



STATE OF MAINE
Department of Environmental Protection



Registration of Underground Oil Storage Facilities

REGISTRATION FORM GENERAL INFORMATION

The purpose of this registration is to gather information on underground tanks that store or have stored petroleum products. Registration is required for all underground oil storage facilities regardless of tank size or type of petroleum product stored and regardless of whether the tanks are in service or out of service. The information you provide must be accurate and based upon reasonably available records or, in the absence of such records, to the best of your knowledge or belief.

Who must register an underground oil storage tank?

The tank owner is responsible for registering all tanks. Completed registration forms for new and replacement underground oil storage facilities and tanks must be submitted to the Department of Environmental Protection (DEP) at least ten (10) business days prior to installation. If the ownership of an existing tank is uncertain or in dispute, the current owner of the property where the tank(s) are located must register the tank(s).¹

If the owner is a corporation, limited liability company, or other entity required to register with the Secretary of State's Office, the owner's name on the registration must match the corporate name on file with the Secretary of State's Office. If applicable, please submit a copy of your Information Summary sheet from the Division of Corporations with your registration, available at: www.maine.gov/sos/cec/corp/index.html.

What tanks must be registered?

All tanks that meet the state definition of underground oil storage tanks must be registered. An underground oil storage tank is defined as "any container, 10% or more of which is beneath the surface of the ground and which is used, or intended to be used, for the storage, use, treatment, collection, capture or supply of oil". The term does not include "any tanks situated in an underground area if these tanks or containers are situated upon or above the surface of a floor and in such a manner that they may be readily inspected"². Underground piping associated with these tanks must also be registered. Oil means "petroleum products and their by-products of any kind and in any form including, but not limited to, petroleum, fuel oil, motor oil, sludge, oil refuse, oil mixed with other waste, crude oil, and waste oil and all other liquid hydrocarbons regardless of specific gravity"³. Overflow tanks associated with oil-water separators are considered underground oil storage tanks. Underground piping connected to aboveground oil storage tanks must also be registered.

¹ See *Oil Storage Facilities and Groundwater Protection Law*, 38 M.R.S. § 563 and *Rules for Underground Oil Storage Facilities*, 06-096 C.M.R. ch. 691(4)

² See 38 M.R.S. § 562-A(22)

³ See 38 M.R.S. § 562-A(15)

The following tanks are exempt from the underground oil storage facility registration requirements of the Department Rules as they do not fall within the definition of an “underground oil storage tank” listed above:

- Tanks and piping located aboveground where less than ten percent (10%) of the tank is located below ground;
- Septic tanks;
- Underground propane tanks;
- Pipeline facilities (including gathering lines) regulated under the Federal Natural Gas Pipeline Safety Act of 1968, or the Federal Hazardous Liquid Pipeline Safety Act of 1979;
- In-state pipeline facilities regulated under State laws;⁴
- Surface impoundments, pits, ponds or lagoons;
- Surface water or waste water collection systems;
- Oil-water separators;
- Hydraulic lift tanks;
- Flow-through process tanks except where used for treatment;
- Liquid traps or associated gathering lines directly related to oil or gas production and gathering operations;
- Storage tanks situated in an underground area (such as a basement, cellar or vault, mineworking, drift, shaft, or tunnel) if the storage tank is situated on or above the surface of the floor and is fully inspectable.

However, any underground piping containing petroleum and associated with the above-listed tanks must be registered.⁵

If you are in doubt as to whether you are the owner of an underground storage tank that must be registered with the Department, contact Tank Registration staff at (207) 287-7688.

What substances are covered in the term “oil”?

All liquid petroleum and petroleum products except natural gas or propane are included by State law.

Where should I register?

Send the registration form to: ATTN: Tank Registration, MDEP-BRWM, 17 State House Station, Augusta, ME 04333-0017. A copy must also be filed with the local fire department, or if the facility is located in an unorganized township, with the Land Use Regulation Commission. Keep a copy for your own records.

When should I register my tank?

Owners of underground oil storage tanks existing as of March 1, 1985 should have registered by February 1, 1986. Tanks installed after March 1, 1985 must be registered ten (10) days before installation.⁶

⁴ 38 M.R.S. § 563

⁵ 38 M.R.S. § 563(10)

⁶ 38 M.R.S. § 563(1)(A)

Restrictions on tank location.

Maine Law and Department Rules⁷ may prohibit the siting of a new underground oil storage facility near drinking water supplies or on significant sand and gravel aquifers.

- A. A person may not register, install, or cause to be installed a new underground oil storage facility (referred to in this section as a "facility") in a Wellhead Protection Zone. "Wellhead Protection Zone" means:
 - i. In the case of a private drinking water well, the area within 300 feet of the well; and
 - ii. In the case of a public drinking water well, the greater of:
 - (1) The area within 1,000 feet of the well; and
 - (2) The source water protection area⁸ of the well if mapped by the Department of Health and Human Services.⁹
- B. The Department's Rules prohibit installation of oil storage facilities in significant sand and gravel aquifers. A person may not install or cause to be installed an oil storage facility within a significant sand and gravel aquifer mapped by the Maine Geologic Survey. This prohibition applies regardless of proximity to a public or private drinking water well.¹⁰

NOTE: Source Water Protection Area maps and Significant Sand and Gravel Aquifer maps can be obtained at local town offices, or through the Maine Center of Disease Control (CDC) Drinking Water Program at (207) 287-2070, or are available on the Maine Drinking Water Program website at:

www.maine.gov/dep/gis/datamaps/DWP_Wells/

Exemptions. The siting prohibitions listed above in A and B do not apply to:

- (1) An underground oil storage facility in existence or under construction on September 30, 2001 or an aboveground oil storage facility in existence or under construction on September 30, 2008;
- (2) The replacement or expansion of an underground oil storage facility in existence on September 30, 2001 or an aboveground oil storage facility in existence on September 30, 2008 as long as the replacement or expansion

⁷ 38 M.R.S. §§ 1391-1396 and 06-096 C.M.R. ch. 692(3) and (4)

⁸ Defined under 30-A M.R.S. § 2001(20-A): "Source water protection area" means an area that contributes recharge water to a surface water intake or public water supply well for a public drinking water supply. In order to qualify as a "source water protection area," the area must be identified and mapped by the Department of Health and Human Services, and that information must be given to the municipality in which the source water protection area is located.

⁹ 38 M.R.S. § 1392(11)

¹⁰ 06-096 C.M.R. ch. 692(4)

occurs on the same property and the facility meets all applicable requirements of law;

- (3) The conversion of an aboveground oil storage facility permitted by the fire marshal and in existence on September 30, 2001 to an underground oil storage facility or the conversion of an underground oil storage facility to an aboveground oil storage facility as long as the conversion occurs on the same property and the facility to be converted meets all applicable requirements of law;
- (4) A facility used solely to store heating oil for consumption on the premises;
- (5) The installation of a facility located on the same property as a well serving only users of that property.

This subsection may not be interpreted to allow the conversion, replacement or expansion of an underground oil storage tank or underground oil storage facility subject to the abandonment requirements of 38 M.R.S. § 566(A) and Chapter 691(11).

Variance.

The commissioner may grant a variance from the siting prohibition under some circumstances.¹¹ A variance application can be obtained by contacting Tank Registration staff at (207) 287-7688.

Penalties.

Owners who fail to register their tanks or who submit false information to the Department may be subject to a civil penalty of up \$100 to \$10,000 per tank per day for which notification is not given or false information is submitted.

Amended registration.

Maine statutes require the owner or operator to file an amendment to this registration with the Department of Environmental Protection upon any change of information contained in this form. For example:

- A. The facility is sold or otherwise transferred;
- B. The facility is modified, e.g., new tanks or piping, change of product stored; retrofitting of or changes in leak detection or overfill prevention equipment; etc.

Registration must be amended within ten (10) business days of the date of the change. For a change in ownership, the new owner is responsible for notifying the commissioner of the change. A person who has not submitted an amended registration as required must pay a late fee of \$100.

¹¹ See 38 M.R.S. §1394 and 06-096 C.M.R. ch. 692(3)(B) and (4)(B-E)

What registration fees are required?

A registration fee of \$100 is required for each tank [except for tank(s) serving single family residences] located at the facility beginning January 1, 2009 and every three (3) years thereafter upon receipt of a bill from the Department.

The Department will bill the underground oil storage tank owner after receiving and reviewing the registration materials. The Department may prorate the fee for new installations to put all tank owners and operators on the same billing cycle.

Questions and assistance.

For assistance in completing the registration form or for answers to questions about underground oil storage facilities, please call Underground Storage Tanks Program staff at (207) 287-7688.

Page intentionally left blank

REGISTRATION FORM INSTRUCTIONS

Section A-1 will help you determine if the Maine laws limiting the siting of new underground oil tanks applies to your facility. This law is designed to protect wells and water supplies from contamination.

If you answer **YES** to any of the Questions 1-4, then your facility is exempt from the siting restrictions. If you are exempt, *skip Section A-2* and continue to Section B of the form. If all Questions 1-4 are answered **NO**, you must continue with Section A-2.

Section A-2 provides guidance for new facilities located near wells and water supplies and must be completed if you answered “no” to all of the questions in A-1. You are preparing to register a facility that may be subject to siting restrictions.

Instructions for Specific Questions in Section A-2

Question 5: *Will any portion of the tanks, piping*, or dispensers be located within 300 feet of a private well or water supply including any well that serves the facility?*

Question 6: *Will any portion of the tanks, piping*, or dispensers be located within the source water protection area of a public drinking water supply mapped by the Department of Human Services or within 1000' of a public water supply, whichever is greater?*

Maps of source water protection areas (Public Drinking Water Supply Wells and Water Supply 1000 Foot Buffers) are available on the web at: www.maine.gov/dep/gis/datamaps/DWP_Wells/. Public water supplies are defined as any well or water supply where water is obtained for, sold, furnished or distributed to the public for human consumption. To be a public water supply, the well or water supply must meet one or more of the following requirements:

- Serve more than 15 connections OR
- Regularly serve at least 25 individuals daily for at least 60 days of the year OR
- Provide bottled water for sale where the water is pumped from on site.

Question 7: *Does the public well or water supply serve a school or community water supply system?*

A community water system is a public water system that serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.

* “Piping” includes product piping, vent piping, and stage II vapor recovery piping

Question 8: *Will any portion of the tanks, piping*, or dispensers be located within a mapped significant sand & gravel aquifer?*

Significant Sand and Gravel Aquifer maps can be obtained at local town offices, or through the Department of Health and Human Services, Drinking Water Program at (207) 287-2070, or are available on the Maine Drinking Water Program website at www.maine.gov/dep/gis/datamaps/DWP_Wells/.

Maine law prohibits installation of USTs within significant sand and gravel aquifers mapped by the Maine Geological Survey unless a variance is obtained from the Department.¹²

If the answer to either **Question 5** or **Question 7** is **YES**, then a new underground oil storage facility may not be installed unless the applicant can demonstrate there is no hydro-geologic connection between the proposed facility and the water supply at issue. Contact the Tank Registration staff at (207) 287-7688 to obtain information on the procedures to follow to determine if a hydro-geologic connection exists.

If the answer to **Question 6** is **YES** and the answer to **Question 7** is **NO**, then a variance from the siting restriction may be granted upon written application if the DEP determines that the proposed installation is designed to exceed minimum regulatory requirements and will effectively minimize releases of oil and the likelihood of drinking water contamination. Contact the Tank Registration staff at (207) 287-7688 for a variance application.

If the answer to **Question 8** is **YES**, please review 06-096 C.M.R. ch. 692(4)(B-E) to determine if a variance may be applicable for the proposed site.

The commissioner shall not grant a variance from the prohibition in 06-096 C.M.R. ch. 692(3)(B) or (4)(B-E) if any part of the proposed facility site overlies a mapped aquifer that has high potential as a future public drinking water resource.

Sections B through D of the Registration Form cover the information necessary for all tank registrations regardless of where the facility is located.

Section E gives specific requirements for facility plans to be submitted.

You must supply map coordinates of the corners of the fuel containing portions of the facility, and groundwater monitoring wells. All coordinates must be in Universal Transverse Mercator (UTM), North American Datum 1983 (NAD 83), Zone 19 North standards and must be sub-meter accuracy & precision. Map coordinate units for UTM are in meters. (NOTE: Please do not submit state plane coordinates which are in feet.)

* "Piping" includes product piping, vent piping, and stage II vapor recovery piping

¹² See 38 M.R.S. §1394 and 06-096 C.M.R. ch. 692(4)



MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION
REGISTRATION FORM
for Underground Oil Storage Facilities



Section A-1

<p>State Use Only</p> <p>Registration Date</p> <p>___/___/___</p>

- Were all of the tanks you are registering installed before September 30, 2001?
YES: NO:
- Will the new facility be used solely to store heating oil that is consumed on site (not for resale)?
YES: NO:
- Is the facility replacing an aboveground oil storage facility that has been issued a permit by the Fire Marshal, installed before September 30, 2001 and located on the same property, and does that aboveground oil storage facility meet all applicable requirements of law?
YES: NO: (If registered, please enter registration # here)
- Is the facility replacing or expanding an underground oil storage facility located on the same property that was registered and installed on or before September 30, 2001, and does that facility meet all applicable requirements of law?
YES: NO: (If yes, please enter registration # here)

If you answered NO to all of the questions above, then you must complete Section A-2 If you answered **YES** to any of the Questions 1-4 above, then your facility is exempt from the siting restrictions; you can then skip Section A-2 and continue to Section B of the form.

Section A-2

- Will any portion of the facility be located within 300 feet of a private well or water supply?
YES: NO:
- Will any portion of the facility be located within the source water protection area of a public drinking water supply mapped by the Department of Human Services or within 1000 feet of a public water supply, whichever is greater?
YES: NO: *If the answers to Questions 5 & 6 are both NO, skip Question 7 and answer Question 8.*
- Does the public well or water supply serve a school or community water supply system?
YES: NO:
- Will any portion of the facility be located within a mapped significant sand & gravel aquifer?
YES: NO:

If you answered **YES** to any of the Questions 5 through 8 above, **STOP**. Do not complete Section B. Refer to page 2 of the "Registration Form Instructions."

Section B

REGISTRATION NUMBER: _____

(Complete only if a registration number has been previously assigned by the Department)

FACILITY INFORMATION

Facility Name: _____

Facility Physical Address: _____

(911 Street Address) *Apartment/Unit #*

City *State* *Zip Code*

Facility Phone Number: _____

Directions to Facility: _____

TANK OWNER

Contact Person: _____

Name *Phone Number*

Owner Name:
(Corporate Name if registered with
the Secretary of State. Attach copy of
Secretary of State information sheet)

Mailing Address: _____

Street Address *Apartment/Unit #*

City *State* *Zip/Postal*

Phone and Fax Number: _____

Phone Number *Fax Number*

E-mail Address (optional): _____

TANK OPERATOR (if different from Owner)

Name: _____

Mailing Address: _____

Street Address *Apartment/Unit #*

City *State* *Zip/Postal*

Phone and Fax Number: _____

Phone Number *Fax Number*

Section C

FACILITY SITING

YES NO

- A. Are any planned or existing tank(s) including piping and dispensers within 1000 feet of a public water supply source?
- B. Are any planned or existing tank(s) including piping and dispensers within 300 feet of a private water supply source?
- C. Complete if the answer to "B" above is **YES**. Is the water supply which is located within 300 feet of the tank(s) owned by someone other than the facility owner or operator?
- D. Is the facility located on a sand and gravel aquifer or recharge area as mapped by the Maine Geological Survey?
- E. Is the facility located within a 100 year floodplain? Federal Emergency Management Agency (FEMA) maps showing floodplain locations are available at most municipal offices.

If you need assistance in answering items (D) and (E), please call Tank Registration staff at (207) 287-7688. Sand and gravel aquifer maps can be reviewed at any of the Department's offices, purchased for a nominal fee from the Maine Geological Survey, 93 State House Station, Augusta, ME 04333, phone (207) 287-2801, or viewed online at http://www.maine.gov/dep/gis/datamaps/DWP_Wells/

FACILITY USE: (check only one)

- | | |
|--|--|
| Wholesale Distribution of Oil | Oil Storage at a Multi-family Residence |
| Retail Distribution of Oil | Oil Storage at a Public Facility |
| Oil Storage at a Commercial Establishment for On-site Consumption | Oil Storage at a Single Family Residence |
| Oil Storage at an Industrial Establishment for On-site Consumption | Oil Storage at a Municipal or Public School Facility |
| Oil Storage at a Federal Facility | Oil Storage at a State facility |
| Oil Storage at a Farm | |

Section D

A. Tank Type
 A Steel – bare or asphalt coated
 C Single Wall – Cathodically Protected
 E Single Wall – Fiberglass
 G Double Wall – Fiberglass
 V Double Wall – Jacketed
 W Double Wall – Steel, Cathodically Protected
 N Other (specify) _____

B. Piping Type (same codes as tank) or
 D Steel w/ secondary containment
 O Copper
 X Single Wall – Flexible
 Y Double Wall – Flexible
 Z Copper w/ secondary containment

C. Tank/Chamber Size
 Size of Tank/Chamber in gallons

D. Tank Leak Detection
 0 Unknown
 4 Manual Ground Water Sampling
 5 Automatic Tank Gauge (ATG)
 7 Secondary Containment w/ Continuous Electronic Monitoring
 8 Secondary Containment – Manual Monitoring
 9 Statistical Inventory Analysis (SIA)
 10 None

E. Product Stored
 1 Kerosene
 2 # 2 Fuel Oil
 5 # 5 Fuel Oil
 19 Unleaded Plus
 23 Unleaded Regular
 24 Aviation Gas
 25 Jet Fuel
 28 Unleaded Premium
 29 Diesel Fuel
 81 Waste Oil
 99 Other (specify) _____

F. Tank Status
 A Planned
 B Active
 C Out of Service
 D Abandoned in Place (Filled)
 E Planned for Removal
 F Removed (Date)

G. Pump Type
 1 Suction
 2 Pressurized
 3 Suction & Return
 4 Siphon
 10 None

H. Pipe Leak Detection (Use same codes as Tank, except):
 6 In-Line Leak Detector
 11 Conforming Suction System

I. Dispenser
 1 Dispenser Sump
 2 Dispenser Sump w/ Continuous Electronic Monitoring
 3 N/A

J. Overfill Prevention
 2 Electronic (90% capacity)
 5 Automatic Shutoff (Flapper) (95 % capacity)
 6 Vent Ball (90% capacity)
 7 Vent Whistle (90% capacity)

K. Date of Installation

Check here if you are upgrading existing tanks

Fill in “Tank/Chamber Numbers” and blocks “C” and “E” for all registrations.
 Fill in all other blocks only for the facility components that are being replaced or upgraded.

Tank/Chamber #'s	A	B	C	D	E	F	G	H	I	J	K

Section E

FACILITY & AREA PLANS/SKETCHES

The following information is required for all new and replacement facility registrations or piping upgrades/extensions. Additional information may be required if the facility is subject to siting restrictions.

- a. A scale drawing of the proposed facility tied to a property marker or other permanent structure. The drawing must show the proposed location of all tanks, piping (product and vapor), dispensers and other facility components relative to other site features, including existing tanks, piping, dispensers, monitoring wells, buildings and adjacent roads. **You must supply map coordinates of the corners of the fuel-containing portions of the facility, and map coordinates of any groundwater monitoring wells. All coordinates must be in Universal Transverse Mercator (UTM), North American Datum 1983 (NAD 83), Zone 19 North standards and must be sub-meter accuracy & precision. Map coordinate units for UTM are in meters. (Do not submit state plane coordinates which are in feet.)**
- b. For new or replacement motor fuel storage facility, provide an additional drawing showing distances and bearings to private wells within 300 feet and public water supplies within 1000 feet.
- c. For all installations and replacements of tanks and piping after January 1, 2014, the facility owner shall maintain a to-scale, as-built drawing of the facility at the facility or the owner's primary place of business. The drawing is to show the location of tanks, piping, dispensers and other major underground facility components to facilitate safe facility maintenance, repairs, replacement and remediation.

MAKE TWO (2) COPIES OF THIS FORM.

Submit the original to Attn: Tank Registration, Maine Department of Environmental Protection, 17 State House Station, Augusta, ME 04333-0017. Send one (1) copy to the local Fire Department having jurisdiction. Retain the second copy for your records. For new and replacement tank(s), the registration form is due at least ten (10) business days prior to installation.

The Department will bill the underground oil storage tank owner after receiving and reviewing the registration materials. The Department may prorate the fee for new installations to put all tank owners and operators on the same billing cycle.

Your registration will be incomplete and returned to you if all sections and attachments are not completed and submitted.

IF NEW, REPLACEMENT OR RETROFITTING EXISTING TANKS OR PIPING ARE INCLUDED WITH THIS REGISTRATION, PLEASE PROVIDE:

Name of Installer:	Installer ID #
Date of Planned Installation:	

CERTIFY THIS FORM BY SIGNING. By signing this form, I, the tank registrant, certify that all information is accurate and complete to the best of my knowledge, and that I will comply with all applicable federal, state, and local laws and regulations concerning the underground storage of petroleum products.

I further acknowledge that as the tank registrant I am required by Maine statutes to file an amendment to this registration with the Department of Environmental Protection immediately upon any change of information contained in this form.

Signature of Owner or Authorized Employee

Name and Title (Please Print or Type)

Date