



UNDERGROUND STORAGE TANK SECTION September 2004

OPERATING PERMIT APPLICATION REQUIREMENTS

Owners and operators of commercial petroleum underground storage tanks (USTs) must annually obtain an operating permit for a facility at which a UST is located. Fuel may not be placed into a UST at a facility for which the owner or operator does not hold a currently valid operating permit. The UST Section may only issue an operating permit to a tank owner or operator provided certain criteria are met. These criteria include payment of annual tank operating fees and a demonstration of compliance with all state laws and rules pertaining to UST systems. The specific requirements for applying for a permit are described below:

(1) Tank Fees

Tank owners or operators must pay all required annual tank fees.

(2) Tank Ownership

The current tank owner must have a completed and notarized statement of ownership on file with the UST Section. The statement of ownership must be either a Form UST-15A entitled "Ownership of UST System(s)" or a Form UST-15 entitled "Change of Ownership of UST System." This is a one-time requirement for each owner of a UST.

(3) Tank Registration

Tank owners or operators must have a completed Form UST-8 entitled "Notification of Activities Involving Underground Storage Tank System(s)" on file with the UST Section. Tank owners or operators must submit a new Form UST-8 each time the registration information for a UST system changes (e.g., steel piping is replaced with double-walled flex piping).

(4) Tank Compliance

Tank owners or operators must complete and sign a "Compliance Questionnaire" for each facility. This questionnaire consists of four questions and is located on the back of the invoice for annual tank fees. The questionnaire must be completed each year. A Form UST-8 may be used in place of the Compliance Questionnaire for an initial operating permit.

(5) Financial Responsibility

Tank owners or operators will be required to submit proof of financial responsibility when new tanks are installed, tank ownership is transferred from one owner to another, or as determined by the UST Section. Financial responsibility must be maintained for a regulated UST until the tank is permanently closed and any required corrective action is completed.

In addition to the requirements listed above, an operator who applies for an operating permit will also be required to sign a statement of responsibility for UST systems.

Operating permits are issued to tank owners or operators. Therefore, if a UST at a facility is sold to a new owner, the new owner must apply for a permit in his/her name. The permit issued to the old owner is no longer valid even if annual tank fees are paid through the end of the permit period. A new permit must be obtained in the name of the new tank owner. The same requirement applies to operators seeking a permit.

COMMON REASONS FOR OPERATING PERMIT NON-ISSUANCE

Tank owners and operators are responsible for maintaining currently valid operating permits for all USTs. If you have paid your tank fees, but have not received your operating permit, please make sure that you have met the permit application requirements listed above. Common reasons for permit non-issuance are improper completion of the required forms, insufficient proof of ownership and/or lack of financial responsibility. In addition, the UST Section may not issue a new permit or may revoke an existing permit if unresolved violations exist.

MORE INFORMATION

All tank registration and tank ownership/change of ownership forms may be downloaded from the UST Section web site at <http://wastenot.enr.state.nc.us>. Also visit the web site for information on financial responsibility and other UST compliance requirements. Specific questions about your operating permit should be directed to the Permits and Registration Group at (919) 733-8486.