

The Florida Agricultural Handbook of Solid and Hazardous Waste Regulation: Underground Storage Tanks¹

Michael T. Olexa and Ian Goldfarb²

What is an underground storage tank?

An underground storage tank is any storage tank that has more than 10 percent of its volume below the surface of the ground. This 10 percent includes piping. Underground storage tanks are considered special hazards and are regulated by the Florida Department of Environmental Protection (DEP). Title 62-761 (passed in 1990) refers solely to underground storage tanks, with only a few exemptions from regulation. Requirements are updated on a regular basis (e.g., all underground storage tanks need to have secondary containment devices installed by either 2009 or 2010). Check with local or state governments frequently to ensure continued compliance in this area of changing laws and restrictions.

What underground storage tanks are exempt from regulation?

The exemptions include, among others,

- any storage tank system with an individual capacity of 110 gallons or less;
- any agricultural storage tank system with a capacity of 550 gallons or less;
- any storage tank system used for storing less than 30,000 gallons of heating oil for consumptive use on the premises where stored;
- any tank that contains asphalt or asphalt products not containing other regulated substances;

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2. Michael T. Olexa, professor, Food and Resource Economics Department; director, Center for Agricultural and Natural Resource Law, Florida Cooperative Extension Service, Institute of Food and Agricultural Sciences, University of Florida, Gainesville, FL; and member, Florida Bar and Agricultural Law Committee of the Florida Bar; and Ian Goldfarb, graduate student, Levin College of Law and Hough Graduate School of Business, University of Florida, Gainesville, FL.

- any storage tank system that contains small quantities of regulated substances, provided that the quantities are roughly the same as those in household products;
- storage tank systems used solely for temporary storage of mixtures of pesticides and diluters for reapplication as pesticides;
- any surface impoundment, pit, pond, or lagoon;
- any stormwater or wastewater collection system;
- any residential storage tank system.

Most farmers and ranchers will meet one or more of these exemptions, and their underground storage tanks will not be subject to regulation under this particular rule. Any discharges or leaks will still be regulated under the federal RCRA (Resource Conservation and Recovery Act), the state's RRMA (Resource Recovery and Management Act), and any other statute that may apply. If you do not fall within these exemptions, we recommend that you contact the regional DEP office in your area for more information on the regulation of underground storage tanks ([FE786](#), Contact Agencies).