



Department of Commerce

Division of State Fire Marshal

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PROCEDURES FOR THE CLOSURE-IN-PLACE OF BUSTR USTs

Paragraph (F) of rule 1301:7-9-12 of the Administrative Code defines the conditions in which an underground storage tank system, that is regulated by the Bureau of Underground Storage Tank Regulations (BUSTR), may be 'closed-in-place'. It is the policy of the State Fire Marshal that out-of-service UST systems shall be removed from the ground in an appropriate manner unless extenuating circumstances prevent the removal of the UST system. If the extenuating circumstances are justified and a request has been properly submitted to the State Fire Marshal or the appropriate delegated authority, then approval will be granted for the closure-in-place of the UST or portions thereof.

REQUEST FOR CLOSURE-IN-PLACE

A request to close-in-place an UST system shall be made in writing prior to the performance of this activity. In order to avoid costly delays, owners and operators are strongly encouraged to seek approval for closure-in-place at least 30-days prior to when the activity is scheduled to take place. The written request must be sent to the State Fire Marshal or a certified fire safety inspector with delegated authority for the jurisdiction where the UST system is located. BUSTR maintains a list of all fire departments that have been delegated to inspect underground storage tanks. A copy of this list may be obtained by going to the BUSTR website at: <http://www.com.ohio.gov/fire/bustMain.aspx>.

The closure-in-place request must be made in cases where an entire UST system is being closed as well as in cases where an individual product lines are being closed-in-place. The closure-in-place request is usually submitted along with the application for a permit for the work to be performed. Please note, receiving a permit to perform work on an UST system shall not to be mistaken as approval for closure-in-place of an UST system. The State Fire Marshal and many delegated fire departments issue a separate approval letter for the closure-in-place of an UST system.

DEFINING EXTENUATING CIRCUMSTANCES

The most common examples of extenuating circumstances that justify the closure-in-place of UST systems are as follows:

- The UST system is located adjacent to or under equipment or structures that will likely be damaged or weakened if the UST system is removed;
- The UST system is situated in a location where removal is physically impossible; or
- Removal of an UST system may expose people or the environment to unreasonable hazards.

DEMONSTRATING EXTENUATING CIRCUMSTANCES

Option 1: The preferred method of demonstrating that extenuating circumstances are present at a site is to have the UST system evaluated by a registered professional engineer who is experienced in structural decisions. The professional engineer must prepare a letter stating why the UST system should be closed-in-place.

Option 2: Another method is to obtain a written statement from a certified fire safety inspector with delegated authority over the UST system being closed-in-place or from a certified fire safety inspector from BUSTR for those areas that are not delegated. The certified fire safety inspector must indicate, in writing, the specific reasons why the UST is a candidate for closure-in-place.

SUBMITTING A REQUEST TO CLOSE-IN-PLACE

A letter, signed by the owner of the UST system or the property owner, must be submitted to the State Fire Marshal or delegated fire department as appropriate. The letter must request approval to close-in-place the UST system and must also include a thorough description of the UST, its location and any structures in close proximity. The letter must be accompanied by a written statement from a registered professional engineer or a certified fire safety inspector attesting that the UST system qualifies for closure-in-place.

RECEIVING APPROVAL TO CLOSE-IN-PLACE

The request for closure-in-place and the supporting documentation will be evaluated by the State Fire Marshal or delegated fire department as appropriate. If the extenuating circumstances have been properly documented and justified, then a written response will be sent to the owner indicating that the closure-in-place has been approved. The owner must make the approval letter available to the certified installer and the underground storage tank inspector at the time that the closure-in-place activity takes place. For future reference, the owner should keep the approval letter with the property records for life.

PERFORMING THE CLOSURE-IN-PLACE

The closure-in-place must be performed in accordance with paragraph (F) of rule 1301:7-9-12 of the Administrative Code and in accordance with the terms defined in the approval letter. In most cases the closure-in-place will be approved with the following conditions:

- The closure-in-place is to be performed in accordance with ‘American Petroleum Institute Recommended Practice 1604-2001; Closure of Underground Petroleum Storage Tanks’;
- All flammable or combustible liquid from the tanks and all connecting lines must be removed;
- The suction, inlet gauge and vent lines must be removed;
- The tanks must be completely filled with an inert, solid material with a density greater than water (e.g. sand, gravel, slurry) and the remaining underground piping must be capped;
- A record of tank size, location, date of closure-in-place, approval for closure-in-place and method used for placing the closed-in-place tanks in a safe condition must be maintained; and
- A closure assessment should be conducted, checking for contamination, as defined by paragraph (I) of rule 1301:7-9-12 of the administrative Code, if applicable. Owners and operators are encouraged to contact the BUSTR Corrective Action Section to determine closure assessment protocols for closure-in-place activities at 614-752-7938.

OBTAINING ADDITIONAL INFORMATION

BUSTR maintains a list of all fire departments which have been delegated to inspect underground storage tank systems. For a copy of the list or for additional information, please contact BUSTR at 614-752-7938 or visit the BUSTR web site at: <http://www.com.ohio.gov/fire/bustMain.aspx>. If work is being performed in a delegated area, owners and operators are encouraged to contact the delegated fire department to determine if any other procedures are required as part of obtaining approval to close-in-place an UST.

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