



## Environmental Affairs Division

Pollution Prevention and Abatement Branch

May 2003 (revised)

# Technical Guide: Removal of Underground Storage Tanks (USTs) Encountered During Construction

## What do I do when USTs are Discovered?

When an unanticipated UST system is discovered in the right-of-way, especially if it is located in the path of construction, it will need to be removed from the ground. Do not allow the prime contractor, subcontractor, or TxDOT personnel to handle or disturb the tanks or the surrounding soil. To properly remove the UST system from the ground you should contract with a registered UST contractor that employs the appropriately trained and licensed personnel.

## Are UST Systems and Associated Activities Regulated?

Yes, the Texas Commission on Environmental Quality (TCEQ) regulates UST systems and the associated installation, repair, removal, assessment, corrective action activities and UST contractors and consultants.

## Who in TxDOT can I call for Assistance?

For District assistance, you can contact your District Environmental Coordinator, Hazardous Materials Coordinator, Petroleum Storage Tank Coordinator, or in some cases your ROW Section. For Division assistance, you can call the Pollution Prevention and Abatement Branch, Environmental Affairs Division (ENV-PPA) for assistance.

- James P. Barta Jr., P.E. Supervisor      Phone: (512) 416-3008 Fax: (512) 416-2319
- Terry Dempsey      Phone: (512) 416-3010
- Doug Mack      Phone: (512) 416-2634
- Dan Neal      Phone: (512) 416-2667

## Type of Contractor Needed to Remove the UST System

Only qualified personnel who hold the appropriate license and registration from the TCEQ can perform the removal of a UST system. The UST Contractor is required to be registered with the TCEQ and their on-site supervisor must hold a valid Class "B" License.

## Information Needed for UST Contractor

The following is the information that is needed to assist the UST contractor in preparing a bid / cost proposal for the UST system removal (if some of the information is unknown - such as the size of the

tank, then state that size is unknown or indicate an estimated size; e.g., size estimated at 2,000 gallons):

- The number and size of the UST(s)
- The contents (product stored) and an estimate of the volume of fluids remaining in the UST(s)
- Type and thickness of surface cover over the tanks (concrete, asphalt, soil) and whether there is a need to relocate or remove objects or structures (canopy, dispensers, building, etc)
- The location of the tanks including the proximity to the roadway and need for traffic control
- Location of underground or aboveground utilities
- Special backfill compaction requirements
- Removal time frame.

### **Required Permits and Notifications**

Prior to the removal of the UST system, TxDOT is required to provide written notification to the TCEQ at least 30 days in advance of the UST removal activity, using a TCEQ authorized form (Underground and Aboveground Storage Tank Construction Notification Form --- TCEQ-0495), which is available on their Webpage ([http://www.tnrcc.state.tx.us/permitting/r\\_e/pstta/](http://www.tnrcc.state.tx.us/permitting/r_e/pstta/)). The form must be sent to the TCEQ's central office in Austin or to the appropriate TCEQ Regional Office. The UST contractor may submit the form on TxDOT's behalf. Additionally, TxDOT or its' contractor must contact the appropriate TCEQ Regional Office 24 to 72 hours in advance of initiating construction activities. If time is critical, after the submission of the Construction Notification Form, TxDOT may request a waiver of the 30 day requirement from the TCEQ's Regional Office to accelerate the construction schedule.

TxDOT or its' contractor should also notify local government (city and/or county) and the local and/or state Fire Marshal of the intent to remove a UST system. Any necessary permits, if applicable, should be obtained.

For USTs discovered within the right-of-way, TxDOT **should not** be listed as the UST Owner, but as the property owner.

### **UST Registration Requirements**

All existing USTs are required to be registered, unless they have been properly and permanently removed from service pursuant to TCEQ regulations. Previously unknown tanks, sometimes referred to as "ghost" tanks, are not required to be registered, if they are permanently removed from service within 60 days of the date TxDOT became aware of the tanks on existing right-of-way.

### **Reporting Requirements**

After the completion of the removal activity, the contractor will provide TxDOT with a written report documenting the UST excavation, removal, and contamination assessment. A copy of this report is required to be submitted to the TCEQ within 30 days after the completion of the removal activity. The contents of this report are described in the TCEQ Technical Guidance Document: [How to Remove Your Underground Storage Tank From the Ground \(RG-016\)](#), which is available on their Webpage ([http://www.tnrcc.state.tx.us/permitting/r\\_e/pstta/](http://www.tnrcc.state.tx.us/permitting/r_e/pstta/)).

## Type of UST Removal Contracts Available

- ❖ **Purchase of Service Contracts:** Arrange for a purchase of service contract for tank removal. Work with your District Contracting/Purchasing staff to assist you in the acquisition of a UST contractor.
  - The current version of the UST removal specification (Removal of Petroleum Storage Tank System(s) TxDOT-968-78-65\*) is located on the General Services Division's Intranet Webpage [http://crossroads.org/gsd/tssi\\_num.htm](http://crossroads.org/gsd/tssi_num.htm). Districts can contact ENV-PPA if additional assistance in editing a tank removal specification is needed.
  - You may contact ENV-PPA to assist with project scoping and for assistance in preparing a project-specific bid schedule.
- ❖ **Pre-arranged Purchase of Service Contract:** Some districts have pre-arranged blanket purchase order contracts. If your District has a contract in place, work with your District contact to arrange services. You may contact ENV-PPA to assist with project scoping and tank removal regulatory requirements.
- ❖ **Statewide Environmental Engineering Services Contracts:** The Contract Services Office (CSO) and ENV-PPA have multiple statewide environmental engineering consultants on contract to respond to environmental issues, including tank removals. These contracts may be used for tank removals even though an engineering consultant is not necessary for tank removals, unless it is anticipated that contamination will be encountered and additional assessment and/or corrective actions / preventative actions will be required.
  - To utilize these services contact ENV-PPA to discuss the needs of the project - contact numbers are listed above.
  - Also, contact the CSO's environmental contract manager to have an engineering consultant assigned to your project.
    - John Joaquin, CSO      Phone: (512) 486-5710      Fax (512) 486-5701
  - Once assigned, you will need to contact the consultant and provide him with the information gathered regarding the USTs. The consultant will provide a proposal with a cost estimate for review. After review by you, ENV-PPA and CSO, and any necessary revisions are made to the proposal and cost estimate, the CSO will issue a work authorization to the consultant. The consultant may not perform any activities until the work authorization has been signed by the CSO.
  - For more information regarding the use of these contracts see the CSO's Intranet Webpage at [http://crossroads.org/cso/env\\_work\\_authorizations.htm](http://crossroads.org/cso/env_work_authorizations.htm) and in *Hazardous Materials in Project Development, Volume 4, Chapter 1 (Hazardous Materials Services Contracts)* located on ENV's Intranet Webpage.
- ❖ **Construction Contract Change Order(s):** If the UST is encountered by the construction contractor, provide the contractor with the option to perform the UST removal as "extra work" by a Change Order in accordance with *Article 4.3* of the *TxDOT Standard Specifications*.
  - The contractor is not obligated to opt for "extra work" since the required work is outside the scope of their contract or the contractor's cost for the change order may be more expensive than the use of other contracting methods.

- If the contractor does agree to a UST removal change order, TxDOT should ensure that the contractor and/or subcontractor utilized is properly registered and the appropriate personnel are licensed by the TCEQ, and complies with the notification and reporting requirements.

### **Leaking Petroleum/Product Storage Tanks (LPST)**

If it is determined, after the tank removal, that there was a release from the UST system then an environmental assessment and other corrective action / preventative actions will be required. Additionally, owners and operators are required to notify the TCEQ within 24 hours after the discovery or notification of the release. This reporting can be accomplished via a telephone call to the TCEQ Austin Central Office at (512) 239-2200 or the appropriate Regional Office and the submission of the tank removal report prepared by the UST contractor.

You may contact ENV-PPA to assist with the regulatory requirements regarding LPST sites, project scoping, use of the Statewide Environmental Engineering Services Contractors for site assessments and corrective/preventative actions, and for interfacing with the TCEQ.

### **Reference Information**

TCEQ Rules:

- Registration Requirements: 30 TAC, Chapter 334, Subchapter A, §334.7
- Construction Notification: 30 TAC, Chapter 334, Subchapter A, §334.6
- Permanent Removal from Service: 30 TAC, Chapter 334, Subchapter C, §334.55
- UST Contractor Registration / Licensing: 30 TAC, Chapter 334, Subchapter I, §334.401, §334.407, §334.424 and Chapter 30, Subchapter I §§30.301-319.

TCEQ Publications and Forms:

*Underground Storage Tank Registration and Self-Certification Form (TCEQ-0724)*

*Underground & Aboveground Storage Tank Construction Notification Form (TCEQ-0495)*

*Technical Guidance: Am I Regulated (RG-042)*

*Technical Guidance: How to Remove Your Underground Storage Tank from the Ground (RG-016)*

*TCEQ Regional Offices (GI-2)*

TxDOT Guidance

Environmental Manual

Hazardous Materials in Project Development Guidance Document