.

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

1. Monthly visual inspections in accordance with paragraph 62-762.601(1)(e), F.A.C.,

2. Semiannual inspections of piping and dispenser sumps that use electronic release detection methods in accordance with paragraph 62-762.601(1)(e), F.A.C.,

3. Monthly inspection of electronic release detection devices in accordance with paragraph 62-762.601(1)(g), F.A.C.; and,

4. Release detection device annual operability testing, containment and integrity testing, and annual overfill protection device testing; however, ~~are not required while the system is properly out-of-service.~~ a~~A~~ll aforementioned testing shall be 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 systems that have been out-of-service for more than 365 days must be evaluated in accordance with the following prior to being returned to service:

a~~1~~. STI SP001, January 2018 ~~Revised 2011~~, incorporated by reference in subsection 62-762.411(3), F.A.C., regardless of the date of installation of the storage tank system; and,

b~~2~~. No change.

(d) Storage tank systems with secondary containment, not requiring repairs pursuant to Rule 62-762.701, F.A.C., shall only be designated as out-of-service for a maximum of 10 continuous years. Upon expiration of this time period, the storage tank system must be closed in accordance with paragraph 62-762.801(2)(b), F.A.C.

(e) Storage tank systems without secondary containment, not requiring repairs pursuant to Rule 62-762.701, F.A.C., shall not remain in a continuous out-of-service status for more than five years. Upon expiration of this time period, the storage tank system must be closed in accordance with paragraph 62-762.801(2)(b), F.A.C.

(2) Closure of storage tank systems.

(a) The following storage tank systems must be closed within 90 days in accordance with the provisions of this subsection:

1. through 2. No change.

3. A storage tank system that requires repair pursuant to Rule 62-762.701, F.A.C., but is not ~~cannot be~~ repaired within 90 days to operate in accordance with the requirements of this chapter shall be taken out-of-service. If the system is not ~~it cannot be~~ repaired within 365 days after being taken out-of-service, it shall be permanently closed.

4. 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, or in-place closure by rendering the storage tank free of regulated substances and vapors at the time of closure to prevent hazardous explosive conditions, by maintaining the storage tank to prevent future explosive conditions, and by protecting the storage tank from flotation in accordance with Chapter 22 of NFPA 30, 2018 ~~2015~~ Edition, incorporated by reference in paragraph 62-762.201(36)(a), F.A.C. In lieu of in-place closure or removal, a storage tank may be used to store liquids other than regulated substances. Owners and operators are advised that other federal, state, or local requirements apply that regulate these activities,

5. For single-walled storage tanks and single-walled integral piping in contact with the soil, regardless of the date of installation of the storage tank system or storage tank system component, an investigation shall be conducted during closure in accordance with *Instructions for Conducting Sampling During Aboveground Storage Tank Closure*, December 2018 ~~April 2016~~ Edition, or <http://www.flrules.org/Gateway/reference.asp?No=Ref-07699>, or the Department’s website at https://floridadep.gov/waste/permitting-compliance-assistance/content/storage-tank-system-rules-forms-and-reference, hereby adopted and incorporated by reference, and available at the address given in paragraph 62-762.211(2)(e), F.A.C.; and,

6. through 7. No change.

8. Once a storage tank system has been properly closed pursuant to subsections 62-762.801(2) and (3), F.A.C., and the Closure Report or the Limited Closure Report Form for ASTs 62-762.901(8), incorporated by reference in subsection 62-762.421(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 to indicate the storage tank system as closed in accordance with subsection 62-762.401(2), F.A.C.

(3) Closure Integrity Report, Closure Report, and Limited Closure Report.

(a) Closure Integrity Report.

1. No change.

2. A Closure Integrity Evaluation requires a visual assessment of the interstitial space of double-walled storage tanks, double-walled integral piping, double-walled piping sumps, double-walled dispenser sumps, and double-walled spill containment systems that are in contact with the soil to determine if there are any products or pollutants or any water other than condensate present within the interstice. For storage tank system components where the interstitial space cannot be visually inspected, o~~O~~ther methods approved by the manufacturer, PEI RP1200-17, or the Department such as vacuum, pressure, or inert gases may be used instead of visual observations.

3. through 5. No change.

6. A failed Closure Integrity Evaluation requires the reporting of the failed evaluation as an incident in accordance with paragraph 62-762.431(1)(f), F.A.C., and the investigation of the incident in accordance with Rule 62-762.431, F.A.C. If sampling is necessary to determine whether a discharge has occurred, then an investigation shall be conducted during closure in accordance with *Instructions for Conducting Sampling During Aboveground Storage Tank Closure*, December 2018 Edition, regardless of the date of installation of the storage tank system or system component being closed.

7. The owner or operator who does not, or elects not to conduct a Closure Integrity Evaluation, ~~as required~~ in accordance with ~~sub~~paragraph 62-762.801(3)(a)~~1.~~, F.A.C., before the storage tank system or system component has been removed or closed in-place, regardless of the date of installation of the storage tank system or system component, shall conduct an investigation at the time of closure in accordance with *Instructions for Conducting Sampling During Aboveground Storage Tank Closure*, December 2018 Edition.

(b) Closure Report. In cases where an investigation is conducted at the time of closure in accordance with *Instructions for Conducting Sampling During Aboveground Storage Tank Closure*, December 2018 Edition, a Closure Report shall be submitted in writing or electronic format to the county within 60 days of completion of the system or system component closure or replacement. The Closure Report shall be prepared in accordance with *Instructions for Conducting Sampling During Aboveground Storage Tank Closure*, December 2018 Edition.

(c) Limited Closure Report. Form 62-762.901(8), Limited Closure Report Form for ASTs~~, incorporated by reference in subsection 62-762.421(2), F.A.C.,~~ shall be submitted in writing or electronic format to the county within 60 days of completion of the closure or replacement in cases where ~~the following instances~~:

1. ~~Where~~ A~~a~~ Closure Integrity Evaluation passed,

2. ~~Where~~ A~~a~~ failed Closure Integrity Evaluation was investigated prior to closure and it was demonstrated that a discharge did not occur, or

3. ~~Where~~ A~~a~~ Closure Integrity Evaluation or Closure Report were not required because the closure only involved a storage tank system or system components that were not in contact with the soil.

*Rulemaking Authority 376.303 FS. Law Implemented 376.303, 376.30716 FS. History–New 6-21-04, Amended 1-11-17, .*

**62-762.802 Out-of-Service and Closure Requirements for Field Erected Storage Tank Systems.**

(1) No change.

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

(a) No change.

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

1. through 5. No change.

6. Register the storage tank system out-of-service in accordance with Rule 62-762.401, F.A.C.

(c) No change.

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

1. Monthly visual inspections in accordance with paragraph 62-762.602(1)(e), F.A.C.,

2. Monthly inspection of electronic release detection devices in accordance with paragraph 62-762.602(1)(g), F.A.C., and

3. Release detection device annual operability testing, containment and interstitial integrity testing, and annual overfill protection device testing; however, ~~are not required while the system is properly out-of-service.~~ a~~A~~ll aforementioned testing shall be up-to-date in accordance with this chapter and indicate proper operation before adding regulated substances to the storage tank system. In addition, before being returned to service, storage tank systems that have been out-of-service for more than 365 days must be:

a~~1~~. Structurally evaluated in accordance with API Std 653, November 2014, for field erected tanks, incorporated by reference in subsection 62-762.411(3), F.A.C.; and,

b~~2~~. Integrity tested in accordance with Rule 62-762.702, F.A.C., for integral piping.

(e) Storage tank systems with secondary containment, not requiring repairs pursuant to 62-762.702, F.A.C., shall only be designated as out-of-service for a maximum of 10 continuous years. Upon expiration of this time period, the storage tank system must be closed in accordance with paragraph 62-762.802(3)(b), F.A.C.

(f) Storage tank systems without secondary containment, not requiring repairs pursuant to 62-762.702, F.A.C., shall not remain in a continuous out-of-service status for more than five years. Upon expiration of this time period, the storage tank system must be closed in accordance with paragraph 62-762.802(3)(b), F.A.C.

(g) No change.

(3) Closure of storage tank systems.

(a) The following storage tank systems must be closed within 90 days in accordance with the provisions of this subsection:

1. through 2. No change.

3. A storage tank system that requires repair pursuant to Rule 62-762.702, F.A.C., but is not ~~cannot be~~ repaired within 90 days to operate in accordance with the requirements of this chapter shall be taken out-of-service. If the system is not ~~it cannot be~~ repaired within 365 days after being taken out-of-service, it shall be permanently closed.

4. 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, or in-place closure by rendering the storage tank free of regulated substances and vapors at the time of closure to prevent hazardous explosive conditions, by maintaining the storage tank to prevent future explosive conditions, and by protecting the storage tank from flotation in accordance with Chapter 22 of NFPA 30, 2018 ~~2015~~ Edition, incorporated by reference in paragraph 62-762.201(36)(a), F.A.C. In lieu of in-place closure or removal, a storage tank may be used to store liquids other than regulated substances. Owners and operators are advised that other federal, state, or local requirements apply that regulate these activities,

5. For single-walled storage tanks, and single-walled integral piping in contact with the soil, regardless of the date of installation of the storage tank system or storage tank system component, an investigation shall be conducted during closure in accordance with *Instructions for Conducting Sampling During Aboveground Storage Tank Closure*, December 2018 Edition,

6. through 7. No change.

8. Once a storage tank system has been properly closed pursuant to subsections 62-762.802(3) and (4), F.A.C., and the Closure Report or the Limited Closure Report Form for ASTs 62-762.901(8), incorporated by reference in subsection 62-762.421(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 to indicate the storage tank system as closed in accordance with subsection 62-762.401(2), F.A.C.

(4) Closure Integrity Report, Closure Report, and Limited Closure Report.

(a) Closure Integrity Report.

1. No change.

2. A Closure Integrity Evaluation requires a visual assessment of the interstitial space of double-walled and double-bottomed storage tanks, double-walled integral piping, and double-walled hydrant sumps that are in contact with the soil to determine if there are any products or pollutants or any water other than condensate present within the interstice. For storage tank system components where the interstitial space cannot be visually inspected, o~~O~~ther methods approved by the manufacturer, API Std 653, November 2014, PEI RP1200-17, or the Department such as vacuum, pressure, or inert gases may be used instead of visual observations.

3. through 5. No change.

6. A failed Closure Integrity Evaluation requires the reporting of the failed evaluation as an incident in accordance with paragraph 62-762.431(1)(f), F.A.C., and the investigation of the incident in accordance with Rule 62-762.431, F.A.C. If sampling is necessary to determine whether a discharge has occurred, then an investigation shall be conducted during closure in accordance with *Instructions for Conducting Sampling During Aboveground Storage Tank Closure*, December 2018 Edition, regardless of the date of installation of the storage tank system or system component being closed.

7. The owner or operator who does not, or elects not to conduct a Closure Integrity Evaluation, ~~as required~~ in accordance with ~~sub~~paragraph 62-762.802(4)(a)~~1.~~, F.A.C., before the storage tank system or system component has been removed or closed in-place, regardless of the date of installation of the storage tank system or system component, shall conduct an investigation at the time of closure in accordance with *Instructions for Conducting Sampling During Aboveground Storage Tank Closure,* December 2018 Edition.

(b) Closure Report. In cases where an investigation is conducted at the time of closure in accordance with *Instructions for Conducting Sampling During Aboveground Storage Tank Closure*, December 2018 Edition, a Closure Report shall be submitted in writing or electronic format to the County within 60 days of completion of the system or system component closure or replacement. The Closure Report shall be prepared in accordance with *Instructions for Conducting Sampling During Aboveground Storage Tank Closure*, December 2018 Edition.

(c) Limited Closure Report. Form 62-762.901(8), Limited Closure Report Form for ASTs~~, incorporated by reference in subsection 62-762.421(2), F.A.C.,~~ shall be submitted in writing or electronic format to the County within 60 days of completion of the closure or replacement in cases where ~~the following instances~~:

1. ~~Where~~ A~~a~~ Closure Integrity Evaluation passed,

2. ~~Where~~ A~~a~~ failed Closure Integrity Evaluation was investigated prior to closure and it was demonstrated that a discharge did not occur, or

3. ~~Where~~ A~~a~~ a Closure Integrity Evaluation or Closure Report were not required because the closure only involved a storage tank system or system components that were not in contact with the soil.

*Rulemaking Authority 376.303 FS. Law Implemented 376.303 FS. History–New 1-11-17, .*

**62-762.851 Alternative Procedures and Equipment Registration.**

(1) No change.

(2) Registration of storage tank system equipment and release detection systems and methods.

(a) through (c) No change.

(d) Only the storage tank system equipment as stated in this chapter shall be registered by the equipment manufacturer using Form 62-762.901(9), Storage Tank System Equipment Registration Form, (Equipment Registration Form) effective date (Form Date) ~~January 2017~~, hereby adopted and incorporated by reference. To obtain copies of this form see Rule 62-762.901, F.A.C., or <http://www.flrules.org/Gateway/reference.asp?No=Ref-07697>, or the Department’s website at https://floridadep.gov/waste/permitting-compliance-assistance/content/storage-tank-system-rules-forms-and-reference. The following storage tank system equipment is exempt from registration:

1. through 9. No change.

(e) through (i) No change.

*Rulemaking Authority 376.303 FS. Law Implemented 376.303, 376.30716 FS. History–New 6-21-04, Amended 1-11-17, .*

**62-762.901 Storage Tank Forms.**

Storage Tank Forms are listed by form number, the 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 available online at www.flrules.org, or on the Department 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 Registration.

(1) No change.

(2) Form 62-762.901(2) Storage Tank Facility Registration Form, Form Date ~~January 2017~~, incorporated by reference in paragraph 62-762.401(1)(b), F.A.C., and referenced in subsections 62-762.201(51), (61) and (76), F.A.C., and paragraph 62-762.891(3)(a), F.A.C., and also available online here: <http://www.flrules.org/Gateway/reference.asp?No=Ref-07695>.

(3) through (4) No change.

(5) Form 62-762.901(7) Closure Integrity Evaluation Report Form for ASTs, Form Date ~~January 2017~~, incorporated by reference in paragraph 62-762.411(2)(c), F.A.C., and referenced in subsection 62-762.201(11), and subparagraphs 62-762.801(2)(b)1., and 62-762.802(3)(b)1., F.A.C., and also available online here: <http://www.flrules.org/Gateway/reference.asp?No=Ref-07693>.

(6) Form 62-762.901(8) Limited Closure Report Form for ASTs, Form Date ~~January 2017~~, incorporated by reference in subsection 62-762.421(2), F.A.C., and referenced in subsection 62-762.201(43), and paragraphs 62-762.801(3)(c), and 62-762.802(4)(c), F.A.C., and also available online here: <http://www.flrules.org/Gateway/reference.asp?No=Ref-07696>.

(7) Form 62-762.901(9) Storage Tank System Equipment Registration Form, Form Date ~~January 2017~~, incorporated by reference in paragraph 62-762.851(2)(d), F.A.C., and also available online here: <http://www.flrules.org/Gateway/reference.asp?No=Ref-07697>.

*Rulemaking* *Authority 376.303 FS. Law Implemented 376.303, 376.320, 376.322, 376.323 FS. History–New 1-11-17, .*