

# **Guidelines for Decommissioning Residential Heating Oil Tanks**

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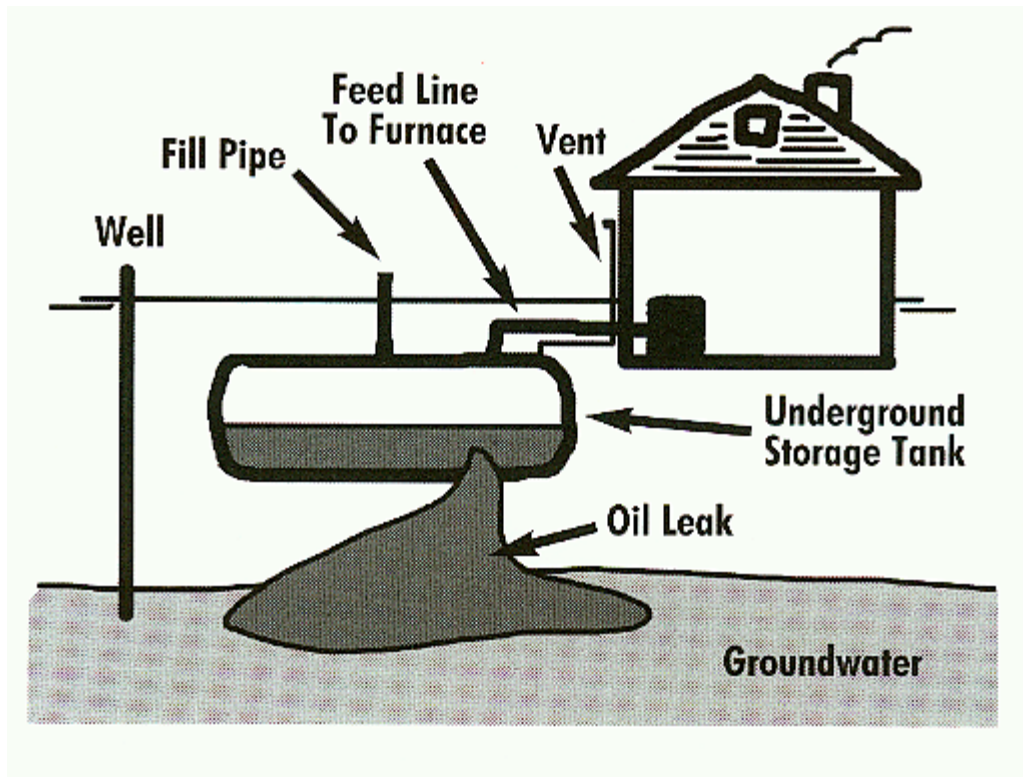
State and Local Regulations Applying to Unused Residential Tanks

Steps to Remove a Tank or Decommission it in Place

Advice on Hiring a Contractor and Soil Testing Laboratory

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# Guidelines for Decommissioning Residential Heating Oil Tanks



Many Thurston County homeowners have heating oil tanks they no longer use. Home heating oil tanks, used and unused, can cause problems for property owners and the environment. Heating oil tanks can last 30 or more years, depending on the surrounding soil and thickness of the tank, before corroding and leaking.

## **A leaking tank can:**

- Contaminate soil on the primary and neighboring properties;
- Contaminate groundwater, our primary source of drinking water in Thurston County;
- Contaminate surface waters;
- Cause vapor accumulation under or in nearby buildings;
- Collapse and cause sinkholes.

Property owners are liable for contamination caused by a leaking tank. In fact, past or present ownership of contaminated property may result in liability. Because of this, most lenders require decommissioning (removing or closing in place) of unused heating oil tanks before finalizing a property sale.

Delaying clean up can allow contaminants to spread and increase clean up costs. Therefore, it's in the homeowner's best interest to remove or decommission an unused home heating oil tank before it presents a problem.

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## Regulatory Requirements

The two areas of regulations pertaining to residential heating oil tanks address environmental contamination and fire and safety issues.

The Model Toxics Control Act (MTCA; RCW 70.105D) and its implementing regulations (WAC 173-340) contain the state's requirements around investigation and clean up of contaminated sites. MTCA applies to contamination from heating oil tanks in the surrounding soil.

The 1997 Uniform Fire Code, adapted by WAC 51-44, requires decommissioning of heating oil tanks that have been out of service for one year or more using one of the following processes:

1. Excavation of the tank and restoration of the site in an approved manner.
2. Abandonment of the tank in place by filling it completely with an approved, inert solid material.

Another set of regulations to consider are local building codes. Some jurisdictions require a permit before decommissioning a tank, as well as an inspection after decommissioning. Check with your jurisdiction to confirm requirements according to the methods that will be used for decommissioning (see page 6 for contact information).

Homeowners are responsible for getting the proper permits for decommissioning. However, many contractors include this in their service. For a partial list of contractors serving Thurston County, see our fact sheet "Contractor List."

If the contractor gets the permits, be sure to get a copy for your records.

Taking soil samples after decommissioning a tank is highly recommended because they objectively and legally document whether the site is contaminated or not.

## Leak Insurance

Free clean-up insurance is available for heating oil tanks through the State of Washington Pollution Liability Insurance Agency (PLIA), (800) 822-3905. There is no premium or deductible, and signing up is as easy as filling out a one-page form (downloadable at [www.plia.wa.gov](http://www.plia.wa.gov)). Apply for insurance as soon as possible, as the insurance only covers leaks that occur after the heating oil tank has been registered. You can also check your homeowner's insurance policy to see if leaking tanks are covered. Remember, you may be held liable for damage and clean up caused by a leaking oil tank.

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## Removing or Decommissioning a Residential Heating Oil Tank

You can meet the requirements of the Uniform Fire Code, and avoid future liability and real estate sales difficulties, by completing the steps below. Lenders may have additional requirements.

- 1. Determine who will do the work.** We recommend hiring a licensed, experienced contractor to do the work. While homeowners can complete some of the following tasks, they can be dangerous to people and the environment. Tanks can explode under certain conditions, so unless you have suitable training and experience, hiring a qualified contractor is the safest option (see our "Contractor List" fact sheet).
- 2. Determine the tank contents.** Insert a long stick to the bottom of the tank to help determine the depth of the oil inside the tank. The tank may also contain some water, which indicates a leak in the tank. An inexpensive water detection paste can be purchased from most heating oil companies, and placed on the stick to determine if water is present.
- 3. Pump the tank and dispose of contents properly.** Complete this step as soon as possible to help prevent soil and groundwater contamination.
- 4 a. Remove and dispose of the tank.** This is preferable to leaving an abandoned tank in the ground for several reasons:
  - Contaminated soil can be located and cleaned up.
  - Soil samples are easier to take once a tank has been removed. We highly recommend that soil samples be taken even if there are no odors or visible signs of a leak to document a clean closure.

- Many lenders and buyers require removal of unused tanks as a condition of sale.

Consider taking pictures during the removal process for your records. In addition, any contaminated soil removed from around the tank should be properly disposed; it can not be stored on site. Be sure to get documentation from your contractor to verify that the tank was disposed of properly. To recycle the tank as scrap metal, it must be cleaned out and all sludge must be removed and disposed of as hazardous waste. A hole should be cut in the end of the tank so the scrap metal dealer can verify that no sludge remains.

- 4 b. Decommission the tank in place.** Check with your local fire marshal and/or building department for permitting requirements and approved fill materials. Keep in mind the following points before choosing this method:
  - You may be required by lenders and buyers to test the soil under the tank after decommissioning.
  - Obtaining soil samples from below an underground tank is difficult and can cost more than removing the tank in the first place.
  - Tanks must be pumped out and cleaned before decommissioning in place. All oil, rinse water, and sludge must be disposed of properly.
  - Local ordinances may not allow abandoning the tank in place.
  - Removing a tank that has been filled in place is difficult and costly.
- 5. Test soil for contamination.** Check with your local building and fire department to determine if soil testing is required in your jurisdiction. MTCA requires soil tests if contamination is present to document

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the cleanup. Even if a leak is not detected, it's a good idea to test the soil to legally document that the site is not contaminated. Your contractors can collect soil samples and have them analyzed.

- 6. Clean up contaminated soils.** The state Model Toxics Control Act (WAC 173-340) sets clean up standards for contaminated sites. Report contaminated sites to the Washington State Department of Ecology at 360-407-6300. The amount of contamination determines how contaminated soil is handled.
- 7. Document everything.** Keep a file of permits, lab results, disposal records, pictures, and reports from contractors regarding any cleanup.

## Hiring a Contractor

For a list of local contractors, see our fact sheet "Contractor List," or check the yellow pages for "Tanks - Removal." We recommended that you get at least three bids, check references, and ensure the contractor's license is current before selecting one. If you hire a contractor, you are still liable for any environmental contamination. Therefore, it is important that you carefully research the options.

### What to ask contractors:

- Are they experienced? Can they provide the names and telephone numbers of current or recent customers as references?
- Do they have environmental pollution liability coverage?
- Do they collect soil samples?
- Which laboratory do they use for the analyses?
- Where will the tank, oil, and contaminated water from rinsing out the tank be disposed? Is that disposal site insured?

- What documentation, labeling, and other paperwork are provided? You should receive documentation of disposal of the tank, a copy of the lab results, documentation that the soil samples were handled properly, a copy of any permits required, and documentation of the disposal and/or treatment of any wastes.

## Finding a Laboratory for Soil Testing

Several laboratories in the state perform tests for petroleum contaminated soil. We recommend that an experienced, unbiased person collect the samples. If you decide to collect the soil samples, call the laboratory for specific instructions regarding the sampling procedure.

Check our "Contractor List" fact sheet, or look under "Laboratories - Analytical" in the phone book. Laboratories are not certified by any government agency and these procedures and prices vary widely. Therefore, it's a good idea to get several bids before selecting a laboratory.

### What to ask laboratories:

- Are they familiar with the recommended method for testing petroleum contaminated soil?
- Do they perform it regularly?
- Can they provide the names and numbers of recent customers as references?
- What are their sampling and shipping procedures?
- Do they provide the sample containers?
- How long will it take to get the results?
- What type of documentation do they provide?

## Local Government Requirements

The following table shows the different municipal requirements for decommissioning a home heating oil tank in Thurston County.

	Building Department Phone Number	Should I Contact the Fire Dept.?	Is a Permit and Site Plan Required?*	Is an Inspection Required?	Is a Soil Test Required?**
Unincorporated Thurston County	(360) 786-5490	No	Yes	Yes	Yes, if inspector detects contamination or if tank is decommissioned in place
Bucoda	(360) 278-3525	No	Yes	Yes	Same as County
Lacey	(360) 491-5642	No	No	No	Only if tank is leaking
Olympia	(360) 753-8314	Yes (360) 753-8348	Yes	Yes	Yes
Rainier	(360) 239-4794	No	Yes	Yes	Same as County
Tenino	(360) 264-2368	No	No	Yes	Yes, if inspector detects contamination
Tumwater	(360) 754-4180	No	Yes	Yes	Yes, if inspector detects contamination
Yelm	(360) 458-3835	No	Yes	Yes	Yes, if inspector detects contamination

\* It is the homeowner's responsibility to get the proper permit. However, many contractors include this in their service. If your contractor obtains the permit for you, make sure you receive a copy.

\*\* Soil tests are recommended because they are the only way to legally document that your site is not contaminated.

## Thurston County Environmental Health

412 Lilly Road NE, Olympia WA 98506-5132

Phone: (360) 867-2664

TDD: (360) 867-2603



This document was adapted for use in Thurston County from a booklet produced by the Interagency Resource for Achieving Cooperation (IRAC) called "IRAC Guidelines for Decommissioning Residential Heating Oil Tanks" (1999). IRAC provides a forum for government regulators to identify and resolve gaps, overlaps and conflicts with other agencies' regulations. Participants include staff from numerous local, regional, state and federal agencies. To learn more about IRAC or become a member, visit <https://lhwmp.org/IRAC>.